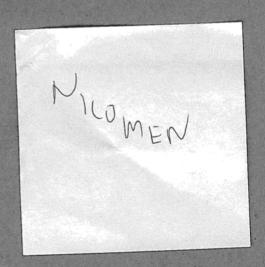
1931-1928



31-149-15

ADDRESS ALL COMMUNICATIONS TO LAND SETTLEMENT BOARD

SETTLEMENT

OF

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PROVINCE OF

VICTORIA, B.C.

November 9th, 1931.

Bruce Dixon, Esq., Commissioner, West Nicomen Dyking District, New Westminster, B. C.

Dear Sir:

warding the May coupons of that District, which should satisfy paid coupons of the West Nicomen Dyking District, we are for-Answering your letter of the 7th instant, re the auditor's requirements.

Yours faithfully,

Accountant.

SES/NE

Nov. 7th. 1931.

The Land Settlement Board, Victoria, B. C.

#### Attention Mr. Sonley

Dear Sir:-

The auditor has been in this office for some days auditing our accounts and has raised the question of the coupons which have been discharged on the West Nicomen bond issue. His point is that these coupons, when discharged, should be on file at this office to check against the remittances from up for this purpose. He seemed to attach some importance to this point and we would appreciate receiving your reaction in this connection.

Yours very truly,

BD/B.

Bruce Dixon. Stoot Commissioner.



#### CANADIAN FARM LOAN BOARD

DR. J. D. MACLEAN,

ROOM 412 JACKSON BUILDING

Ref. B.C. 11-7 & 11-13

OTTAWA,

November 6, 1931

Dear Mr. Dixon:-

I have before me your letter of October 31st with respect to the adequacy of the dykes in the West Nicomen Dyking District. In reply, permit me to thank you very sincerely for the trouble that you have taken in writing me giving your views of the efficiency of the dyking works now existing with respect to this very important farming section.

There has been so much discussion and there have been so many abortive dyking schemes mooted in connection with Nicomen Island that the Board naturally was cautious with reference to making many investments in farm mortgages there. It is very gratifying, therefore, for me to have the assurance of one so expert in dyking matters and in whose judgment and probity I have the greatest confidence.

Again thanking you, I remain

Yours faithfully,

JDM/N

Bruce Dixon, Esquire,
Inspector of Dykes,
Department of Railways,
Court House,
New Westminster, B.C.

LAND SETTLEMENT BOARD ADDRESS ALL COMMUNICATIONS TO



VICTORIA, B.C.

Bruce Dixon, Esq.,

Inspector of Dykes,

New Westminster, B. C.

Dear Sir:

We thank you for your letter of Oct.

30, enclosing cheque for \$1,740.00 being payment of interest coupons, West Nicomen Dyke District.

Official receipt is endosed.

Yours faithfully,

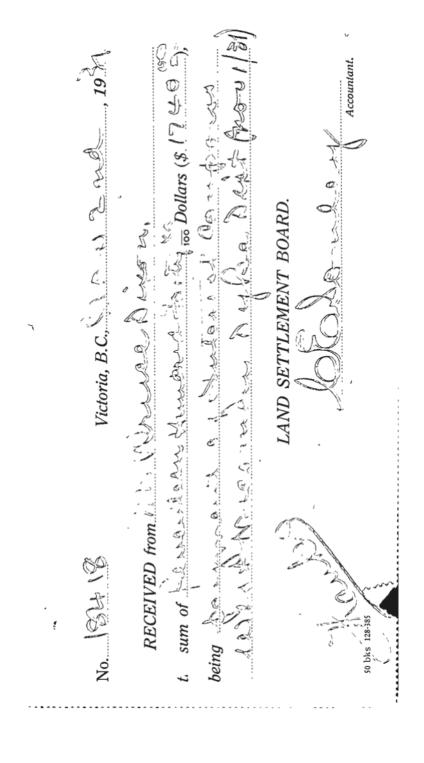
LAND SETTLEMENT BOARD.

Accountant.

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CS. Encl.

Page 5 of 179



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TO: MICOLIGIA POLICIA

Dr. 1. D. Hockons.

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Geropor From Tolk

they were able to get the interest rate on the bond issue reliased to 4% and with the generous relief which was from time to the provided by statute the financial affairs of the District so similar and was one and one-balf years about of schools and carnings of similar fund investments almost equivalent to requirements our years before.

In 1929 the dying works to which we have referred as proving indequate were corrected, the Fublic Works Department of the Province constructing new dykes for highway protection and therefore without cost to the Dictrict. It is understood that the Deminion Covernment have definitely seem aloud the protection of the river-bank as their responsibility and as the Provincial Public Corks Department have excludedly taken on the responsibility for the actual negligeness of the dyle items of the physical conditions of the District ere now ideal, with assurance further that they will be made to remain so without expense to far on the forming interests are consequed. An a count dyling accomments will probably in factore not exceed. An a count dyling accomments will probably in factore not exceed. (1.50 per cose.

All this, to suggest, placed the District of Vest Discount in a nest feverychio position and we see no reason why it should not seen become the busine District of the Preser Valley.

The cry also recent the coll is nonderfully productive and oring perhaps to air drawings and choiter the sections are concented in educate of most other localities in the Valley. This combination, no doubt, capplies the reason for a not return of \$500 per acre for rimbers in the applies of 1951.

Accuping oquality in the catter of the personal equation or believe that the Dietzlot of Vent Receion is now better equipped for progress than any other Dietzlot in the Proces Vellay.

Your vory trady.

BD/B.

Brico Dizon. Inopector of Dykos. Dew aney 13. C.

Oct 31 de 1931

De sur Dison

Impector of Dykes

Two Westminster B. C.

Dear Sir.

Sam en closing time

for cleaning out & Ditch on Wortho

property per your instructions.

To J. C. Gibson b day @ 250 per day "15.00

Jours truly

Candrud Gourlay

October 30th, 1931.

Land Settlement Board, Victoria, B. C.

#### Attention Mr. Sonley

Dear Sir: -

With reference to yours of the 26th instant, we beg to enclose herewith cheque for \$1,740.00 of the West Nicomen Dyking District to pay interest coupons due on the 1st November.

Yours very truly,

Bruce Dixon, Inspector of Dykes.



VICTORIA, B.C.

Oct. 26, 1931.

Bruce Dixon, Esq., Commissioner, West Nicomen Dyking District, New Westminster, B. C.

Dear Sir:

On 1st November interest coupons of the West Nicomen Dyking District totalling \$1740.00 become due. These are payable at our office here. Please be good enough to forward your cheque for the above - same to reach us by Monday morning, November 2.

Yours faithfully,

LAND SETTLEWENT BOARD.

CES:CS

Page 11 of 179

August 24th, 1931.

C. G. Lewis, Esq., Manager, Canadian Bank of Commerce, New Westminster.

Door Sir: -

Thore are on deposit at your Victoria Branch certain securities representing investments of the West Nicomen Dyking District Sinking Fund. These are held to the joint order of the Land Settlement Board and the Yorkshire & Canadian Trust Limited. The latter are trustees for the bond-helders while the former were acting in the capacity of dyking commissioners to the District. Some time age this effice took over the administration of this District from the Land Settlement Board at Victoria as Commissioners but the securities referred to are still deposited in Victoria. This arrangement is not convenient for us and we would be obliged if you would take the matter up with your Victoria office with a view towards having the securities referred to transferred here for our convenience.

Yours very truly,

BD/B.

Bruce Dixon, Inspector of Dykes.



VICTORIA, B.C.

Aug. 21, 1931.

Bruce Dixon, Esq.,

Inspector of Dykes,

New Westminster, B. C.

Dear Sir:

#### Re West Nicomen Dyke Sinking Fund.

Answering your letter of August 4 re transfer of securities now held by the Canadian Bank of Commerce here to joint order of Land Settlement Board and the Yorkshire & Canadian Trust Limited. Inasmuch as the proposal does not involve disposal of the present securities, but merely their transfer from one branch of the Canadian Bank of Commerce to another, it will probably not be necessary to secure the consent of the Yorkshire & Canadian Trust Limited.

We would suggest that you make application through your bank to the Canadian Bank of Commerce here for transfer.

Yours faithfully,

LAND SETTLEMENT BOARD.

Accountant .

CES:CS



VICTORIA, B.C.

Aug. 8, 1931.

Bruce Dixon, Esq.,

Inspector of Dykes,

New Westminster, B. C.

Dear Sir:

With reference to West Nicomen Dyking
District Sinking Fund Account and the transfer
of certain securities to the Bank of Commerce in
your city. Mr. Sonley, Our Accountant, is at
present on vacation, and this matter will be dealt
with on his return week after next.

Yours truly,

LAND SETTLEMENT BOARD.

CEH: CS

August 6th, 1931.

Harry Yeomans, Esq., Deroche, B. C.

Dear Sir: -

We regret that we have been unable to advise you earlier with reference to the ownership of the land occupied by the Dominion dam through the property which you recently purchased from Mr. Michie.

We find that in August, 1919, a highway was gazetted 33ft. wide along this dam described as 169 feet on each side of the center line. The gazette is found on Page 2506 for the year 1919.

Yours very truly,

BD/B.

Bruce Dixon. Inspector of Dykes. The Land Settlement Board, Victoria, B. C.

#### Attention Mr. C. E. Sonley

Dear Sir:-

RE: West Nicomon Dyking District Sinking Fund Account

We have for acknowledgment yours of the 30th ultimo and note your remarks with reference to the various securities held in the Canadian Bank of Commerce at Vietoria.

We are wondering if you are correct in stating that the consent of the Yorkshire & Canadian Trust Ltd. is necessary before these securities can be transferred to. the Canadian Bank of Commerce here. We have carefully perused our copy of the Trust Deed concerned and believe that the only regulation imposed regarding this detail is found in Section 3. Subsection D. This Subsection imposes a responsibility upon the Commissioners with reference to levying texes with which to create and maintain a sinking fund for the redemption of the debentures sufficient to redeem them on the 1st day of May. 1953. It stipulates that the Commissioners shall receive, hold and invest the said sums and any income from time to time derived from any investments and so on. The intention appears to be that the creation and maintenance of a proper sinking fund account is strictly a responsibility of the Commissioners, the usual auxiliary machinery being provided but only becoming operative in the event of the Commissioners becoming derelict in their duties. It occurs to us that the best interests of the sinking fund can only be served when carnings are immediately reinvosted and our idea in having these

The Land Settlement Board

2 -

securities transferred here was that so delay might be safeguarded against.

We could probably obtain the consent of the Yorkshire & Canadian Trust Ltd. to this transfer as you suggest but we would perhaps be faced with a bill for solicitor's fees as we were recently in another connection and on this account we hesitate in asking their consent.

We would be obliged if you would look up this matter again and advise us if you were correct in your recent letter.

Yours very truly.

BD/B.

Bruce Dixon, Inspector of Dykes.

August 3rd, 1931.

The Land Settlement Board, Victoria, B. C.

#### Attention Mr. C. E. Sonley

Dear Sir: -

Referring to your letter of the 30th ultimo in connection with the affairs of the West Nicomen Dyking District we beg to enclose herewith cheque for \$2,500.00 in your favour in reduction of the debt of this District to your Board.

Yours very truly,

Bruce Dixon.

B. Inspector of Dykes.



VICTORIA, B.C.

July 30, 1931.

Bruce Dixon, Esq., West Nicomen Dyke Commissioner, Court-House, New Westminster, B. C.

Dear Sir:

We acknowledge your letter of July 16, and should have answered sooner, but due to rush of work have been unable to get it out before.

We enclose statement showing \$3765.28 outstanding by the District to Land Settlement Board, for which we shall be pleased to receive your cheque at earliest convenience.

In regard to the last paragraph of your letter, were state that the various securities held in Canadian Bank of Commerce here are according to Trust Beed deposited to joint order of Land Settlement Board and Yorkshire & Canadian Trust Limited in Sinking Funds of West Nicomen Dyking District. Before anything can be done regarding the transfer of these to your bank at New Westminster, it will be necessary to secure the consent of the Yorkshire & Canadian Trust Limited.

We are enclosing bill from the B. C. Electric Railway Company for \$130.00 covering service or demand charge in connection with West Nicomen dyke.

Yours faithfully,

LAND SETTLEMENT BOARD.

### WEST NICOMEN DYKE

May 1/30 To Cash (coupons)	1590.00
June 23/30. " " (Regist)	5.00
Nov. 1/30 " " (coupons)	1940.00
Dec. 31/30 " Interest,	160.28
Sept. 30/30 " Administration,	270.00
Nov. 13/30 " Registration,	5.00 3970.28
**	
Less	
Oct. 2 By Cash, Regist.	5.00
Dec. 23 " " Coupons,	200.00 205.00
	\$ 3765.28

July 16th, 1931.

The Land Settlement Board, Victoria, B. C.

#### Attention Mr. Sonley

Dear Sir:-

#### RE: West Nicomen Dyking District Finances

We have before us a list of committments up to December 31st, 1930, compiled, we think, in October last included in which are some items which we have since paid direct to the firms interested and in which is also included some items of monies owing to your Board. October we borrowed \$3,000.00 from your Board for the use of this District and we believe that some of this money was used to meet the interest coupons falling due on November 1st and presume that the balance was used against some of the items appearing on this list. We are unable. to arrive at the actual indebtedness of this District to your Board and we would appreciate a statement from you showing this position exactly. We may not be able to clear this account entirely at the present moment as collections this year are proving very difficult on account of the conditions obtaining, but we hope to make a substantial payment as soon as we receive your statement.

There is another matter about which we had intended writing you previously. On October 9th last you sent us a list of your Sinking Fund investments. We have since made one investment on Sinking Fund account and the security for this investment is in our vault. We feel that it would be wise to keep all these securities together and thus ensure the clipping of coupons promptly when due and we would therefore suggest that you send the securities in your possession to this office.

Yours very truly,

BD/B.

Bruce Dixon, Inspector of Dykes.

OFFICE OF THE CHIEF ENGINEER



VICTORIA

JUNE 24th 1 9 3 1

DEPARTMENT OF PUBLIC WORKS

File #312

Dewdney District West Nicomen Dyking District

Sir:

This will acknowledge your letter of April 13th in connection with the above, and I regret very much the delay in replying thereto.

I wish to say that the work which this Department carried out was not for the protection of lands but for the protection of our highway. Therefore, future maintenance will be a charge against the District Vote.

Note

I am forwarding a copy of your letter to Mr. Verner.

Yours very truly,

Chief Engineer.

Bruce Dixon, Esq., Inspector of Dykes, Court House, New Westminster, B. C.

PP:AW

May 22nd, 1931.

Superintendent of Lends. Victoria, B. C.

#### Attention "Purchases" Your File 098501

Dear Sir:-

We have for acknowledgment yours of the 19th instant and note your request for information with reference to the present value of the land covered by the application of Mr. James E. Bovingdon of Deroche. B. C.

Legal Subdivisions 12 and 13 of Fr. N. W. 2 Section 29. Twp. 23. is low lying land and uncleared. Drainage presents a difficult problem and it is probable that adequate drainage cannot be provided. Its value is only for pasture purposes and in order that it may be utilized even for this purpose considerable clearing is required. The property immediately adjoining this consisting of 48 acres was recently sold to our knowledge for \$300, and we think this would be a positive indication as to the value of the land in question.

Last year the Department of Public Works of the Province constructed a dyke for highway protection & and this dyke is located upon this property following the general direction of the Quaanitch Slough. So far as we can ascertain the dyke right-of-way has never been registered so that care should be taken in alienating the property to include only that portion lying within the above mentioned dyke. The area of the property lying within the dyke is approximately 16 acres. Upon receipt of your letter we took up the matter of registering the dyke right-of-way with officials of the Public Works Department here and we presume that they will be immediately attending to the matter of registration.

Yours very truly.

Bruce Dixon, I nspector of Dykes

May 19th, 1931.

The Yorkshire & Canadian Trust, Ltd., 525 Seymour Street, Vancouver, B. C.

#### Attention Accountant

Doer Sir:-

We have for acknowledgment yours of the 15th instant with reference to approved of certain plans for registration in the West Nicomen Dyking District.

Several weeks ago we were able to dispose of this matter by throwing the small portion which was intended to be dedicated for read allowances into the acreage of the lot to which it was to provide an outlet. This obviated the matter of read dedication which we understood was your difficulty as regards approving the plan. The matter is all cleared up and the lots involved are now in private ownership and we trust will be revenue producing.

Yours very truly,

BD/B.

Bruce Dixon. Inspector of Dykes.

May 19th, 1931.

Colonel W. S. Latta,
Director Land Settlement Board,
Victoria. B. C.

Dear Sir:-

Thanks for yours of the 15th instant in connection with Mr. Gourlay's compensation for services rendered during the year 1929. There is little doubt that Mr. Gourlay is entitled to payment for his services but we thought it wise to refer the matter to you as in the memo which you left with us in connection with assessments there was a reference to Mr. Gourlay for services in the amount of \$500 and this we took to refer to the year 1930. We will have to try and discover some way of finding the money for Mr. Gourlay's 1929 services.

Yours very truly,

BD/B.

Bruce Dixon, Inspector of Dykes.

# The Yorkshire & Canadian Trust, Limited

Head Office, Huddensfield, England

Cally Addres, Yorlshire-Vancouver HM Dyson President FHC Wright Vice President

Yorkshire Building
525 Seymour Street
Vancouver, Canada

15th May. 1931.

Mr. Bruce Dixon, Inspector of Dykes. New Westminster, B.C.

Dear Sir:

West Nicomen Dyking District.

Referring to our previous correspondence, we have now to advise you that we have received from the Departmental Solicitor the following letter:

"On receipt of your letter of the 2nd of March last, I took this matter up with the Public Works Department, and the Land Registry office at New Westminster, and am now in receipt of their reports, and am authorized to state that this Department fully approves of the registration of the plans in question."

"I note the plans have already been approved by the Assistant Public Works Engineer of the Province, the proper approving officer under the "Land Registry Act" so I trust you will see your way clear now to finally approve of this registration."

Yours faithfully,

WFO/LC



VICTORIA, B.C.

May 15, 1931.

Bruce Dixon, Esq., Inspector of Dykes, Court-House, New Westminster, B. C.

Dear Sir:

Replying to yours of May 14 re A. Gourlay, Dewdney.

It is quite correct that Mr. Gourlay was employed on the terms as stated in my letter. My recollection is that I explained this, amongst other things, when turning over the books to your office. Although the cancellation of taxes for the year 1929 makes it impossible to carry out exactly the terms of Mr. Gourlay's contract, at the same time, I feel sure he could enforce payment if he wished. A good deal of work was under way early in that year in connection with the installation, etc., of the new pump, and it appeared necessary to have a representative on the ground. Ever since the time the Land Settlement Board took over as Dyking Commissioners, there has been a man employed in that capacity at the same rate of pay and on the same terms.

Yours truly,

LAND SETTLEMENT BOARD.

Directo

WSL:CS

May 14th, 1931.

Colonel W./S. Latta, Land Settlewent Board, Victoria, B. C.

Dear Sir:-

We have received a letter from Mr. Andrew Gourlay of Doudney, B. C. under date of May 1st as follows:-

"This is now my third year as resident representative "of the Commissioners for the West Nicomen Dyking "District. I have received no remuneration yet. I "am enclosing you a copy of a letter I had from Mr. "Latta so you will see for yourself our agreement. "Kindly let me know what you can do as I would like "to have my dyke taxes paid on date."

The copy of the letter from you to which Mr. Gourlay refers reads as follows:-

"This is to advise you that the Land Settlemont Board "as Dyking Commissioners for the West Nicomen Dyking "District have appointed you to act as the resident "representative of the Commissioners on the Island "dating from January 1st, 1929; remuneration to be "at the rate of \$25.00 per month as long as your sorvices are required; payment of salary to be "credited against your dyking taxes at the date of "the annual levy each year, i. e. November 30th."

We have made an adjustment with Mr. Gourlay as regards his 1930 taxes by which Mr. Gourlay received credit for \$300 for the year 1930. He now raises the point as to compensation for his 1929 services owing to the fact that all the taxes for that year to all the rate-payers were cancelled, thereby in a sense bringing about a condition under which he has received mothing for his services.

Mr. Gourley did not raise this question until after we had compiled the assessment roll for the year 1930 and while we might be inclined to meet him in the matter we find it impossible to find funds with which to pay 1929 expenditures.

If you have any observations or ideas we would be glad to receive them.

Yours very truly,

BD/B.

Bruce Dixon. Inspector of Dykes.

May 7th. 1931.

Honourable Wm. Atkinson, Minister of Agriculture, Victoria, B. C.

RE: Mr. Howell - Nicomen Island

Dear Sir:-

Following up our visit to Mr. Howell on Friday last I was able on Tuesday to get some levels run in order to determine relative water levels and drainage possibilities so far as Mr. Howell's complaint is concerned.

Yesterday I visited Mr. Howell and left him in a considerably better frame of mind. From the levels it appears that by deepening a ditch from the slough through Mr. Worth's property to Mr. Howell's the water level at Mr. Howell's could be dropped between one foot and one and a half feet. This would satisfy Mr. Howell to a large extent and we are making arrangements to do this work in co-operation with the Public Works Department. Men are in fact starting upon this work this morning.

We are advising you in the matter because we know you are greatly interested.

Yours very truly,

BD/B.

Bruce Dixon, Inspector of Dykes. Honourabko Vm. Atkinson, Minister of Agriculture, Victoria, B. C.

RE: Mr. Howells - Nicomen Island

Dear Sir:-

Following up our visit to Mr. Howells

May 8th. 1931.

U. D. Ditobburn. Esq..
Indian Commissioner for B. C.,
C. Bon 666, Victoria, B. C.

Door Sir: -

We have for ecknowledgment yours of the 6th instant and agreeable to your request to are conding under coparate cover two rough sketches showing the property in the West Nicomen Dyking District in which your Department is interested.

Soll Hos. 80 and 81 are shown on the one sketch, the particular property to which you refor, namely part of D. L. 474, being indicated as rell Ho. 80.

This piece of property has been on the assessment rell for some little time and apparently cas acquired by your Department in order to give a read outlet to the Sumas Indian Reserve # 4. It is filled in the Land Degistry Office records under Skotch # 6035.

We may say that we have only recently taken over the administration of this District from the Land lettlement Board of the Province of B. C., but from the records which were turned ever it appears that the accomments on these three proportion have been pald promptly, probably direct from Ottawa. Those for the year 1929 apparently were paid on demand and refunded to the Department when the Legislature of the Province brought down the West Hisomen Dyking District Relic? Act 1930.

Yours vory truly.

BD/B.

Druce Dimon. Inspector of Dykes.

Copy for information A.O.N.Daunt, Esq., New Westminster, B. C.



## DEPARTMENT OF INDIAN AFFAIRS CANADA

IN YOUR REPLY REFER TO,

No. 23/21107.

ALSO TO DATE OF THIS LETTER

COMMISSIONER'S OFFICE P. O. BOX 666

VICTORIA, B.C., Nay 6, 1931.

Dear Sir:

The Secretary of my Department at Ottawa has forwarded to me Assessment Notice for 1930 in regard to the under mentioned properties in the West Nicomen Dyking District, viz:-

No.80, Part of D.L.474 Gp.1, Acreage 2.243 - \$ 5.49

No.81, Sumas I.R.No.4, Papekwatchin, 36.50 acres - 89.23

No.82, " " No.10, Skwesham, 175 acres - 427.81

In this connection I would be greatly obliged if you will be good enough to furnish me with sketches showing where the dykes run through the Reserves and also furnish me with information as to just what D.L.474 refers to, as the maps in this office do not indicate that any portion of the D.L. 474 is part of a Reserve.

Your obedient servant.

W. E. Ditchburn. Indian Commissioner for B.C.

P/AC

Bruce Dixon, Esq.,
Inspector of Dykes,
Sumas Commissioner,
Court House,

New Westminster, B.C.

Dewdney B. C. May 1 et 1931

Bruce Dison Esyr Inspector of Dykes New Westminshi B. C.

Sear Sir

This is now my third year as resident representative of the Commissioners for the West Accomen Dybring District. I have received no remunication yet. I am enclosing you a copy of a letter I had from Mr. Latta co you will see for your self our agreement Kindey let me know what you can do as I would like to have my blyke laxes paid on date.

Jours very truly andrew Gourlay

ADDRESS ALL COMMUNICATIONS TO LAND SETTLEMENT BOARD



VICTORIA, B.C.

Bruce Dixon, Esq.,

Inspector of Dykes,

New Westminster, B. C.

Dear Sir:

of interest coupons, West Nicomen Dyking District. 30, enclosing cheque for \$1,740.00 being payment We thank you for your letter of April

Official receipt is enclosed.

Yours faithfully,

LAND SETTLEMENT BOARD.

Accountant.

Encl.

Victoria, B.C.	the sum of Januarith and the sum of Januarith	LAND SETTLEMENT BOARD.	Accountant.
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April 30th, 1931.

The Land Settlement Board, Victoria, B. C.

# Attention Mr. C. E. Sonley

Dear Sir:-

. B.

As requested in your letter of the 15th instant we beg to enclose herewith our chaque for \$1,740.00 on account of interest coupons of the West Nicomen Dyking District which fall due on May 1st.

Yours very truly,

Bruce Dixon, Inspector of Dykes.

Dewdney B. C. april 27 1931 An B. Dison Inspector of Dykes New Westimmster B. C. Dear Siron Thud Slough Ditch as for your instructions. I finished today all that can be done for a The river is just- starting to rise. I have been around the dyke the Dyke & flood gates in good shape.

The Broughton of the B. C. Electric was here last week testing motor. O.K.

Hoping to see you come time poon

Jours very truly andrew Gourlay



VICTORIA, B.C.

8/7/

April 15, 1931.

Bruce Dixon, Esq.,
Dyking Commissioner,
Court House,
New Westminster, B. C.

Dear Sir:

On May 1st interest coupons of the West Nicomen Dyking District, amounting to \$1,740.00 fall due. These are payable at our office here. Kindly arrange to forward your cheque to us to reach here by May 1st so that we will be able to protect these.

Yours faithfully,

LAND SETTLEMENT BOARD.

Accountant.

CES/NJ

April 13th, 1931.

P. Philip, Esq.,
Deputy Minister and Chief Engineer,
Department of Public Works,
Victoria, B. C.

RE: West Nicomen Dyking District
Status New Dyko

Dear Sir: -

As you may be aware the responsibility of administering the dyking affairs of the West Nicomen Dyking District was transferred from the Land Settlement Board as Commissioners to the undersigned some few months ago. It is understood that the new dyke, constructed in substitution for the old District dyke, was financed by your Department on a basis of highway protection and that title to the individual parcels, forming in the aggregate the dyke right-of-way, are registered in the King in the right of the Province.

The question of the responsibility for future maintenance on this dyke has been raised by property owners in the District and in view of this and its probable recurrence we would appreciate becoming advised as to the policy of your Department in this connection.

Yours very truly,

Bruce Dizon, Inspector of Dykes.

Bruce Deson Esyr Inspection of Dykes New Westininster B. C. Re Mud Slough ditch. I have a flow of water 14 in deep and about 3 feet wide running through tonight.

I will work on the drain to Howells and Barns & In ches Tomorrow while the main ditch runs offpome. Expense to date 92,00 I am getting along fine with the farmers againing the Dayke re pasturing it with sheep or calves on cutting the clover for the cutting of the thirtles.

- Jours very truly andrew Gourlay

Dewaney B. C. april 6 1 1931

March 25th. 1931.

Andrew Gourlay, Esq., Dewdney, B. C.

Dear Sir:-

I took up with the Public Works Department immediately upon my return from Nicomon the question of reconditioning the big ditch connection on Mud Slough and have just now got their decision. I tried to get you on the phone at 10 a.m. today but was unsuccessful. Am leaving now for Matsqui and Sumas but may get you on the phone before youbreceive this.

The Public Works Department will stand the expense of this work but wish us to do it and bill them with the cost. I have told them that I thought I could make arrangements with you to look after it as foreman. You would be on the pay-roll at their rate, viz. \$5.00 per day, the men at \$4.00. You could, of course, pick your men to suit yourself and use your judgment as to how best to do the work. I would like to see a good job done on this and we could probably at the same time followishe ditch back to Hovells and remove obstructions as well as the natural drainage system running easterly through the Barnes and Inch property, which, I understand, is obstructed in a few places.

I hope you will be able to undertake this immediately and get it fixed up speedily as Howell has already complained to Victoria.

Yours very truly,

BD/B.

Bruce Dixon, Inspector of Dykes.

# "The Yorkshire & Canadian Trust, Limited

Head Office, Huddersfield, England

Callo Address Yn Ishire Yancouver H. W. Dryson President TH Wright Vice President Yorkshire Building 525 Seymour Street Vancouver, Canada

March 10, 1931.

Bruce Dixon, Esq.,
Inspector of Dykes,
Court House,
New Westminster, B. C.

Dear Sir:

# Re: West Nicomen Dyking District

We are in receipt of your letter of March 5th, for which we thank you. We may say that in regard to the plans, we gave the matter a very considerable amount of thought and made various suggestions, finally taking it up with the Attorney General's Department in the hope that they would find a way out for us, so that we could facilitate the passing through of the plans.

Unfortunately, they take the position that we should simply go ahead and do as requested without considering the matter of possible difficulties in which we might find ourselves by reason of exceeding our authority under the provisions of the Trust Deed.

We wish to assure you that at any time we are most happy to co-operate with yourself in doing anything that falls within our power under the provisions of the Trust Deed.

Yours faithfully.

Accountant.

WFO/LC

March 5th. 1931.

The Verkshire & Canadian Trust, Ltd., 525 Seymour Street, Vancouver, B. C.

RE: West Nicomen Dyking District
Attention Mr. Osborne, Accountant

Doar Sir:-

We have for admowledgment yours of the 2nd instant the contents of which are noted.

When we took over the administration of the West Micomen Dyking District from the Land Schillement Board, the previous Commissioners, the subdivision plans to which you refer were a part of the uncompleted business but from correspondence on the files it appeared that your decision was final with reference to lacking authority to sign those plans. Accordingly we approached the matter from another angle and by a slight amendment to the plan throw the allowance for the road, which appeared to be the point of contention, into one of the lots thereby getting away from the question of alienation. The plan has not yet been registered because it was necessary for us to wait for the Public Works Department to gazette a road upon which the acceptance of the new plan hinges. We understand that when this is completed the new plan will be acceptable to the Land Registry Office.

We thank you heartily for this evidence of co-operation and regret that we had not realized that the matter was not closed as we would have been glad to keep you posted as to developments.

Yours very truly,

BD/B.

Bruce Dixon, Inspector of Dykes.

# The Yorkshire & Canadian Trust, Limited

Head Office, Huddensfield, England

Cal·le:Address Yorl:shire-Varcouwer H. W. Dryson Generali:Manager F. H. Wright Asst:Generali:Manager

Yorkshire Building 525 Seymour Street Vancouver, Canada

March 2nd,

Bruce Dickson, Esq.,
Inspector of Dykes,
New Westminster, B. C.

Dear Sir:

Re: West Nicomen Dyking District.

While the Soldier Settlement Board were acting as commissioners in respect to the West Nicomen Dyking District, we were requested to sign certain sub-division plans, but were unable to find any authority in the Trust Deed which would permit us to do so.

There is a clause, however, in the Trust Deed allowing us to act pursuant to a Solicitor's opinion, and we have now received from Mr. Douglas advice that we are justified in signing the plans provided they have been approved by the Department of the Attorney General.

If, therefore, the plans which were submitted to us some time ago are still required, we would be pleased to sign them on receipt of approval from the Attorney General's Department, Victoria.

Yours faithfully,

Accountant

WFO/LC

# The Canadian Bank of Commerce

New Westminster, B.C. 26th Februar 931

Bruce Dixon, Esq., Court House, City

Dear Sir:

We have today transferred the balance of the West Nicomen Dyking District "Sinking Fund Account" amounting to \$1,159.71 from current to Savings account.

The passbook is enclosed herewith.

Yours truly,

N.Bartlett pro Manager



VICTORIA, B.C.

Feb. 12, 1931.

Bruce Dixon, Esq.,

Court-House.

New Westminster, B. C.

Dear Sir:

Answering your letter of February 5, we believe, the Finance Department has arranged with the Canadian Bank of Commerce for the transfer of the three accounts, formerly held here, to you at new Westminster. In the ledger sent you some time ago, the three accounts show the balance at the time of transfer from Land Settlement Board to yourself, and each month since that time, we have forwarded you a statement showing interest which has accrued. By posting these items, your ledger accounts should balance with the amounts transferred.

Yours faithfully,

LEND SETTLEMENT BOARD.

CES:CS

accountant.

# Your File No. 22.50.

Deputy Minister of Finance.
Parliament Buildings.
Victoria, B. C.

# Attention Mr. Cole

Doar Sir :-

# West Micomen Dyking District

We have for acknowledgment yours of the 9th instant with reference to the bank account of the above District.

We understand from your letter that the coupon account only will be left at Victoria to be drawn on by the Land Settlement Boxrd. We presume that we will be hearing from the Bank of Commerce in the matter when the transfer has been completed.

Yours very truly,

Bruce Dixon, Inspector of Dykes.

YOUR FILE NO. . . . . .



ADDRESS ALL CORRESPONDENCE TO DEPUTY MINISTER OF-FINANCE

ATTENTION MR. Cole.

OFFICE OF THE DEPUTY MINISTER
VICTORIA, B.C

February 9th 1931.

Inspector of Dykes, NEW WESTMINSTER, B.C.

Dear Sirt-

### West Nicomen Dyking Dist.

The Canadian Bank of Commerce here has been advised to transfer to New Westminster the following accounts:

West Nicomen Commission Dist. Dyking Dist. Sinking Fund.

and you are authorized to operate same.

As the West Nicomen Dyking coupons are payable at the Land Settlement Board office the bank account for same will remain here and it will be necessary for you to forward cheque to cover interest when due.

 $\mathcal{A}_{\frown}$ 

DEPUTY MINISTER OF FINANCE.

TC/ES.

BD\B\*

Inspector of Dykes.

Konta Lord finia

accounts of the Wort bicomen Dyking District were secounts of the West bicomen Dyking District were placed in this City and with this in mind we see writing the Canadian Bank of Condence at Victoria. We would be obliged, therefore, if you would do snything necessary to facilitate this transfer and at the same time provide we with a statement shoung the source of accumulated oredits.

instant togother with enclosures.

Deer Sir:

Attention Mr. C. E. Sonley

February 5th, 1931.

February 5th, 1950.

The Managor,
The Canadian Bank of Commerce,
Victoria, B. C.

Dear Sir:-

RE: Wost Nicomen Island Dyking District Accounts

The administration of the Wost Hicomen Island Dyking District has recently been transferred from the Lend Settlement Board to this office.

For this reason it is necessary that the accounts of the District be held in this City and in order to bring this about we would thank you to arrange for the transfer of the accounts to your branch here.

Yours very truly,

Bruce Dixon. Inspector of Dykes.



VICTORIA, B.C. November 4th, 1930.

Bruce Dixon, Esq.,
Commissioner, West Nicomen Dyking District,
Court-House,
NEW WESTMINSTER. B. C.

Dear Sir:

Replying to yours of yesterday's date, it may be some little time before I am on the mainland again and I thought it better to drop you a line in the meantime.

Regarding the unpaid May coupons, these may be presented any day and I think it would be advisable for us to have the money ready.

this has been a chronic complaint ever since the dyke was first constructed. No change has ever been made so far as I am aware in any owner's taxable acreage on account of seepage. The reason that I have always given for refusing to consider seepage claims is that no adequate or effective system of drainage had ever been installed within the District and until this was done every property suffers more or less from seepage. I had promised the ratepayers that as soon as the District could afford it I would have some competent engineer draw up a plan of a comprehensive drainage system which would take care of the seepage water, and if not, would at least determine which areas should have a reduction in taxes on account of seepage.

Bruce Dixon, Esq., --

4/11/30.

I got authority from the Public Works Department to use Mr. Ernest Smith for this purpose but after considerable study of the situation Mr. Smith reported that as the new dyke had altered conditions greatly it would be necessary for him to extend his study over a period of at least two years to determine where and to what extent seepage would occur and drainage be necessary.

Whenever you are in Victoria or if I am in New Westminster I would be very pleased to discuss the matter further and render you whatever assistance I can.

Yours very truly,

LAND SETTLEMENT BOARD,

Director.

WSIL/MR

December 516th, 1930.

Mrs. D. T. Gledhill. Eincardine, Ontario.

Dear Madam: -

We have received yours of the 10th instant and can assure you that we have every sympathy for you in the circumstances of which you speak.

As to the detail of assessable acreage we have gone to considerable pains to try to get you some authentic information in this regard. Histonen Island is in unorganized territory, that is there is no Eunicipality organized to include this area, and therefore the reads, schools, etc. are attended to by the Provincial Government, and the taxes to reimburse the Government at least in a measure for these services are attended to by the Provincial Collector and Assessor for the New Westminster District. The writer has talked with this Collector and has seen his roll for 1929 when you were assessed on a basic of 110 acres. In 1930, the assessment for which you have paid, there is a notation "save and except 11.8 acros conveyed for dyke right-of-"vay." Prosumably your 1931 levy will be on a basic of 98.2 acres as was that of 1930.

We have also checked up your fittle from which it is noted that the land is that part of the South West quarter of Section 28. Township 20 lying north of the Frasor River and Nicomen Slough containing 110 acros, more or less. This title is dated March 13th, 1915, and corresponds with the previous fittle from which it was taken.

In case you are not familiar with the local story as regards the dyking improvements the following is submitted:

Up until, I think, the year 1913 the dyking affairs of the District were administered by local commissioners. The dyking works were weak and as erosion from the Frasor River was considerable the local commissioners were handicapped

in borrowing money with which to make the dyke safe. As a matter of fact it was for a time a live issue locally as to whether or not the Island was worth the amount estimated to make it safe. In 1913, however, some refinancing was done and a bond issue of \$87,000 at 4% over forty years was guaranteed by the Government which enabled its sale. order that the Government might be safeguarded to some extent a Department of the Government, namely the Land Settlement Board, was named Commissioners to carry on until recently when the affairs were placed under this office. The question of making Nicomen Island safe had been such a burning question that the present Government of the Province, when it came into office, set itself to the task of finding some means by which the Island could be assisted without overburdening it from a financial standpoint, and a new dyke was constructed around the Island and a new Highway built through it. This now dyke was called Highway protection, and this provided the excuse for not charging the District. with the actual dyking works. The work was done by the Public Works Department of the Province and in most cases the location of the dyking works was placed further back from the River than the position of the old dyke in order to get away from the encroschment of the River. We have today intervioused one of the engineers of the Fublic Works Department and have had access to the plan of the new works and find that so far as your property is concerned 57.73 acres is now inside the new dyke, 11.8 is occupied by the dyke, and if their traverse of the present edge of the river is correct about 15% acres lie outside the new dyke. As to your question as to what has become of the balance of your acreage there can only be one answer, namely that the river has taken it by erosion.

So far as this office is concerned we can only consider the land which is within the confines of the new dyke and we are responsible for seeing that expenditures on services therein are efficiently made, and that recoveries by way of assessments are made upon a strictly equitable basis.

In view of the above you will readily see that we are scarcely compotent to advise you on perhaps the main point of your letter, namely the disposal of your property. As to whether the Government should purchase the property outside the new dyke that is strictly up to the Right-of-Way Department, to whom you were referred in our last letter. We may say, however, that we have no knowledge of any land lying outside the new dyke having been purchased, and have been given to

understand that the Government has been fairly liberal in the matter of setting a unit price for right-of-way purchases.

One thing appears quite evident to us and that is that if your property is not paying its way you should make an effort to dispose of it even at what may now appear to be a sacrifice in price. So far as we are aware the land is good but you can understand that if this property is not paying its way it will only be a matter of a few years until any difference between the present palue and a good price may be eaten up with annual deficits.

One further point and that is that from the information we have given you it would appear that you have good grounds for asking the Provincial Assessor and Collector to reduce your acreago from 98.2 acres to 73.2 acres.

We regret that we are unable to give you more cheering news especially at this season of the year, but believe that you would desire our remarks to be strictly truthful.

Yours very truly,

Bruce Dixon, Inspector of Dykes.

Homeardin blee 10

336 leh Dexon Inspector of Dykes. 168 Near Liv your letter of Dec 2" drecewed. Rea She. Dyking Lary Your letter states that I am assessed. on 5.773 acres deamot-undersland Unis as I have the assessment-paper for 1930, on the left-hand corner is , rarked 110 acres, the deeds also call for 110 acres We have paid taxes on 110 acres for sixteen years + now that - the Hyke is built. They say there is only 5773. acres left - to have has the other acreage gone The Got has offered & pay me for I ven point-eight-acres for land and for hlyhe. but there is fifteen one half acres left-on other side of dyke & have leftno way of getting to this land. as that it is of mise. The Good- has promised tobuild savad mito farm, as there is no.

access to farm only through farms on adjoining sides Alo you think it fair that - the Goulshould, use my land to product-other land owners, on theomere Island. evalured-wanting to payme for il-I am a widow & smee my husband died I have been in poor health. This properly - has been a great evoryto me Who Dipon would there be any chance of the Good - taking over this property -It- would save them the trouble of - building roads of cha I don't wish to make any brouble but wish to be fairly healed I hope you will work for my very best-interest - I shall be very graleful. yours Iruly Mes D. G. Glidhill 57.73aa nonth progre 118 " reception Son daylie Sw/4 Sec. 28 /p 20 1916- plu omeland my 136251 En 7 Truis 1908. - 107.4 Le.

December 2nd, 1930.

Mrs. D. T. Gledhill. Kincardine, Ontario.

Dear Madam: -

Your letter of October 19th has been referred to this office.

The Court of Revision of which you received notice had only authority to correct errors as to description or acreage, and we, as commissioners for the Dyking District, have no authority in connection with any settlement for land which, according to your letter, has been left outside the new dyke. We presume that you have been in communication with the right-of-way agent for the Public Works Department who is entrusted with the proper settlement of this and similar claims. If you have any complaint as to the acreage upon which you are to be assessed for dyking purposes please communicate with this office immediately.

The old assessment roll had you charged with 57.73 acres in Section 28, Twp. 20.

Yours very truly,

Bruce Dixon, Inspector of Dykes.

December 1st, 1930.

Pumps & Dower Limited, 40 Cordova St. East. Vancouver. B. C.

# Attention Mr. C. Notzel

Dear Sir:-

We have received from the Land Settlement Board, Victoria, your letter of November 4th with reference to an account rendered for the month of May last.

We may say that we have recently taken over the administration of the West Nicomen Dyking District, and this account, together with several others, are waiting until we are put in funds with which to meet their payment. We hope to pay this account in the very near future.

Yours very truly,

Bruce Dixon. Inspector of Dykes.

THIS INDESTURE made is duplicated the

Distribution

Cosmissioner of the West Nisemen Dyking District, a Corporation Sole, where the "West Hickney Dyking District Helief Act, 1930", hereinafter called the "Commissioner"

OP THE PIRT POLT:

- 0ag -

Land Settlement Board, a Jody Corporate under the provisions of the "Land Settlement and Dovelopment Act", hereinafter called the "Board"

OF THE SECOND PART:

WHEREAS, pursuant to the provisions of Scotion 74 of the "Drainage, Dyking and Development Act", Chapter 72 of the "Movised Statutes of British Columbia, 1924", the Commissioner has applied to the Board for a loan of Three Thousand Dollars (35,000.00) for the purposes set cut in Clauded (e) and (h) of Scotion 25 of that Act, on the pecurity of the taxes levied by the Commissioner and payable in the year 1930;

and Markas, pursuant to the provisions of subsection (2) of Section 63 of the "Land Settlement and Development Act". Chapter 128 of the "Revised Statutes of Spitish Columbia, 1924", the Board, with the approval of the Lieutenant-Covernor in Council, has agreed to lean to the Countriconer the said our of Three Thousand Dellars ((3,000.00) on the security of the said tenes:

NOW THIS INDECTURE WITNESSLYH that in consideration of the sum of Three Thousand Dollars (\$3,000.00) loaned to and borrowed by the Commissioner from the Board in accordance with the provisions hereinbofore recited the Commissioner in the excreise of the pewors in the foregoing recital referred to and of all other powers him thereunts enabling hereby covenants and egrees to pay to the Board the sum of Three Thousand Dollars (\$3.000.00) on or before the Slat day of December. A. D. 1930. or within such extended time for the payment thereof as the Commissioner may be entitled to under the provisions of this Indonture, and also to pay to the Board interest on the said sum of Three Thousand Dollars (\$3.000,00) or upon so much thereof as shall from time to time be eving or may remain eving at the rate of six por contum (6,5) por annum, such interest to be computed from the date of the advancement of such moneys or any portion or portions thereof by the Board and to be due and payable with the principal sum of Three Thousand Dollars ((3,000.00) at the office of the Board at Victoria; B. C.

privilege from time to time and at any time prior to this security becoming enforceable to pay off any portion of the principal sum after payment of interest at such time or times owing on the whole of the said principal sum then remaining unpaid;

PROVIDED also that in case the Commissioner on or before the Sist day of December. 1930, shall not have received out of the taxes above referred to sufficient moneys to pay the whole of the said moneys above agreed to be paid, the Commissioner shall be entitled to an extendion of time for the repayment of the moneys hereby secured for such further period not exceeding one year as may be agreed upon with the Board.

and failing an agreement as may be proportied by the Lieutenant-Governor in Council.

For the further and better securing of the repayment of the said sum of Three Thousand Dollars (\$5,000,00) and interest thereon as herein set out, the Commission does hereby assign, transfer and set over unto the Board all taxes so levied and payable to the Commissioner in the year 1930; TO HAVE AND TO HOLD the said taxes and all the right, title, interest, alais and demand of the Commissioner in to or upon the said taxes and every part thereof unto and to the use of the Board, its successors and assigns absolutely forever:

PROVIDED further, that these presents shall be void on payment of the said sum of Three Thousand Dollars (\$3,000.00) together with interest thereon at the rate and at the time and in the manner hereinbefore provided, and as well after as before maturity of the said principal sum.

The Commissioner hereby covenants with the Board that the Commissioner has the right to assign, transfer and set over to the Board the said taxes and every part thereof; and the Commissioner covenants with the Board that he will execute such further assurances of the said taxes and of the right. title, interest, claim and domand of the Commissioner therete as may be reasonably required by the Beard. End the Commissioner releases to the Board all his claims upon the caid taxes subject to the said provise.

The Commissioner hereby irrevocably appoints the Board to be the Attorney of the Commissioner in the name and on behalf and as to the act and deed of the Commissioner to execute and do any assurances and things which the Commissioner ought to execute and do under the covenants, agreements and stipulations herein contained and generally to use the name

of the Commissioner in the exercise of all or any of the powers hereby conferred on the Board.

enforceable if the Commissioner make default in payment to the Board as aforesaid, or in the performance or observance of any covernat, condition, or stipulation binding on the Commissioner under these presents. The receipt of the Board for payment of any of the said taxes or for any other senega paid to the Board chall effectually discharge the lands in respect of which the same have been so paid, and chall discharge the person or persons paying the same therefrom, and from being concerned to see to the application or being answerable for the less or misopplication thereof.

THIS INDEETURE and everything berounder shall enure to the benefit of and be binding upon the parties bereto and their respective successors and assigns.

IN FIRESS WE REOF the Compissioner has executed those presents the day and year first above written.

SIGNED. SEALED and DELIVERED by the Commissioner of West Figomen Dyking District, in the presence of:

COMMISSIONER OF WEST DICOMEN DYNING DISTRICT.

> Inspector of Dykos. Dyking Commicationer.

DATED...... October COMMISSIONER, WEST NICOMEN DYKING DISTRICT LAND SETTLEMENT BOARD - 60 -

1930

ASSIGNMENT OF TAXES

Page 65 of 179

B. O. NOTZEL, PRES.
J. L. MARSHALL, VICE-PRES.
C. NOTZEL, SEC -TREAS.



NOVI 1 1930

# ENGINEERS AND MACHINERY DEALERS

# PUMP BUILDERS

PHONE SEYMOUR 1874

40 CORDOVA STREÉT EAST VANCOUVER, B.C.

Nov. 4, 1930.

UMPS& OWER

CENTRIFUGAL PUMPS
DIAPHRAGM PUMPS
AUTOMATIC SUMP PUMPS
CONDENSATION RETURN
PUMPS
POWER PLUNGER PUMPS

IMPULSE WHEELS
WATER TURBINES

#### WORTHINGTON

DUPLEX STEAM PUMPS
FEATHER VALVE AIR
COMPRESSORS
CENTRIFUGAL PUMPS
UNDERWRITER FIRE

ELECTRIC MOTORS GENERATORS LIGHTING PLANTS

CUSHMAN GASOLINE ENGINES CONTINENTAL RED SEAL INDUSTRIAL ENGINES OIL ENGINES STEAM TURBINES

DURO AUTOMATIC ELECTRIC WATER SYSTEMS

VIKING ROTARY PUMPS

POMONA DEEP WELL TURBINE PUMPS

AMES VACUUM HEATING PUMPS

HYDRAULIC RAMS

HAND PUMPS

PUMP SUPPLIES

Land Settlement Board, Parliament Buildings, Victoria, B. C.

Gentlemen:

Attached please find monthly statement of account, covering Nicomen repair work, which we did at the request of Mr. Ernest Smith, at Public Works Dept., New Westminster, to whom we sent the invoice.

Kindly let us know if this has not been received by you, when we will be glad to send you a copy, or whether there is any reason for holding up payment.

We were trying to get in touch with Mr. Smith, but hear that he has been transferred to Port Alberni.

Yours very truly,

PUMPS & POWER LIMITE

Sec'v.

CN:BP

STATEMENT

Vancouver, B.C, 0CT 3 1 1930



40 CORDOVA STREET EAST VANCOUVER, B.C.

Government of British Columbia,
Land Settlement Board,
Victoria,
B.C.

TERMS: 30 DAYS NET NO CASH DISCOUNT

May 30th

147.45

November 3rd. 1930.

The Land Settlement Board, Victoria, B. C.

### Attention Colonel Latta

Dear Sir:-

I am very sorry that I missed you lest Thursday when you called at this office. I got your note and understand that the first part of it, namely authorizing you to pay the interest coupons, amounting to \$1,740, was attended to in my absence.

There are several points in connection with Nicomon Island which I would like to talk over with you. It is our custom to hold a Court of Revision whether we have authority or not previous to compiling an assessment roll. We held one at Nicomon Island two weeks ago Saturday and it seemed to be a signal on the part of the property owners for registering all sorts of complaints against seepage, land cutside the new dyke which has not been deducted, and so on, which we would like at some time to discuss with you. Possibly you will be over on the mainland in the near future and perhaps we can meet.

where you suggest that we send a cheque marked "coupon a/c" for the payment of \$200 in interest coupons due May 1st last and which have not yet been presented for payment, we are presuming that there is no hurry about this and if we are to see you soon no doubt this could wait until then.

Yours very truly,

Bruce Dixon, Sumes Commissioner.

October 31st, 1930.

The Land Settlement Board, Victoria, B. C.

Dear Sir: -

# RE: Bonds West Nicomen Dyking District

With reference to the interest coupons, due on November 1st, 1930, on the above mentioned bonds, in the amount of \$1,740.00 (One thousand seven hundred and forty Dollars). I hereby authorize your Board to pay these as they are presented.

Yours very truly.

Bruce Dixon, Commissioner, West Micomen Dyking District.

В.

authority required by the Land Lettlement Board from Brace Drion Commission for the West hiermen Dyking Dist to pay interest comprons as they are presented on how! I 1930 (marked langua account) also send cheque to Land Lettlement Board for 200° to pay interest comprons due May 12 1930 and not get presental for purposent

Get letter in mail on Friday without fail

Alalla \$1740.

Got 30 1930

7776072

October 29th, 1930.

File 312

P. Philip, Esq., Chief Engineer, Department of Public Works, Victoria, B. C.

> Dewdney District West Micomen Dyking District

Dour Sir:-

We have for acknowledgment yours of the 27th instant together with copies of letters from the Honourable the Attorney-General and the Yerkshire and Canadian Trust Limited.

The administration of the West Nicomen Dyking District has just recently been transferred from the Land Settlement Board to this office, but as the audit of the accounts was not completed all that we have so fur received from the Land Settlement Board is a copy of the last assessment roll. A copy of the Trust Beed referred to is not in our possession but is presumably in the office of the Land Settlement Board, and as Solonel Latte of that Board is thoroughly familiar with all the details we would suggest that you get in touch with him.

Yours very truly.

Bruce Dimon, / Inspector of Dykes.

ADDRESS ALL COMMUNICATIONS TO

LAND SETTLEMENT BOARD



VICTORIA, B.C. Oct., 28th, 1930.

Commissioner, West Nicomen Dyking District, NEW WESTMINSTER, B. C. Bruce Dixon, Esq.,

Dear Sir:

We herewith enclose you a letter just received from

Mrs. D. T. Gledhill of Kincardine, Ontario, for your attention.

Yours truly,

IAND SETTIEMENT BOARD,

Court of Revision Clet-19th-Ricomen Island.

0 CT 2 S 1930 Dear Ser. I receive & notice of meeting for appeal This card dident-lone till to-day. I was unable to send word sooner & pul-in an appeal last- fear for the land used fir dyke I have been offered pay for eleven pointeight-acres but-there is 13-2 acres outside dype shat is of no use as there was no ad or way of gelling to-it-when dyke was built, we have paid baxes on 110 acres & years I feel that I am not - fairly treated by the Low-tom a widow & can not beford to give my land to protect-other land owners on Necomen Island without being paid for it. They have promised to build read o have not-done so. I undersland I can compel them to do this but - dont - wish to give brouble They will buy this property or pay for the land used. I have had offers for this property huit- they object-on account- of roads. not- beny hull-sulo-preperty. I hope you will do four hest-for any merest four Truly

> -librs D. Y. Gledhill Tembardue Cent-

to attend meeting at to torse, se court of privariore notice four attention that acurage correct, but in the event revision being made I wo so informe for that one acce on my property is a slough T is of no use at any time of. ile Jean I also work to state that in ite event of surfage. there is also about two acre which is of no use while the Trestet is on. Trusting for will give this aue consideration and also I would be fleased to Thow fore said flaces mentioned, if at any time for I fould faffer to Su this way on inspection



File 312



### VICTORIA

DEPARTMENT OF PUBLIC WORKS

October 27th, 1 9 3 0.

Dewdney District.
West Nicomen Dyking District.

Sir:

I am enclosing herewith copy of self-explanatory correspondence and would appreciate receiving your comments in connection therewith at an early date.

Yours obediently,

Chief Engineer.

Commissioner of Dykes, Court House, New Westminster, B.C.

DCH:NP

Encl:

Victoria, B.C.,

October 22nd, 1930.

The Honourable N.S.Lougheed, Minister of Public Works, Buildings.

My dear Colleague: -

I am enclosing copy of a letter received from the Yorkshire and Canadian Trust Limited, with regard to the west Nicomen Dyking District.

I should be glad to have a memorandum from you on the subject.  $/ \ .$ 

yours faithfully,

"R. H. Pooley"

Attorney General



### THE YORKSHIRE AND CANADIAN TRUST LIMITED.

Yorkshire Building, 525 Seymour Street, vancouver, Canada, 10th October, 1930.

The Honourable The Attorney General, Parliament Buildings, Victoria, B.C.

Dear Sir:

Re: West Nicomen Dyking District.

We have just received from the Land Settlement Board a copy of the "West Nicomen Dyking Relief Act, 1930", Sect on 3 of which cancels all unpaid taxes in the West Nicomen Dyking District. In this connection, we would respectfully draw your attention to the provisions of the Trust Deed of 31st August, 1918, between the Commissioners of the West Nicomen Dyking District and the Yorkshire and Canadian Trust, Limited, as Trustee for the debenture holders.

Paragraph 4 on Page 8 of the Debenture Trust Deed reads in part as follows:-

"The Commissioners hereby assign transfer and set over unto the Trustee absolutely and forever all present a d future taxes that may be levied by them from time to time...." although the guarantee by the Provincia Government of the debentures may sufficiently protect the Debenture holders, the Trustee might be held to be delinquent in its duty in allowing this cancellation to pass without the consent of the debenture holders.

while we are discussing this matter, we would refer to another case where we were asked to sign certain subdivision plans whereby certain lands were alienated from the charge created by the Trust Deed. The Trust Deed does not provide for any release of properties which have once been charged.

A further case in which the properties charged by the Trust Deed have been affected is by the West Nicomen Dyking District Relief Act, 1925, the provisions of which, we understa d, have to some extent reduced the area of taxable lands.



Under the circumstances we request that the Government of British Columbia agrees to indemnify this Trust as Trustee against any loss or damage which may arise as a result of its apparent acquiescence in the Legislation referred to. We request also that before signing the plans referred to above, the Government should extend to the Trustee a similar protection.

Yours faithfully,

"H.W.Dyson"

President.



VICTORIA, B.C. October 23, 1930.

Bruce Dixon, Esq., Commissioner, West Nicomen Dyking District, NEW WESTMINSTER, B. C.

### Re: West Nicomen Loan.

Dear Sir:

We are in receipt of your communication returning Assignment of Taxes. The Order-in-Council approving of this loan was adopted yesterday so that we are now in a position to pay the proceeds to you at any time. As the Debenture Coupons will be presented here for payment through the Bank of Commerce on the due date it would probably suit your convenience for us to take care of these and charge the amount up to your account unless you have made other arrangements.

Be good enough to let us know your wishes in this respect.

Colonel Latta expects to go over to the Mainland about the end of the week and will take the Seal for the District with him.

Yours very truly,

LAND SETTLEMENT BOARD,

sekroury. T. Alund

RAH/MR

October 22nd, 1930.

The Land Settlement Board, Victoria, B. C.

### Attention Mr. R. A. Hunt. Secretary

Dear Sir:-

We are returning herewith a copy of the security for the \$3,000 loan for the West Nicomen Dyking District as requested in your letter of the 21st instant.

The seal for the District is not in our possession, and we presume will be needed in connection with the Agreement for Sale which we have been asked to sign.

Yours very truly,

Bruce Dixon, Inspector of Dykes.

BD/B.



victoria, B.C. October 21, 1930.

Bruce Dixon, Esq.,
Commissioner,
West Nicomen Dyking District,
New Westminster, B. C.

Dear Sir:

Re: Three Thousand Dollar Loan.

We today submitted a draft Minute of Council authorizing us to make you a loan of \$3,000.00 mentioned in your communication of the 18th instant and have had the form of security prepared in duplicate which we herewith enclose. Kindly sign same and have your signature witnessed and return one copy to us in order that there may be no delay in connection with the matter if the loan is approved which we fully expect it will.

Yours truly,

LAND SETTLEMENT BOARD.

RAH/NJ

Encls. 2.

ADDRESS YOUR REPLY
DISTRICT SUPERINTENDENT,
SOLDIER SETTLEMENT BOARD,
P. O. BOX 38, VANCOUVER, B. C.



In Replying Please
Quote File No. Taxes......

Fancouver, B. C.

Oct. 21/1930.

Mr.Bruce Dixon, Inspector of Dykes,. NEW WESTMINSTER, B.C.

Dear Sir :

Re : West Nicomen Dyking District :

We thank you for your letter of the 18th instant, with reference to current year's assessment of the above dyking district.

If you wish to have a list of our properties in this area, we shall be glad to let you have one. We have never had any difficulty with the Department at Victoria, who previously handled this work, so that the records turned over to you will no doubt be correct.

With reference to the last paragraph of your letter, wemight say that we have never disputed the payment of dyking charges in this area on any of our properties, so that we do not think that you need anticipate any difficulty as far as we are concerned in meeting our just dues as they come along. As a matter of fact, we appreciate very much the concessions which the Provincial Government have been good enough to give our settlers in this area, which have been of considerable assistance to them.

When you issue your statements, we would appreciate it if you would send us a duplicate copy of the statement issued to each settler.

Yours truly,

THE SOLDIER SETTLEMENT BOARD.

WB.MM

Bruce Dex on to The Crade of By And Si:Thy mention of Certain
acre believes the Ridge and
white the head so the set
There are so the service and
the state of the service and the service of the service moles drained frankt pirt & standard on fille

October 18th, 1930.

The Soldier Sottlement Doerd, Vencouver, B. C.

Gentlemen: -

### RE: Taxos West Miconom Dybing Dictrict

Acknowledging yours of the 17th instant we have to say that the administration of the above named District was turned over to this effice last week. Apparently our first duty is to compile an assessment rell covering disbursements made by the Land Settlement Board as Commissioners, and for this purpose we are holding a Court of Revision at Niconem Island this afternoon. If no serious discrepancies are found in the assessable acreage the rate which will be carried into this assessment rell will be \$2.38 per acre.

Having in mind the difficulties in which we find ourselves in the Sumas Dyking District where assessments on Soldier Settlement Board properties are affected, we would be glad to become advised if, in your opinion, there is any distinction between Soldier Settlement Board properties and other property in the West Nicomen Dyking District.

Yours vory truly,

Bruce Dixon, Inspector of Dykes.

BD/B.

October 18th, 1930.

The Land Settlement Board, Victoria, B. C.

### Attention Colonel Latta

Dear Sir:-

RE: Financing - West Micomen Dyking District

In the administration of the above named District certain obligations must be mot on November 1st, and as it will be impossible to meet these obligations through assessment collections it is necessary to borrow the sum of \$3.000.

We are holding a Court of Revision at Nicomon Island this afternoon for the purpose of checking assessable acreage, immediately after which we will commence the assessment roll for the current year. We would be glad to arrange a borrowing in the amount mentioned from your Board, security for which we presume will be taken against the assessment roll to be compiled immediately.

Yours very truly,

Bruce Dixon. Inspector of Dykes.

BD/B.



VICTORIA, B.C. October 17, 1930.

Bruce Dixon, Esq.,
Inspector of Dykes,
Court-House,
NEW WESTMINSTER, B. C.

Dear Sir:

Just a line to remind you that we have not yet received your application to the Board for a loan to the West Nicomen Dyking District for the purpose of meeting necessary expenditures until such time as payments under the Tax Levy commence to come in. We would be glad to get this application from you by return so that we could have everything in order before November the 1st when the Debenture Coupons will have to be paid.

Yours very truly,

LAND SETTLEMENT BOARD,

Director

WSL/MR

ADDRESS YOUR REPLY.

DISTRICT SUPERINTENDENT,

SOLDIER SETTLEMENT BOARD,

P. O. BOX 38, VANCOUVER, B, C.



506 Winch Bldg.,

Bancouver, B. C.

Oct. 17/1930.

Inspector of Dykes, NEW WESTMINSTER. B.C.

Dear Sir :

Re: West Nicomen Dyking Area:

I understand this district now comes under your jurisdiction, will you kindly advise me when statements covering the current year's charges have likely to be issued. Likely to be any material change in the charges this year.

Thanking you in anticipation of your early reply.

Yours truly,

THE SOLDIER SETTLEMENT BOARD.

WB.MM

er.

Page 87 of 179

Dewdney B.C. Oct 15th 1930

Bruce Deron Esyr Implector of Dykes New Westminster B. C.

Dear Mr. Dison:

J beg to acknowledge your of the 13 inst

Thave already arranged with the Sec. of the School

Board for the use of the School on Saturday first at

2.30 P.M.

I will be very pleased to make your acquaintance at your muting and discuss anything of importance to the District:

Jams very truly andrew Gourlay



VICTORIA, B.C.

Oct. 14, 1930.

Bruce Dixon, Esq.

Inspector of Dykes,

New Westminster, B. C.

Dear Sir:

### Re West Nicomen Dyking District

We acknowledge your letter of October 13 asking re your position with regard to certificates as to outstanding dyking taxes with the Registry Office. In reply beg to advise you that a notice was sent to the Registrar in connection with each and every property which appears on the West Nicomen Dyking District Assessment Roll, stating that in accordance with the 1930 Relief Act, all dyking taxes have been cancelled. You will, therefore, not need to bother in regard to the matter mentioned.

Yours faithfully,

LAND SETTLEMENT BOARD.

CES: CS

October 13th. 1930.

The Land Settlement Board, Victoria, B. C.

### Attention Colonel Latta

Dear Sir:-

RE: West Nicomen Dyking District

We understand that there are certain land transfers in the above named District waiting for registration and the Land Registry Office here will require the usual certificates as to dyking taxes. Some of these transfers involve right-of-way for the rew Highway and no doubt there may be other private transfers.

We understood from you the other day that there were no dyking taxes in arrears. We would be glad to receive from you a letter to this effect which will place us in a position to issue the usual tax certificates.

Yours very truly,

Bruce Dixon, Inspector of Dykes.

BD/B.

# 1188 approved Get- 4/30.

October 13th, 1930.

Andrew Gourlay, Esq., Devdney, B. C.

Dear Mr. Gourlay:-

An Order-in-Council was received by us on the 6th instant acquainting us of the transfer of the powers and duties of the Commissioners of the West Nicomen Dyking District to this office.

We wish to hold a Court of Revision at Nicomen Island next Saturday, the 18th instant, and are mailing notices to all the owners to this effect. We propose holding the Court of Revision at the School House at 2.30 p. m., and would be glad if you could arrange for the use of the School House at this time.

We will be glod to make your acquaintance at this time and discuss anything which, in your opinion, is of importance to the District.

Yours very truly,

Bruco Dixon, Inspector of Dykes.

BD/B.

ADDRESS OFFICIAL COMMUNICATIONS TO
THE HON THE PROVINCIAL SECRETARY
OR TO
THE DEPUTY PROVINCIAL SECRETARY



VICTORIA

October 6th, 1930.

Sir:

### re West Nicomen Dyking District.

In accordance with the request contained in Order-in-Council Number 1188, approved by His Honour the Lieutenant-Governor in Council on the 4th instant, I beg to enclose herewith certified copy of the same.

I have the honour to be, Sir, Your obedient servant,

Deputy Frevincial Secretary

The Inspector of Dykes, Court House, New Westminster, B. C.

/MR Encl.



DEPUTY CLERK EXECUTIVE COUNCIL

Certified Copy of a Minute of the Honourable the Executive

Council, approved by His Honour the Lieutenant-

Governor on the 4th day of October, A.D. 1930.

1188

To His Honour

The Lieutenant-Governor in Council:

The undersigned has the honour to report:

THAT the administration of the affairs of the West
Nicomen Dyking District being similar to other work now being
carried on by the Inspector of Dykes who is already equipped
with an effecient staff with headquarters at New Westminster,
B. C., could be carried on in a much more economical manner under the direction of the said Inspector of Dykes than at present
under the direction of the Land Settlement Board acting as Commissioners of the said Dyking District;

AND TO RECOMMEND, pursuant to the provisions of Subsection One (1) of Section Six (6) of the "West Nicomen Dyking District Relief Act 1930" that the power and duties of the Land Settlement Board as Commissioners of the District be transferred to the Inspector of Dykes;

AND THAT copies of this Minute, if approved, be forwarded to the Inspector of Dykes and to the Land Settlement Board.

DATED this 1st day of October, A.D. 1930.

"Wm. Atkinson"
Minister of Agriculture.

APPROVED this 1st day of October, A.D. 1930.



### CHAPTER 77.

### An Act respecting the West Nicomen Dyking District.

[Assented to 25th March, 1930.]

IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:--

- 1. This Act may be cited as the "West Nicomen Dyking District Short title. Relief Act, 1930."
  - 2. In this Act, unless the context otherwise requires:-

Interpretation

- "Commissioners" means the Commissioners for the time being of the district appointed or holding office under the provisions of any Act of the Legislature:
- "District" means the West Nicomen Dyking District.
- 3. (1.) Except as provided in subsection (2), all taxes heretofore Cancellation of levied by the Commissioners which are now outstanding and unpaid, taxes. including taxes which have been funded pursuant to the "West Nicomen Dyking District Relief Act, 1925," and the funded indebtedness thereby created, together with all interest accruing or accrued and unpaid in respect of the taxes so levied or funded or in respect of the funded indebtedness, are hereby discharged and cancelled.

(2.) All taxes levied by the Commissioners during the year 1929 (2.) All taxes levied by the Commissioners during the year 1929 Cancellation of and all interest accruing or accrued thereon are hereby cancelled, refunds to and the levy of the same is hereby annulled; and the Commissioners, out of the moneys provided under section 5, shall repay all amounts paid on account of those taxes to the respective persons by or on whose behalf the same were paid.

(3.) The Commissioners shall cause all necessary entries to be Entries in made in the assessment rolls, books, and records of the district to research rolls give effect to the provisions of this section.

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CHAP. 77 WEST NICOMEN DYKING DISTRICT RELIEF. 20 GEO. 5

Discharge of indebtedness to Land Settlement Board. 4. The Minister of Finance shall satisfy and discharge all moneys repayable by the Commissioners to the Land Settlement Board in respect of moneys advanced or expended by the Board for the purposes of the district, amounting to the principal sum of thirty-five thousand five hundred and ninety-seven dollars and seventy-six cents, together with all interest accruing or accrued thereon.

Appropriation from Consolidated Revenue Fund. 5. All moneys required for the purposes of subsection (2) of section 3 and section 4, respectively, shall be paid by the Minister of Finance out of the Consolidated Revenue Fund.

Transfer of powers to Inspector of Dykes. 6. (1.) The Lieutenant-Governor in Council may order that the powers and duties of the Land Settlement Board as Commissioners of the district be transferred to the Inspector of Dykes.

Scope of powers

- (2.) Upon the making of the Order under subsection (1), the Inspector of Dykes and his successors in office shall become and be a corporation sole under the name "Commissioner of the West Nicomen Dyking District," and shall have perpetual succession and a common seal; and as such corporation sole:—
  - (a.) Shall have and be vested with all property, real and personal, and all powers, authorities, rights, and privileges, and be subject to all the duties which immediately prior to the making of the said Order were by or under any general or special Act of the Legislature, or otherwise, held by or vested in or imposed on the Commissioners; and
  - (b.) Shall assume and be liable for all debts and obligations, accrued or accruing, of the Commissioners.
- (3.) Upon the making of the Order, the office of the Land Settlement Board as Commissioners shall cease, and the body corporate known as the Commissioners of the West Nicomen Dyking District shall be merged in the corporation sole constituted under this section; and all books, papers, accounts, and documents relating to the works or the affairs of the district shall forthwith be delivered to the Inspector of Dykes.

Saving clause.

Merger of body corporate.

7. Nothing in this Act shall in any way affect any guarantee heretofore entered into by the Province for the payment of debentures issued by the Commissioners under the "West Nicomen Dyking District Aid Act," being chapter 100 of the Statutes of 1918.

Commencement,

8. This Act shall come into operation on a day to be fixed by the Lieutenant-Governor by his Proclamation.

VICTORIA, B.C.:
Printed by Charles F. Banfield, Printer to the King's Most Excellent Majesty.
1930.

Page 95 of 179

308

Victoria B. C. Dec 22<u>no</u> 1928

andrew Gourlay Esyr., Dewaney B. C.

Settlement Board as Dyking Commissioners for the West Micomen Dyking Histrick, have appointed you to act as the resident representative of the Commissioners on the Island dating from January 1 th 1929; remuneration to be at the rate of \$25.00 per month as long as your services are required, payment of palary to be credited against your Dyking taxes at the date of the annual levy each year, 1.E.,

Yours very truly Land Settlement Board

Signed W. S. Latta pirector

March 20th, 1926.

Secretary,
Land Settlement Board,
Victoria, B. C.

Dear Sir:-

With reference to yours of the 19th instant, we beg to advise that we have no more actual sales for the recovery of arrears. The amendment of 1922 substituted an automatic forfeiture system under which the lands automatically revert to the Crown, subsequent sales being under the Lands Department under their Crown Grant system. Leading up to the actual forfeiture a number of notices are required for the information of interested parties. Copies of these are enclosed in case you are interested.

Yours very-truly,

.Inspector of Dykes.

BD/B.



VICTORIA, B.C. March 19th, 1926.

G. Bruce Dixon, Esq.,
Inspector of Dykes,
New Westminster, B. C.

Dear Sir:-

Kindly send us a set of the forms, notices, etc., used by you in connection with the sale of lands for arrears of dyking taxes and redemption of same. We have reached the point where we must take action in regard to some of the delinquents in West Nicomen Island and think that your forms might be very helpful to us in preparing ours.

Yours truly,

LAND SETTLEMENT BOARD,

Secretary.

RAH/MR

### West Nicomen Dyking District Bank Accounts

### Reconciliation Commissioners Account:

Sept. 30/30 Balance per Certificate 993.26

Oct. 24/30 Deposits Oct. 1-24, 1930 92.72

1,085.98

### Cheques outstanding:

18.50 424.54 87.20 5.00

535.24

550.74

Sept. 30/30 Interest not entered

Bank Balance

\$ 551.42

### Reconciliation Coupon Account:

Oct. 24/30 Balance per Certificate 209.46

Sept. 30/30 Interest not entered .58.

Bank Balance \$ 210.04

### Reconciliation Sinking Fund Account:

Sept. 30/30	Balance per Certificate	382.04
Oct. 1/30	Deposit	104.65
Oct. 15/30	Deposit	100.00
Sept. 30/30	Interest not entered	 1.04
	Bank Balance	\$ 587.73



# WEST NICOMEN DYKE

## Trial Balance as at October 24, 1930.

3	Interest on Deposits Com.		3.11
7	Debentures Authorized,	./	90,000.00 4
. 8	Debentures Unsold, 1 May 1953 4 % oct	3,000.00 /	
11	Interest on Debentures,	1,740.00 /	
12	Interest accrued "		580.00
31	Interest on L. S. B. Advances,	1,416.11	
35	Administration,	270.00 1	
49	Yorkshire & Ganadian Trust;		100.00 €
53	Dyke Construction,	60,000.00	
63	Expenses,	1.50 /	
80	Installing Pumps, Etc.,	3,704.40 V	
85	Coupons Unpaid :		200.00 ~
71	C. B. C. Coupons Account,	210.04	
95	Interest on Deposits Coupons,		3.95 V
107	Special Relief Warrant,		46.20
109	Surplus Account,		3,826.71 /
112	Accured Interest on Reverted Prop. Sales,	156.35	
121	Reverted Properties Sold,		1,469.50
123	Foreclosure Sales,	5,962.71 V	
126	Sinking Fund A/c Edmonton School		
11	Dist. 5% 4,000.00  Burrand Bridge 6% 2,000.00	( O D	1 2 · 10
1	" Prince Rupert 6% 2,000.00	OCT &	01/1651(1977) \\
130	W. Vancouver 5% 6,000.00	"ddicor o	A ROTOME
132	Port Alberni 6% 1,500.00		
138	" Penticton 6% 2,000.00		
139 151	" Cranbrook 5% 1,000.00 " Port Alberni 5% 2,500.00	21,500.00	
133	Discount and Premium on Bonds,		44.35 ~
136	Accrued Interest on Sinking Funds,	351.47	
145	Interest on Reverted Land Sales,	, 🕻	247.27
150	Interest on Sinking Funds,	<i>2</i> 1	. 1,070.64V
153	Bank Commissioners Account,	551.42 V	
157	Bank Sinking Fund,	587 • 73 V	
162	Land Settlement Board,		1,860.00
	\$	99,451.73	99,451.73

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BALANCE SHEET as at October 24, 1930.

Liabilities Comments of the Co	Debentures due 1st May 1953:	Authorized, 90,000,00	Less Unsold, 3,000,00 87,000,00	Land Settlement Board Advances, 1,860.00	Accrued Interest on Debentures, 580.00	Accounts Payable,	Coupons past due (Unpresented) 200,00	Reverted Properties, 1,469.50	Special Flood Relief Grant (Unexpended) 46.20	91,255,70	ne: Surplus Account, 1,724.07		\$ 92,979.77	
	_	3,704.40	5,962,71	156.35 Land	Acom	Accor	Coupe	22,043,38 Reven	351.47   Speci		Balance:	761.46	71.979.77	
			r Agreement of Sale,	ements of Sale,	nts, 21,500,00	Bank, 587.73	22,087.73	44.35	ing Funds,	¢.	210.04	nt, 551.42	*	
Assets	Dyke Construction,	Pumps and Installation,	Reverted Properties under Agreement of	Accrued Interest on Agreements of Sale;	Sinking Funds: Investments,	Cash in Bank,		Less Discount on Purch.	Accrued Interest on Sinking Funds,	Cash in Bank:	Coupons Account,	Commissioners Account.		

# W田SI

STATEMENT OF REVEN

[E	500 mg	Jo Land								\$ 3,427.61
	DYKING DISTRICT	at Octoher 24, 1930.	KEVENUE	Interest:	On Winking Funds, 1,070,64	On Reverted Land Sales, 247.27	On Bank Deposits. 7.06	1,324.97	Balance:	Being Loss for period carried to Surplus Account, 2,102,64
	NEN DYKIN	NUE & EXPENDITURE as at Octoher 24, 1930.		1,740.00	1,416,11	270.00	1.50			\$ 3,427.61

Administration L. S. B. (9 mos.)

Expenses,

" L. S. B. Advances,

Interest on Debentures (May)

EXPENDITURE

### WEST NICOMEN DYKING DISTRICT.

### List of Committments up to December 31st, 1930.

Yorkshire and Canadian Trust Ltd.,	\$ 200.00.
Burnett & McGuigan	115.50
B. C. Electric Rly Co., (Power Bill)	195.00
Pumps & Power Co.,	147.45
Pearson Wire & Iron Works	42.00
Interest Coupons due Nov., 1st, 1930	1,740.00
Interest on L.S.B. debt to Dec., 31st, 1930	63.60
Administration charges , L.S.B. to Sept., 30, 1930	270.00
Wages, A. Gourlay, to be credited against his taxes	300.00
Debt to L.S.B. to Oct., 1st, 1930	1,590.00
Estimated Total to end of year -	4,663.55 →
Required in 1931 before levy is made:	
Interest Coupons	3,480.00
Sinking Fund	1,245.40
Maintenance (approx)	500.00
Total estimated requirements before 1931 Levy - \$	9,888.95

List of Agreements for Sale.

4156.05 ne @ 238 pure - \$ 1840.22 .

	A. Waring;	Oct. 1, 1927			Due Date.	Arrears.	0utstdg. 1380.08. X
	H. Gutteria	ge-Dec.31, "	1300.00	n n	Dec.31	Nil	264.00 7
	J.Walkden;	Oct. 1,1930	783,55	ii ii	Oct.1	Nil	658.55
(	W.J.Brock;	15 15 15	1477.20	n n	11 11	92.72	1422.20
ĺ			ement for sale	θ ` ^		.1	
(	L.M. MacLea	n; Nov.14,1927		11 11	Nóv. 14	166.47	2330.60. 🗸
(		(Subject to a account canc	djustment on ellation of t	axes)			

send I'm a comment of the forms

Page 103 of 179

# WEST NICOMEN DYKING DISTRICT. Memo of Sinking Fund Investments.

Particulars.	Maturity.	Rate.	Amount.
Edmonton School District,	15th April, 1953,	5%,	\$ 4000.00.
Burrard Inlet Tunnel & Bridge	do, 1st Sept., 1973,	6%,	2000.00.
City of Prince Rupert,	lst April, 1946,	6%,	2000.00.
City of Prince Rupert,	2nd Jan., 1950,	5%,	500,00.
ist.of West Vancouver,	1st Feb., 1953,	5%,	6000,00.
City of Port Alberni,	lst Apr., 1943,	6%,	1500.00.
District of Penticton,	1st Peb., 1950,	6%,	2000.00.
City of Cranbrook,	3rd July, 1951,	5%,	1000.00.
City of Port Alberni,	16th May, 1948,	5%,	2500.00.

Land Settlement Board, Victoria, B. C., Oct.,9th, 1930.

### ending 30th November, 1929. PERIOD for

Statement of Levy made pursuant to the provisions of Sab-section One (1) of Section Thirty-six (36) of the "Drainage, Dyking & Development Act," R.S.B.C. 1924, Chapter 72, for the purpose of refunding the money borrowed to pay the instalments of interest which have accrued on the Bonds issued, said interest payments having been made on 1st May and 1st November, 1929,

Maintenance Costs Rov. 1, 1928, to Nov. 1, 1929,

Sinking Fund,

2 3.480.00

4.114.986
1.465.00

9 019 95

											05998		-
Roll Ho.	Owner's Name &	Address	Sketch or Kap	parat	e 0%	ereof subject of nership  Description	lotal acreage assessed	taxes at \$2.18 pe ac. pay-able 30t	former	oa	con- soli- dated arrears	I t. consol	on li- Total
							*	Nov. 192	9.				30th Ho 1929
1 I-A	Fennel, F. J. De	ewdney	"A"-3425	32	20	Frac. S.E. 1 of Lot 2	16.85 32.37	36.73	43.26	4.00	100.00	8.00	91.99
( 2	Walkden, J.	" B	1224-1224	33	20	Frace S.W.1)	52.05	114.78	344.60	54.02			513.40
24	Pennington, W.	n 1	"0"-4209	32 33	50 50	Frac. S. F. (1) Frac. S. F. (2) Lot 3	53463	116.92		6.39			123.3
3	Robson, James		"A"-3101	29	20	Pt. N.E. and Pt. S.E.	37.16	80.14			\$ 69	0	80.1
4	Robson, James	п	"B"-3101	29	20	Pt. N.E. and	80.36	175.19		8.64	1000		183.8
5	Bryent, C. H.	tt	"C"-3101	29	20	Pt. N.E. and Pt. S.E.	40	87.20	(dredit ∜	7.50)	C.P.		79.7
6.	Gledhill, D.T.	Kincardi	ne. Ont.	28	20	Frac. S.W. N. of Fraser River and Nicomen S.	57,473	125.85	361.56	44.04	20/1/0	300	531.4
1	Brock, W. J. De	ewdney	4003	28	20	Lot 1 of E. of	18.52	40.38	•03	.98			41.3
( 7A	Gutteridge, W.B.	ti .	4003	28	20	Lot 2 of E. a of	60	130.80		2.32			133.6
8.7	Gutteridge, R.	111		28	20	Sed of Wed of	40	87.20			Paid:	nuos	87.2
9	Watts. A. E.	11		28	20	N.1 of W.1 of	39.51	86.76	V V	3.67)	Oais		
10	Walkden, J.	U	"A"-4601	33	20	Pt. of Frac.S.W.	2 14.73	32.11	74.46	47.02		15.04	168.6
11	Moserop, John	ur .	"B"-4254	33		Pt. of F. S.W.	17.82	38.85	42.31	10.52	82.66	6.61	98.2
12	Pennington, Wm.		"A"-4067 "B"-4067	33 28	20	Portions of S.A. (Frac. N.E.) ex- (cept 1 ac. (Sketch #52808F		91.83(	Or. 18.75	) 3.82			76.9
14	Johnson, H. E.	n	"D"-4472	33 28	20	Frac. S.E.1) Frac. N.E.1)	0.493	1.08	3.01	24			4.
15	Archibald, D. M. minste		t	(33	20	(Frac. S.E.							
	Gray, H. & Traver		"E"-5322	(	20	Frac. N.E.; Pt. of N.W.; Rem. of S. Pt. o	of.						
	7.7.	7	3.0.7	(		N. g of N. E	55.495	120.98	251.87	29.27			402.
16	LeFevre, A.	,	1723	20	20	Lots 9 & 10 of Pt. of B.g	10.84	23.64					23.6
. 17	Handy, J. M. and Johnson, A.	n	2912	28	20	Blk. "B" of Blks 5-8 incl. of E.a	13.78	30.04	13.45	.48			43.9
. 18	Jones, Ed.	n	1723	28	20	Lot 11 of E.2	7.94	17.31	9.37				26.6
19	McTavish, Mrs. Gr Handy, J. M.	race and	"C"-2912	28	20	Pt. of Lots 5-8 inc. of E.S.	1.3.80	30.09	4.85	-35			35.6
20	Bondier Settlemen Henry ED.	nt <del>ane ouv</del> er	1723	28	20	(N. 14 chs. 38 5/ links of Lots 1, (3,4,also S.R. 50 links by 5 chs. (20 5/10 links of	2, &	•		•			
						(lots 1,2,3,4, of	30.04	65.49	•75				66.2

14.	7			Tot or n	ortic	n th	ereof subject of	rotal	Potal						
	Tax Roll	L Comment Vanna & A		Ske tch	parat	se ow	nership	acreage	taxes at		Int.		Int. on consoli-	- Total	
1	No.	Owner's Name & A	adress		Sec.	Tp.	Description	Citi oction	ac. pay- able 30t	former	same	dated	nated	due	
							·		Hov. 1929	•				1929	N. Y.
×	21	Boyes, E. C. De	roche	1723	88		S. 5.68 chs. of								)
/		1					10ts 1,2,3,4, & "12 & 13 of E.	21.06	45.91					45.91	*
X	22	Boyes, E. C.	II.	2912	28	20	Lot "A" of Lots	10	21.80					21.80	(
							5.6.7.8 of E.2 Blk. F. of Page						4 Bu)		4
	23_	Carlson, T. Laton	tche, Ala	9129	28	20	S.E.	Missedi Das	1	4.13	•32	Bid 217		4.45	
1	24	Seymour G.&A. Dev	dney	3584	34	20	Pt. S.k	55.30	120.56	139.51	52.03	490.50	39.24	351.34	)
7	25	Waring, A.		3585	34	20	P%. S.1	33.80	73.69	11.77	.80			86.26	3
X	26	McLean, Lachlan M &	Ł												1
/`		McLean Murdo			27	20	N.E.2 except 40	120 V	261.60	259.56	20.76			541.92	1
X	27	HENRY FURNESSIENT						/	(25)			<b>.</b>		87.20	
/		Board, Vancouver		"A"-4138	27		Ph. of N.P.	40 V	(87.20)			Face	e a Rec	. (07020)	Ý.
X	28	Munn Lachlan Dev	adney		27	20	N except 3 parcels	107.87 V	235.16	233.32	140.32	1408.02	112.64	721.44	
/ ,							3 20.46								
	-					. (	28.67 acres								
X	29	Johnson, H. E.	rt.		27	20	Pt. of H.W. 1 le	88 0 26.81	58.45	58.55	4.68			121.68	
· ×	30	Eunn Lechlan &													/ \
/\	,	Ecallister, M.D.	" "	"A"-3700	27	20	Pt. of N. 1.2	20.46		(Cr. 7.50) (Int .55)			, , <u>, , , , , , , , , , , , , , , , , </u>	36.55	1
Y	27	Brantigan, F. Miss:	ion City	"B"-5544	27	20	Pt. of N.W.Z	3	6.54	6.49	.96	5.10	.41	14.40	
		Handy, Edith M. Der			27		±	1							į
X	"	handy, bolon, m. ber	wanog		.,		cept 40 ac. on Sketch #2834	44.01	95.94	31.55	2.52		i	130.01	/
X	7.4	Brantigan, F.	11	"A"-2834	27	20	Pt. of F. S		43.75	67.05	17.65	336.32	26.90	160.35	3
5	1			N 340574	47					E.				9	
X	22	Courlay, Mrs. E. & J.Gourlay Estate	tr .		27	20	Pt. of S.E. N. of Fraser R.	77.11	168.10	173.04	56.90	645.74	51.66	374.70	
· ·	-/			HER 4003	7 07	20	Pt. of S.E.	1 /	2.18	or. 75.00)	.16	0.001	,	4.50	
X	36	Gouriay, Marew		"F"-4721		20			2 *10	2.20	•=0				
	37	Lennox, R. J.		"4"-1041	22	0	Pt. of N E. E. of Nicomen Slough	48	104.64	11.27	36.64	455.53	36.44	188.99	
X	38	Fredrickson. H, Ma	tsqui		35	20	H.E.L	160	348.80	530.32	599.22	2088.49	167.08	1645.42	
X	39	Worth, A. S. De	wdney	3514	35	20	Pt. of S	6.70	14.61	14.49	4.74	41.56	3 <sub>e</sub> 32	37.16	
X	40	McLeod, A.	n .	3393	35		Pt. of S ex	:-							
		*		4.			cept 6.7 ac. Map 3514	30	65.40	181.04	29.69			276.13	
· ×	41	Soldier Settlement				621a1			(20)					76.30	
		•	COUVER	3616	35	20	Pt. of S.".	35	76.30	1			Nec.	/10.50	(
*	41	Solder Settlement "	. )	3616	35	20	Pt. of S	35	76.30		0	Pard 2		76.30	
*	42	Soldier Settlement							\	)				\ 47.00	)
	-		ncouver	3617	7,7		Pt. of S. ".	21.60 129.50 130.80	47.09	/		3.770 07	770 01	900.00	4
1	43	•	ewdney		35		Frac. S.E.1		285.15			1378.03			
>	44	McDarmid, C. Miss	ion City	,	26	7	Frac. E.	21,20.	46.22	167.58	109.93		39.85	363.58	
7	45	McDonald, Wm. R. R	. 1 Der	oche			Lot 473, Group I		232.17			1656.16	122.49	364.66	-
	46	Howell, F. De	roche				Lot 474 " 1	196.028	X 427.34	823.25	133.46			1384.05	
X	46	A Board of Baptist M	issions wdney	5497			Pt. of Lot 474 Group 1	.229	1.00	2.00				3.00	į
4	461	B Dept. of Indian Af					Pt. of Lot 474		4.89			1	a3DR	(4.89)	(
_ ]	,		tawa	6035			Group 1,	2.243		200.11	100 70	1226.56			1
. X	47	Gourlay, Alex & An	drew, De	adney	26	.20	Pt. of Wah	176. √	383.68	Cr. 275.00	0)	1220.90	70.12	01700	
	7						£*	1552.080	3384.07	3292.11	1472.79	10230.12	818.39	8609.31	
1		· · · · · · · · · · · · · · · · · · ·		1			10.						P:	age 106 d	of 179
- Chia	-		6.7	٠,٠							· · · ·				

						Ć.,	took due been	of Total	Total					1	
	Tax Roll	l .		36	ortice epara	te o	hereof subject	acreast			rs Int.		Int. on consoli-	Total	-1
	No.	Owner's Name &	Address	or Map	Sec.	rp.	. Description	888888	80. D		r same		dated	due oth Nov	<i>.</i>
	.0								Nov.	1.929.				1929	de
\/	√47A	Gourlay, John	Dewdney	6596	26	20	Pt. of W.h	72.13 V	157.25	361.69	158.14	341.80	27.34	704.42	
Ϋ́	/ AB	In Just 100	Hann Way	State	36	20	N.W.Z	160	348.80			2058.78	164.70	513.50	
1	1 49	McKinnon, J. F.	925 Grands	≈ ≤≠ A" <b>-</b> 1872	36	20	Pt. of F. S.7.	39.16	85.37	84.70	6.78			176.85	
L	0.00	Catherwood, J. A		1000			Pt. of F.S.W.		21.80	21.63	1.73			45.16	-
	1	Furness, M.	Deroche		36	20	2 Pts. of Fr.	20.40	44.48	140.27	73.94			258.69	
	,	· · · · · · · · · · · · · · · · · · ·	n	0"-47 50	36	20	No West	20.40	44.40	140.627	15024				
	× 52	Barnes, Jessie & Inch, Emma	Deroche"	B"-4749	36	20	Rem. of Frac.	78.80	175.36	173.99	87.80	855.16	68.41	505.56	/
	\$ 53	Barnes, Jessie & Inch, Emma	Deroche		36	20	Well of S. E.	79	174.40	173.04	88.83	867.92	69.43	505.70	
	<b>(53</b> )	Killer, W. H.	380 - 6t	h Ave, E	.36	20	N.h of E.h of S.E.k	39 50	87.20	86.52	44.42	433.96	34.72	252.86	
7	£ 54	Edwards, F. G & Mrs. F. M.	Viatorio		56	20	E. 30 F 50 E. 3	39.70	87.20		3.65			90.85	
X.	55	Tipping. Alex.	3'41'5 Cyp 1342 - Vancouve		25	20	F. N.h except			.0- 0-	005.10	1050 77	300 75	7706 00	
							"A"-4244	108.87 V	237.34			1259•33	100.19	181.82	
X	56	Harmon, R.	Deroche		25		Frace Neb	40.26	87.77	87.08	6.97			101.02	
' -	<b>∮</b> 57	Tipping. A. & Bovingdon, J.E.	å R. "	2560	30	23	of Frace E.	38.04	82.93	160.37	47.47	494.76	39.58	330.35	
	¥ 57	Yeomans, Garnet	īve <b>n</b>	4309	30	23	Lots "B" of Bl 2 & 7 of Frac.	0e ka 7.08	15.44	29.68	16.37	64.02	5.12	66.61	
	¥ 57	B Tipping. A. & Duff, J. T. Mis	gion City	1.2560	30	23	Lot 1, Map 256	0) 19)of	,				74.70	147 (1	
	1	Dull. 0. 2. Mls	51011 0203	4 - 14	3		Frac. E.	13.79	30.07		39.37	179.91	14.39	141.61	. Jakana
100	X 57	Yeomans, Burns	Deroche	4309	30	23	2 & 7 of F. E.	7.08	15.44		16.37	64.01	5.12	66.62	
,	¥ 58	Yeomans, Thos.	u.	2560	30	23	Lote 11, 12,13 of Frac. E.A	40.87	89.10	57.05	4 •56			150.7	*
•	£ 58	A Lewis, Thos.	11	2560	30	23	Lots 8,9,10, o	28.69	62.55	62.05	4.96	<i>¥</i>		129.56	
	K 59	Tipping, A.	Vancouve	er	30	23	N.W. except	109.34	238.36	494.36	289.18	1280.23	102.42	1124.32	
	K 60	Harper, R. E.	Senda	07.63	30	23	Henel of News		87.20			238.93	19.11	106.31	13
	61	SCHOONSVER ART	Deroche		36	cs.	No.E. less 60	91.	198.38	381.24	234.91	1278.18	102.25	966.78	
	X 62			'A"-3394	36	20	of Frac. N.E.		15.05		1.22			31.56	
,	X 63			,								6			
	. 0)	Detate of A. Be	aulieu, Do	ceased minster	36	20	S.W. 10 x 20 c	20 -	43.60			Dais	e 3 Dec	43.60	)
~	64	Boyd, Chris.	Deroche	2947	1.	21.	All of S.L exc	ept						1	
		20,0,0,120		337 337		*, *	25 ac. S. 4 W.	01	161.30	10.30	.30	959 • 97	76.80	249.20	
,	£ 65	Thomson, Thos.	E. 11	'A"-2947	1	21	Et. of F. S.	24.20	52.76					52.76	
,	1	Larson, Adel	n'-	2940	s	23.	Lot 1 of S.E.	27	58.86	61.65	18.43	156.24	12.50	151.44	1
	× 67	Larson, Agel	u,	2940	s	27.	Lots 2-7 incl.	55.55	121.10	118.27	40.78	383.30	30.66	310.81	. [
	× 68	Brown, Ada J.	TT .		2	23.	Portion of S. S. of left har Nicomen Slongh	k of	42.95	3.91	3 .60	385.79	30.86	81.32	· 人
	V 40	Vorrigon D. A.			31.	23	Legal subd. 3				•8	i v			-
	X 69	Morrison, D. A.					to of legal s 4 & 5 & Frace subd. 6 of S.	legal	189.66	138.18	113.11	1134.89	90.79	581.74	16
	. V 	The state of the s					- , · · · · ·	1381.49	3011.72	3281.53	1638.51	12437.18	994.95	8926.71	1
			2				-						,	200 107	£ 1/70
									·				P	age 107 (	1/19

Tax '				thereof subject	of Total	l Zotal	at Arre	ers Int.		Int. on	.75
No.	Owner's Name & Address			p. Description	asses	ac. p	ay- form	er same		consoli- dated amt.	due due 30th Nov 1929
¥ 71	Michie, Douglas, Deroche	32	23	Frac. S.W. dof Quamitch Slough	41.78	91.08	267.41	193.46	5 45 • 39	43.63	595.58
12	Morrison, D. A. "	31	23	Frac. Legal Subs 9,10,11,16 of N.A	63.60	138.65	137.57	82.72	830.07	66.40	425.34
7 73	Morrison, D. A. " Fitl	e 11922F 31	23	Pt. S. E.	3.04	6.63	6.57	3.95	39.65	3.17	20.32
£ 74	Bell MRs. HELENA	31	23	Frace Well of Le subde 4 & 5 & subde 12 of Fra	"	(94.09)			Pais	e L Nee	94.09
X 75	Murray, S. J. Deroche	32	23	Pt. N.W. 7 W. of Quamitch Slough	17.58	38.33 (3r	73.66	50.19	229.47	18.35	170.53
¥ 76	Gourley, John H. "	3202 31	23	Lots 1,2,3,4,5, 8 of Smad. of 159 ac. Pt. of S.E.2		300.63	298.28	317.68	1492.70	119.42	1036.01
*17	Purdy, T. S. "	5202 31	23	Lot 6 of S.E.l	10.50	22.89	20.36	15.05	113.91	9.11	67.41
777A	Johns, Ernest "	3202 31	23	Lot 7 of S.E.	8.60	18.75	18.60	9.54	93.29	7 •46	54.35
¥ <sup>78</sup>	Sumas Indian Reserve				36.50	79.57			Paid	3 See	79.57
X 79	Sumes Indian Reserve			· ·	156	340.08				47	340.08
					518.66	1130.70	822.45	672.59	3344.48		2883.28
- 98 m	rib	, ,		Sheet 1	703.358	1533.37	1149.52	216.26	370.66	29.65	2902.55
41 4.A		to ty	. 1	Sheet 2	1552.08	3534.07	3292.12	1472.19	10230.12	818.39	8609.31
				Sheet 3	1381.49	3011.72	3281.53	1638.51	12437.18	994.95	8926.71
				Less cred		9059.86 34.30	8545.61 360.00	4000.15	26382.44	2110.53	23321.85
	4 15.5.58				4155.588	9025.56	8185.61	4000.15	26382.44	2110.53	23321.85
<	444417			****							

LAND SETTLEMENT BOARD

Director

Re: Pt S.E. & Sec. 32. S.V. & Sec. 33. Tp.20, Dewdney - In the name of C. H. Woodworth.

Attention Mr. F. H. Wright.

### Gentlemen:

Your of the 5th instant is for my acknowledgment.

This property is situate in the Nicomen Island Dyking District; we would therefore refer you to the Land Settlement Board, Victoria, B. C., who are usting as Commissioners to this District.

Yours very truly,

Inspector of Dykes.

The Yorkshire & Can. Trust, Ltd., 525 Seymour St., Vancouver, B. C.

The Soldier Sottlement Board, 509 Richards St., Vancouver, B. C.

Dear Sirs: Attention Mr. L. B. Plumbly.

Re W. E. & R. Mandale Property.

Yours of the 28th instant, together with copy of a letter from Messrs. Mandale is for my acknowledgment.

Nicomen Island Dyking District is administered by the Land Settlement Board of the Provincial Government, whose head office is in Victoria. They act as commissioners, and as such have charge of pumping operations among other things; you are therefore referred to them.

The writer has nothing to do with the said district, the above named Board having all the powers of the Inspector of Dykes.

Yours very truly,

Inspector of Dykes.

BD:HTS



23288

In Replying Please

Quote File No. C.P.117

509 Richards Street, Vancouver, B. C. July 28,1923

Mr. Bruce Dixon, Inspector of Dykes, NEW WESTMINSTER, B. C.

Dear Sir: RE W.E.& R.MANDALE PROPERTY

We enclose herewith a copy of a letter from Messrs. W. E. & R. E. Mandale of Mission City, who purchased property from the Board on Nicomen Island.

Their letter sets out a complaint in connection with the working of the pumps, and shall be glad if you will take any necessary action and advise us of the result of your investigation.

Yours truly,

THE SOLDIER SETTLEMENT BOARD

Per harlumbly

LBP/IDO

Mission City, B. C.

July 26th 1923

Mr. Plumbly

Dear Sir:

We have been wondering if you could get some adjustment from the Land Settlement Board, who have charge of the dyking of Nicomen Island.

The Board appointed Mr. Handy a Commissioner to represent the Covernment and to look after the interest of the land owners. We asked him repeatedly to start the pump and after a lot of filthy language he did so but never reduced the water sufficient to protect the land. In fact, it was only reduced about eighteen inchess from its highest point when the pump was dismantled.

We have lost 10 acres of grain and grass seeding entirely and much of the other grain is stunted by excess of water. I might say that this is the harder for us as it is the second time this year we have lost the crop as fall rye planted when we bought the place last September was killed after giving great promise. We think we should have protection or else an allowance on Dyke taxes. What do you think?

Hoping this will meet with your earnest attention and thanking you for an early reply.

Yours sincerely,

W.P. & R.E.Mandale

Per R.E.M.

# The Yorkshive & Canadian Trust,

Head Office, Huddersfield, England

Torkshove-Vancouver Caller Address

H. W. Dayson General Manages

Asst General Manager

Yorkshive Building

525 Seymour Greet Vancouver, Canada

5th October, 1923

The Tax Collector,
Dyking Commissioners Office,
Victoria, B. C.

Sec. 32, S.W. 4. Re Part S.E.4, Dewdney -

Dear Sir:-

O

Sec. 33, Twp. 20, C.M. Woodworth

We shall be obliged if you will kindly forward a statement of Dyking taxes due on the above property,

Yours faithfully,

L. M. Weight

Assistant Manager

year is mere

GFP: EG

Page 113 of 179

Harch 8, (1923)

Mr. P. Phillip, C. E.. Public Works Engineer, Victoric, B. C.

Dear Sir:

I am enclosing a bill from the Survey Branch for work done in connection with Hicomon Island plans. You will remember asking the writer to get this before the Minister's departure for Ottawa, and as the time was short the Photostat method was adopted.

This department has no account to which this item may properly be charged. Therefore it is passed for your attention.

Yours very truly,

Inspector of Dykes.

BS ...

M.



# OFFICE OF INSPECTOR OF DYKES (DEPARTMENT OF PUBLIC WORKS)

VICTORIA Jan. 17th. 1923.

MEMO. for J.E.Griffith, C. E., Deputy Minister of Public Works.

> Re Dewdney District, Nicomen Island Dykes. Your File # 312.

With reference to yours of 6th inst. and further to mine of 4th inst. the writer has, during the past week spent two days on Nicomen Island interviewing the parties concerned with probable right-of-way requirements, and also in giving a fuller and closer study to the suggestions made in mine of 4th inst. Those immediately concerned with right-of-way are Mrs. Jos. Gourlay in Sec.27. Tp.20., and Mr.Wm.MacDonald in Sec.25. Tp.20.

Mrs.Gourlay willingly signed a release as per attachment.

Mr.MacDonald insists upon three undertakings being satisfied.viz:-

- Ist. He expects compensation for right-of-way at a rate to be agreed upon by arbitration if necessary.
- End.

  That the part of his holdings which shall have been found by admessurement to be outside the repaired dyke, be released from dyking charges.
- 3rd. If the adopted location of the necessary dyking works puts his house outside the dyke, he expects compensation to enable him to rebuild within the dyked area.

It was suggested to Mr.McDonald that these demands properly came within the scope of the Dyking Commissioners and that it might speed up action if he would sign up and absolve the Government from any complications and also that such action would not prevent him from negotiating with the Commissioners, (Land Settlement Board). He preferred to take no chances as he put it, and the matter was closed.

The writer is forced to admit that the first two demands of Mr.MacDonald as set out above appear fair and just. At the same time it is thought that the Commissioners to the

(Over)

J.E.Griffith, C. E. (2) contd.

District, viz: - the Land Settlement Board, might well assume the responsibility of adjusting the matter in whatever manner is proven necessary for the reason that they are responsible in the final analysis for the control of this Dyking District and have the necessary machinery at their command to make any just payment in this connection and to apportion the cost over the other land holders where ittis believed it properly belongs.

With regard to mine of 4th inst. a cheap method of repairing the system was made upon a hurried investigation. The more thorough study given to the situation convinces the writer that it would not be good business to follow the suggestions made at that time. These conclusions are based upon the element of time as regards the rivers encreachment which consideration shows the advisability of keeping further removed from the river.

It is roughly estimated that this requirement will necessitate an expenditure of around \$15,000.00 and therefore advantage is being taken of some survey notes which are available with a view to reporting as intelligently as possible, upon the probable cost of the work and the benefit to be derived therefrom. This is in hand and will be submitted at the earliest possible moment.

Inspector of Dykes.



PUBLIC WORKS DEPARTMENT (OFFICE OF THE DEPUTY MINISTER).

VICTORIA,

Jan. 6, 1923.

Dewdney District Nicomen Island Dykes

Memo. to the Inspector of Dykes.

Referring to your communication of the 4th inst., it is necessary before passing an Order-in-Council and Special Warrant that a closer estimate be obtained, and also a written undertaking from all those interested that no charge will be made for right-of-way or material and that the Government will not be responsible for maintenance or damages of any nature.

Deputy Minister of Public Works.

JEG:MF

The P. R. a. much of how of the formal of the market and the the per be what so the market of what so we had so we h

Memo. for J.E.Griffith, C. E.
Deputy Minister of Public Works.

# Nicomen Island. Dykes.

In chedience to instructions contained in your letter to me at Vancouver on 22nd ulto. a visit was made to the sections requiring repairs in company with Mr.E. Dundas Podd, Assistant Provincial Engineer, at New Westminster.

Your instructions were in affect that the necessary repair work be gone into with a view of ascertaining whether or not it could be done with our machine, or a similar machine, and a rough estimate made of the cost.

Mr Todd, above referred to, is conversant with the Nicomen situation and states that if the gap at Mc.Donalds is arced and necessary attention given to a section at Gourlays, providing this work is given sufficient stability, the Nicomen system will then be complete and capable of withstanding a freshet height up to 20.00 ft on the Mission gauge. In other words, the safety factor will then be more or less uniform over the entire system.

In this connection some freshet heights as recorded on the gauge referred to and furnished by the P.W.D are given:-

1894 --- 25'9"
1896 --- 21'9"
1900 --- 21'1"
1903 --- 22'6"
1908 --- 20'0"
1918 --- 20'0"
1920 --- 21'8"
1921 --- 22'3"
1922 --- 20'6"

In view of this information, the two sections referred to, and marked upon the attached Sketch were visited.

The Section marked 21on the key sketch is an auxillary dyke joining two ridges. It was thrown up when the outer dyke failed and was built with the idea of height rather than stability, and should be given added weight. The material

(OVER)

J.E.Griffith.C. E. contd.

to do this will have to be houled as there is none available within the radius of an excavating machines swing.

1000 ou.yds. is required at this section and it could probably be done with teams for \$600.00 .

The section marked I on the key and enlarged on the sketch accompanying it is situate where river bank erosion is most acute. Mr.Fred Sinclair, C. E. investigated this area in 1920 and made certain recommendations to the Land Settlement Board among which was the construction of a new dyke joining the ends of the existing dyke. His location is shown on the sketch. His idea was to keep back from the encroaching river and to take advantage of the ridges where possible. His estimate of this work was \$39,730.00 and the yardage was 79,000 cu.yds.

In view of the general condition of the existing dykes, the fact that the time is short before the freshet season, and the possibility of the Dominion Government instituting works to control the river, it is suggested that the repair work be now confined to that shown in red on the sketch.

If this suggestion is adopted, the work should be so laid out that as much of it as possible could later be utilized as a part of the permanent system.

The major part of the work could be done with a Drag-line type excavator equipped with a 40' boom (similar to the one operated by the Dykes Department.) A larger reach machine would be capable of turning out a more satisfactory job owing to its ability to keep the borrow pit farther removed from the dyke structure.

The borrow-pit should be on the dry side of the dyke and as far removed and as shallow as possible owing to the light characteristics of the material encountered.

It is estimated, roughly, that the necessary embank-ment would require I7,500 cu.yds. of which some 2,500 cu.yds. would necessarily entail a haul of 800 ft. to the sections marked X. A part of this material to be hauled could be taken from that part of the existing dyke west of McDonalds Road.

It is not considered mossible to do this work with the Dykes Department plant becauss of pressing engagements, therefore the following summary as to cost is submitted:-

(OVER)

J.E.Griffith, C. E. 3. contd.

### REPAIR JOB NO.I

15.000 ou.yds @ . \$0.40 --- \$6000.00 2.500 ou.yds through 800ft @ .60 1500.00

### REPAIR JOB No. 2

1000 cm.yds through 800ft 4.60 600.00 Plus 10% for contingencies 810.00

\$8910.00

The above conclusions are based upon a very hurried investigation and very rough approximations as to quantities. It is felt that a further investigation should be made both as regards the estimate of cost, and the bonefit these repairs would affect with respect to Flood-heights.

Several sand-bag workings one and two years old were observed along the crowns of some of the ridges, notably around the section marked 2.

Inspector of Dykes.



PUBLIC WORKS DEPARTMENT (OFFICE OF THE DEPUTY MINISTER).

VICTORIA,

Dec. 22, 1922.

## Nicomen Island Dykes

Sir:

In all probability the Government will repair Nicomen Island Dykes, and for this purpose will you kindly go over the situation with the view of ascertaining whether the work can be done with your machine or a similar one.

You will have so much work on hand that you might not be able to undertake it and complete before high water.

We would also like a general idea of what the cost of the work would be.

As this matter is urgent please attend to it before returning to Victoria.

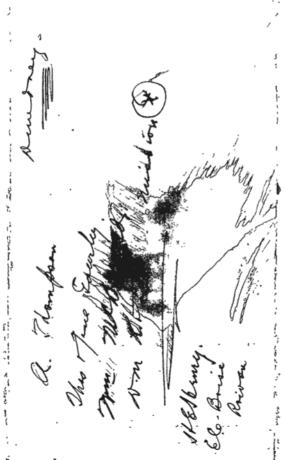
Yours obediently.

Deputy Minister of Public Works.

Bruce Dixon, Esq., 1862 Venables Street, Vancouver, B.C.

JEG:MF

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filed in LRO. - 41881c. 15.4.19

THIS INDENTURE made the Thirty-first day of August, in the year of Our Lord, One thousand nine hundred and eighteen;

BETWEEN:

LAND SETTLEMENT BOARD, a body politic and corporate under the provisions of the Eand Settlement and Development Act, Commissioners of the West Nicomen Dyking District, (hereinafter called the Commissioners) of the one part,

- AND -

YORKSHIRE AND CANADIAN TRUST LIMITED, a body corporate, having its Head Office at Huddersfield, England, and duly registered to do business in the Province of British Columbia, (hereinafter called the Trustee) of the other part:

WHEREAS the said Lend Settlement Board in addition to all other powers conferred on it by the Land Settlement and Development Act, being Chapter Thirty-four (34) of the Statutes of 1917 of the said Province of British Columbia, is possessed of all the powers and is entitled to act as a Board of Commissioners appointed under the provisions of the "Drainage, Dyking and Development Act", being Chapter Eighteen (18) of the Statutes of 1913 of the said Province of British Columbia;

AND WHEREAS the said Land Settlement Board by Order of the Lieutenant-Governor in Council, notice of which was duly published in the Gazette, has been appointed Commissioners of the West Nicomen Dyking District, more particularly shewn and coloured green on a certain plan deposited in the Land Registry Office at New Westminster, British Columbia, which lands are hereinafter particularly described; and is possessed of all the rights, powers and authority conferred on such Commissioners by the said "Drainage, Dyking and Development Act."

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AND WHEREAS the Commissioners of the West Nicomen
Dyking District did, on the first day of May, 1913, under
the provisions of the said last mentioned Act, issue Debentures for the sum of Ninety Thousand Dollars \$90,000.00)
payable in twenty (20) years from the date thereof and bearing interest at the rate of five per centum (5%) per annum
upon the security of a first charge on the lands within the
said district and upon all present and future taxes that
might be levied by the Commissioners under the provisions
of the said Act and secured by a Trust Deed to the London
and British North America Company, Limited, vesting the said
first charge and the said taxes in such Trustee for the holders of such Debentures, and did sell and dispose of said
Debentures to the amount of Eighty-seven Thousand Dollars
(\$87,000.00).

AND WHEREAS it has been agreed by and between the Commissioners and the holders of said Debentures so sold and disposed of as aforesaid that the said Debenture holders shall deliver up to the Commissioners the said outstanding debentures so held by them, the same to be retired and cancelled and in lieu thereof and to retire same that other Debentures for a like amount be executed and issued to them by the Commissioners such Debentures so to be issued to be payable on the first day of May, 1953, and bear interest at four per centum (4%) per annum payable helf yearly, payment thereof to be guaranteed by the Lieutenant-Governor in Council.

AND WHEREAS by the "West Nicomen Dyking District Aid Act", being Chapter One Hundred (100) of the Statutes of 1918 of the said Province, it was provided that for the purpose of retiring the said Debentures issued by the Commissioners of the West Nicomen Dyking District in connection

with the construction of drainage and dyking works in the said Plantict, and which are at present outstanding the Lieutenant-Governor in Council might absolutely guarantee the payment of the principal and interest of Debentures to be issued by the Commissioners to an amount not exceeding Ninety Thousand Dollars (\$90,000.00) or its equivalent in Sterling or other money.

AND WHEREAS it was further provided by said last mentioned Act that the Debentures to be so guaranteed should be issued by the Commissioners under the provisions of the "Drainage and Dyking Act" as modified by the provisions of the said "West Nicomen District Dyking Aid Act" and should be payable on the first day of May, 1953, and bear interest at the rate of four per centum (4%) per annum, payable half-yearly, and should be secured by one or more Deed or Deeds of Trust executed by the Commissioners to a Trustee approved by the Lieutenant-Governor in Council and that such Deed or Deeds of Trust should grant a First Mortgage or Charge on the lands within the said District under the provisions of the said Drainage and Dyking Act and upon all present and future taxes that might be levied by the Commissioners under that Act.

AND WHEREAS the Commissioners, as authorized so to do by the said last mentioned Act, propose to issue debentures for the purpose of retiring the said debentures so issued by the Commissioners of the said District as above stated, in connection with the construction of Dyking Works in the said District and which are at present outstanding under the provisions of the "Drainage, Dyking and Development Act" as modified by the said "West Nicomen Dyking District Aid Act" for the said sum of Ninety Thousand Dollars (\$90,000.00) payable on the first day of May, 1953, and bearing interest at the rate of four per centum (4%) per annum from the first day of May 1919, such debentures to be

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secured by a Deed of Trust granting a First Mortgage or Charge on the lands within the said West Nicomen Dyking District, under the provisions of the "Drainage, Dyking and Development Act" and upon all present and future taxes that may be levied by the Commissioners under that Act.

AND WHEREAS the Lieutenant-Governor in Council by Order made the 27th day of August, 1918, absolutely guarantees the payment of the said Debentures to the said amount of Ninety thousand dollars (\$90,000.00) with interest thereon at the rate of 4% per annum from the first day of May, 1919, a copy of which guarantee is annexed as Schedule "C" hereto.

AND WHEREAS the said Yorkshire and Canadian Trust Limited has been approved of by the Lieutenant-Governor in Council as such Trustee and has consented to act as Trustee of this Deed of Trust, executed by the Commissioners under the provisions of Section 5 of the said "West Nicomen Dyking District Aid Act" upon the terms herein contained.

has approved of the form and terms of the debentures hereinafter set forth to be guaranteed under the said last mentioned
Act and has approved of the form and terms of the Deed of
Trust securing the payment thereof and the terms and manner

\*\*Of the issue of said debentures and of the form and menner \*\*

of the guarantee to be given in respect thereof as hereinafter set forth and has designated the Minister of Finance
of the said Province to sign the said guarantee.

AND WHEREAS an Assessment Roll was made and filed in respect of the lands lying within the limits of the said District which was confirmed by a Court of Revision held on the 11th day of May, 1912, in accordance with the provisions 7 of the "Drainage, Dyking and Irrigation Act", Revised Statutes

of British Columbia, 1911, Chapter 69, Copy of which Assessment Roll as confirmed by the said Court of Revision forms Schedule "A" hereto. ?

against the said Assessment and no application was made or action taken in any Court of competent jurisdiction to set aside or question the validity of the said Assessment Roll, and the said Assessment Roll is valid and effectual and assessments have been made and taxes levied from time to time under Section 34 of the said "Drainage, Dyking and Development Act" and paid into the sinking fund for the redemption of the said debentures so issued on the 1st day of May, 1913.

AND WHEREAS the said Commissioners have agreed to execute these presents for the purpose of securing payment of the money to be advanced to the Commissioners upon the security of the said Debentures, for the purpose of retiring the Debentures issued by the Commissioners of the said Dyking District on or about the 1st day of May, 1913.

AND WHEREAS the foregoing recitals shall be deemed to be recitals of fact on the part of the Commissioners and not on the part of the Trustee.

NOW THIS INDENTURE WITNESSETH AND DECLARES AS FOLLOWS;

1. "The Debentures" means the Debentures issued under the provisions of the said "West Nicomen Dyking District Aid Act" and entitled to the benefit of these presents:

"Debenture Holders" means the holders for the time being of the Debentures:

Words importing the singular number only include the plural number and vice versa; words importing the masculine only include the feminine and vice versa; and words importing persons shall include corporations when the context so admits:

lars (\$90,000.00) bearing interest at the rate of four per centum (4%) per annum from the first (1st) day of May, 1919, shall be forthwith executed and delivered to the Trustee for authentication by it. The Coupons to be attached to such debentures shall be authenticated by the engraved or lithographed signature of the Commissioners. The Debentures shall be substantially in the form set forth in Schedule "B" hereto and to each Debenture shall be attached coupons substantially similar to the form of the Interest Coupon set forth in the said Schedule "B"; Only such Debentures as shall bear thereon endorsed a Certificate substantially in the form mentioned in said Schedule "B" executed by the Trustee shall be secured by this Indenture or entitled to any lien, right or benefit hereunder.

Registration Delineur kept at the office of the Trustee in the City of Vancouver in said Province of British Columbia a Register of the Debentures, in which any Debenture holder may apply to be registered as the owner of the Debentures (if unregistered) held by him, and such Register shall contain the names, addresses and descriptions of the registered holders and particulars of the Debentures held by them respectively. Such registration shall be noted on the debentures by the Trustee, after which no transfer of said Debentures will be valid except by an instrument in writing made by the registered owner or his lawful attorney duly noted in the transfer book where such Debentures are registered and similarly noted on the same Debentures, but the same may be disconstructed.

from registration by the Trustee after which they shall be transferable by delivery, but may be again and from time to time registered and discharged from registry; but registration of a Debenture shall not restrain the negotiability of the coupons by delivery merely. The Commissioners and the Trustee may deem and treat the registered holder for the time being of any Debenture when registered and the bearer for the time being of any Debenture when not registered and the bearer of any coupon for interest on any such Debenture as the absolute owner of such Debenture or coupon for the purpose of receiving payment thereof and for all other purposes whatsever, and the Commissioners and the Trustee shall not be affected by any notice to the contrary.

- (a). Each Debenture hereby secured shall be for the sum of Five Hundred Dollars (\$500.00). The said Debentures shall be dated the lst day of August, 1918. The principal money thereby secured shall be payable on the 1st day of May, 1953, with interest thereon at the rate of four per centum (4%) per annum from the 1st day of May, 1919, payable half-yearly on the 1st day of May and the 1st day of November in each year during the currency thereof. The place of payment of the Debenture shall be at the office of the Trustee in the City of Vancouver, in the Province of British Columbia and the interest shall be payable in currency of the Dominion of Canada, or if demanded in gold coin of the Dominion of Canada of the present standard of weight and fineness.
- (b) The Commissioners shall levy taxes from time to time under Section 34 of the "Drainage, Dyking and Development Act" and Amending Acts with which together with the moneys in the sinking) fund created for the redemption of the Debentures of the 1st of May, 1913, to create and maintain a sinking fund for the redemption of the Debentures to be issued and for that purpose shall, on or before the 1st day of May in each year, commencing with the year 1919 and until the whole of the Mebentures hereby secured have been redeemed

pay into the Sinking Fund

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Account Fund/either in the Provincial Treasury or in a chartered Bank such sum as shall be sufficient with the accumulation thereof and of the interest thereon taken at the rate of four per centum (4%) per annum to redeem the said debentures on the 1st day of (May, 1953. The Commissioners shall receive, hold and invest the said sums in the manner and on the security authorized for such investments under the provisions of the said Drainage, Dyking and Development Act and Amending Acts, or in the purchase of the Debentures hereby secured at any price not more than par in their own name and the Commissioners shall at the request of the holders of all the said Debentures invest the said sums in the purchase thereof. All of the Debentures hereby secured so purchased shall be held by the Commissioners who shall receive the interest thereon and any such interest and any income from time to time derived from any investments upon which any part of such Sinking Fund may be invested shall be added to the amount of said Sinking Fund and form part thereof.

unto the Trustee absolutely and forever all present and future taxes that may be levied by them from time to time under the provisions of the said "Drainage, Dyking and Development Act", and Amending Acts on the lands constituting the West Nicomen Dyking District which are comprised in the following described area, that is to say: (All the lands comprising that portion of Nicomen Island lying West of the Deroche and Quamitch Sloughs, together with the full benefit of all powers, rights, privileges, title and authority held or enjoyed by, or vested in the Commissioners by virtue of the said "Drainage, Dyking and Development Act" and Amending Acts or otherwise howsoever, particularly, (but not so as to circumscribe the generality of the foregoing words) all powers, rights, privileges by law exercisable by the Commissioners for recovering, collecting and enforcing payment of all the said taxes out of the

said several respective pieces or parcels of land more particularly described in said Schedule "A" hereto annexed on which the same are or will be severally charged, as well as otherwise howsoever. And the Commissioners, being the owners of a first charge created under the provisions of the said "Drainage, Dyking and Development Act" to the extent of the taxes that they are authorized to levy under the provisions of the said Act, over all and singular the said several pieces or parcels of land the subject of separate ownership lying and being in the said district known as the West Nicomen Dyking District DO HEREBY ASSIGN TRANSFER AND MAKE OVER to the Trustee all the said taxes and the Sinking Eund to be created out of the said taxes and all the said right, title, interest, claim and demand of the Commissioners as owners of the said first charge, or otherwise howsoever, of, in, to, upon or about the said first charge and all and singular the said several pieces or parcels of land TO HAVE AND TO HOLD the said taxes, and the said sinking fund created out of said taxes, and all the right, title, interest, claim and demand of the Commissioners of, in, to, upon or about the said first charge and the said several pieces or parcels of land, all of which taxes, sinking fund, first charge and pieces or parcels of land are hereinafter referred to as "the mortgaged premises," unto and to the use of the Trustee, its successors and assigns absolutely and forever.

- (5) The Commissioners covenant with the Trustee:
- (a) That the Commissioners have the right to grant, convey, assign, transfer and set over all the said taxes and sinking fund and all the said right, title, interest, claim and demand of the Commissioners of, in, to, upon or about the said charge and the several pieces or parcels of land to the said Trustee notwithstanding any act of the Commissioners.
  - (b) And the Trustee shall have quiet possession of all of

the said taxes, sinking fund and of all the said right, title, interest, claim and demand of the Commissioners in, to, upon or about the said charge and the said several pieces or parcels of land free from all encumbrances.

- (c) And the Commissioners covenant with the said Trustee that they will execute such further assurances of the said taxes and sinking fund and of all the said right, title, interest, claim and demand of the Commissioners in, to, upon or about the said charge and the several pieces or parcels of land as may be reasonably required by the Trustee:
- (d) And the Commissioners release to the said Trustee all their claims upon the said taxes and sinking fund, and upon the said charge and lands.

ALL the foregoing covenants shall have the same effect as if the conveyance of the said charge and the said lands had been expressed to have been made in pursuance of the Real Property Conveyance Act.

- Trustee to be the Attorney of the Commissioners, in the name and on behalf and as the act and deed of the Commissioners, to execute and do any assurances and things which the Commissioners ought to execute and do under the covenants, agreements and stipulations herein contained and generally to use the names of the Commissioners in the exercise of all or any of the powers hereby conferred on the Trustee.
- (7) The said Trustee shall permit the Commissioners to levy and collect the said taxes and to exercise all the powers, rights, and privileges vested by the said Act in the Commissioners for levying, collecting, recovering and enforcing payment of all the said taxes until the security hereby constituted shall become enforceable and then the Trustee may in its discretion without any such request as hereinafter mentioned and shall upon the request

in writing of the holder or holders of at least twenty-five per centum (25%) or more of the debentures hereby secured, but in either case without any further consent on the part of the Commissioners, enter upon or take possession of the said taxes and do all things that the Commissioners are by law authorized so to do for the purpose of collecting the said taxes.

- (8) The security hereby constituted shall become enforceable in each and every of the events following, that is to say:-
  - (a). If the Commissioners shall make default in the payment to the Trustee of any principal moneys or interest due under the debentures which ought to be paid in accordance therewith:
  - (b) If the Commissioners shall fail on the 1st day of November, 1919, and on the 1st day of May in each and every year
    thereafter to pay into the sinking fund a sufficient sum which
    with the accumulations thereof and the interest thereon at four
    per centum (4%) per annum will redeem the debentures at maturity.
- (c) If a receiver (or other similar officer) of the Commissioners' duties and taxes or any part thereof, is appointed and such appointment shall in the opinion of the Trustee be prejudicial to the security hereby constituted.
  - (d) If default is made by the Commissioners in their performance or observance of any covenant, condition or obligation binding on the Commissioners under these presents.
- (9). The receipt of the Trustee for payment of any of the said taxes, or for any other moneys paid to the Trustee, shall effectually discharge the lands in respect of which the taxes have been so paid, and the person or persons paying the same therefrom and from being concerned to see to the application of being answerable for the loss or misapplication thereof.
  - (10) After deducting all costs, expenses, fees and other charges

properly incurred by the Trustee in and about the execution of the trusts hereof, as well as just and reasonable compensation for its own services and for the services of all counsel, agents and employees by it properly engaged and employed, the Trustee shall apply the money arising from all the said taxes and arising from the investments of assessments levied and collected on sinking fund account as follows:-

First: In or towards the payment of the debenture holders pari passu in proportion to the amount due to them respectively on account of all arrears of interest remaining unpaid on the debentures held by them respectively:

Secondly: In or towards payment to the debenture holders pari passu in proportion to the debentures held by them respectively and without any preference or priority by reason of date of issue or otherwise howsoever, of all the principal money due in respect of the debentures held by them respectively:

Thirdly: In payment of the surplus (if any) of such money to the Commissioners.

- (11). The receipt of each debenture holder for principal and the receipt of each coupon holder for interest, shall be a good discharge for the same.
- (12). No holder of any debentures or interest coupon shall have the right to institute any suit, action or proceeding upon or in respect of these presents, or for the execution of any trust or power hereof, or for the appointment of a receiver, or for any other remedy under and upon this indenture, unless such holder shall previously have given to the Trustee written notice of any existing default, and of the continuance thereof, and un-

also the holders of at least fifteen (15) per cent. in amount of the debentures then outstanding shall have made written request upon the Trustee, and shall have accorded to it reasonable opportunity to itself proceed to exercise the powers herein contained, or to institute such action, suit or proceeding in its own name, and unless such holder or holders shall have offered to the Trustee adequate security and indemnity against the costs, expenses and liabilities to be incurred in or by reason of such action, suit or proceeding, and the Trustee shall have refused or neglected to act and such notification, request and offer of indemnity are hereby declared in every such case, at the option of the Trustee, to be conditions precedent to the exercise of the powers and trusts hereof and to any action or cause of action for the enforcement of such trusts.

- (13). The Trustee shall be under no obligation to see to the record registry or filing of these presents, or while not in possession thereof to see to the levying or payment of taxes, or to the performance or observance of any of the covenants or agreements on the part of the Commissioners.
- (14). Any action taken or suffered in good faith by the Trustee in accordance with the opinion of counsel shall be conclusive upon the Commissioners, and upon all the debenture holders and the Trustee shall be under no liability therefor.
- (15). The Trustee at any time after the security hereby constituted becomes enforceable, may by writing, appoint a receiver of the mortgaged premises or any part thereof and remove any receiver so appointed and appoint another in his stead, and the following provisions shall have effect:-
  - (a). Such appointment may be made either before or after the Trustee shall have entered into or taken possession of

the mortgaged premises or any part thereof.

- (b). Such receiver may be invested by the Trustee pursuant to Clause 18 hereof with such powers and discretions as the Trustee may think expedient.
- (c). Such receiver shall in the exercise of his powers, authorities and discretions, conform to the regulations and directions from time to time made and given by the Trustee.
- (d). The Trustee may from time to time fix the remuneration of such receiver and direct payment thereof out of the mortgaged premises.
- (e). The Trustee may from time to time and at any time require any such receiver or receivers to give security for the due performance of his duties as such receiver and may fix the nature and amount of the security to be so given, but the Trustee shall not be bound in any case to require such security.
- (16). The Trustee shall not, nor shall any receiver or receivers appointed hereunder, be liable to account for anything except actual receipts or be liable for any loss upon realization or for any default or omission for which a mortgagee might be liable.
- (17). The Trustee may take such advice, and employ such assistance as may in its judgment be necessary for the proper discharge of its duties, and shall be entitled to reasonable compensation for any and all services which may be hereafter rendered by it or by any counsel, solicitor, attorney, accountant, agent or servant, in relation to the mortgaged premises or these presents, and the Commissioners hereby covenant with the Trustee to pay such compensation from time to time upon request, out of the

mortgaged premises, and the same shall form a charge upon the mortgaged premises and the proceeds thereof.

- agent, or other person appointed by the Trustee hereunder shall be entitled to be indemnified out of the mortgaged premises in respect of all the liabilities and all expenses incurred in the execution or purported execution of the trusts hereof or of any powers, authorities or discretions, and against all actions, proceedings, costs, claims and demands in respect of any matter or thing done or omitted in anywise relating to the premises, and the Trustee may retain and pay out of the moneys in its hands from the trusts of these presents the amount of any such moneys and also the remuneration of the Trustee as herein provided.
- (19). The Commissioners shall from time to time and at all times execute and do all such assurances and things as the Trustee may reasonably require for facilitating the realization of the mortgaged premises and for exercising all the powers, authorities and discretions hereby conferred on the Trustee, and in particular the Commissioners:-
  - (a). Shall hold such meetings and levy, collect and recover such taxes upon the lands comprising the West Nicomen Dyking District as the Trustee shall reasonably require for the purpose of paying the annual interest on the debentures and of creating and maintaining a sinking fund as herein provided to redeem the debentures.
  - (b). Shall execute all transfers, conveyances, assignments, and assurances of the mortgaged premises whether to the Trustee or to its nominee.
    - (c). Shall give all notices and orders and directions

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and make or cause to be made all applications which the Trustee may think expedient for the purpose of this clause; a certificate in writing signed by the Trustee for the time being to the effect that any particular assurance or thing required by it is reasonably required by it shall be conclusive evidence of the fact.

- (20). The Trustee may, whenever it thinks it expedient in interest of the debenture holders, delegate to any person or persons all or any of the trusts, powers and discretions vested in it by these presents and any such delegation shall be made upon such terms and conditions and subject to such regulations (including power to subdelegate) as the Trustee may in the interest of the debenture holders think fit, and the Trustee shall not be in any wise responsible for any loss incurred by any misconduct or default on the part of any such delegate or subdelegate.
- presents by giving to the Commissioners notice in writing and to the debenture holders notice by publication of such resignation, specifying a day when said resignation shall take effect, which notice shall be published at least once upon a week day not less than thirty and not more than sixty days prior to the day so specified, in a daily newspaper of general circulation at that time published in the City of Vancouver aforesaid. Upon such resignation taking effect the Trustee shall be relieved and discharged from all further liability or obligation imposed on or conferred upon it by these presents.
- (22). In case at any time the Trustee shall resign or be

removed or otherwise shall become incapable of acting, a successor may be appointed by the Lieutenant-Governor in Council but until a new Trustee shall be appointed as herein authorized, the Commissioners may, by a proper instrument in writing appoint a Trustee temporarily to fill such vacancy. After any such appointment by the Commissioners, they shall cause notice of such appointment to be published for ten successive days in a daily newspaper of general circulation published in the City of Vancouver afbresaid, but any new Trustee so appointed by the Commissioners shall immediately and without further act be superseded by a Trustee appointed as aforesaid by the Lieutenant-Governor in Council.

Any successor Trustee appointed hereunder shall execute, acknowledge and deliver to the Commissioners an instrument accepting such appointment hereunder, and thereupon such successor Trustee without any further act, deed or conveyance shall be vested with appropriate authority, rights, powers and duties herein provided in that behalf, and upon the death, resignation or removal of any Trustee all the estate, right, title and interest of such Trustee in the mortgaged premises shall wholly cease and determine, but nevertheless the Commissioners for the time being will, in every and any such case execute upon request all such deeds, conveyances or assurances as shall in the judgment of the Trustee so appointed be desirable or necessary to enable the Trustee so appointed to execute the trusts hereof as fully and effectually as if such appointed Trustee had been originally a Trustee and in every case of resignation of a Trustee or of removal of a Trustee, the Trustee so resigning or removed shall at the request of the Commissioners for the time being, or of the Trustee so appointed make and execute such deeds, conveyances or assurances to its successors as may be required. The costs and expenses of and incidental

to all the conveyances hereinbefore provided for and all other expenses incurred by the debenture holders or any Trustee, original or successor, in respect thereof shall be paid by the Commissioners out of the trust premises.

- (24). Any request or other instrument required by this Indenture to be signed and executed by debenture holders may be in any number of concurrent instruments of similar tenor and may be executed by such debenture holders in person or by any agent or attorney. The Trustee shall be entitled to be satisfied of the validity of the signature to any such request or other instrument by any reasonable evidence.
- (25). No delay or omission of the Trustee or of any holder of debentures to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of any such default or acquiescence therein, and every power and remedy given by these presents to the Trustee or to the Debenture holders may be exercised from time to time, and as often as may be deemed expedient by the Trustee or by the debenture holders.
- (26). The Trustee shall not by reason of its fiduciary position be in any wise precluded from making any contracts or entering into any transactions with the Commissioners in the ordinary course of the Trustee's business.
- (27). The Trustee may at any time after the security hereby constituted becomes enforceable apply to the Court for an order that the trusts hereof be carried into execution under the direction of the Court, and for the appointment of a receiver or receivers or manager of the mortgaged premises, or any of them, and for any other order in relation to the administration of the trusts hereof as it shall deem expedient

and it may assent to and approve of any application to the Court made at the instance of any of the debenture holders, and shall be indemnified by the Commissioners against all costs and expenses incurred by and in relation to any such application or proceedings.

- (28). The Commissioners hereby covenant with the Trustee that they will at all times during the continuance of this security:-
  - (a). Keep proper books of account and therein make, or cause to be made, true and perfect entries of all collections on account of the said taxes and of all payments made by the Commissioners, and will allow the Trustee, or such person or persons as it shall from time to time in writing for that purpose appoint, to inspect the said books of account.
  - (b). Give to the Trustee or to such person or persons as aforesaid, such information as it or they or any of them shall require as to all matters relating to the mortgaged premises or otherwise relating to the affairs thereof.
- (29). The Commissioners shall in each and every year during the continuance of this security pay out of the said taxes to the Trustee for the time being of these presents as and by way of remuneration the sum of One hundred dollars (\$100.00) on the first day of August in each year the first of such payments to be made on the first day of August, 1919, in addition to all travelling and other costs, charges and expenses which the Trustee may incur in relation to the execution of the Trusts hereby reposed in the Trustee and the said salary shall continue payable until the trusts hereof shall be finally wound up and whether or not a receiver or receiver and manager shall have been appointed

or the trusts of this Indenture shall be in course of administration by or under the direction of the Court.

- (30). Upon proof being given to the reasonable satisfaction of the Trustee that the holders of all the debentures entitled to the benefit of the trusts herein contained, and for the time being issued, have been paid off or satisfied, and upon payment of all costs, charges and expenses incurred by the Trustee in relation to these presents, the Trustee shall at the request of the Commissioners, re-convey and re-assign to the Commissioners the mortgaged premises or such part thereof as may remain vested in it, freed and discharged from the trusts herein contained or otherwise release the mortgaged premises from this security.
- (31). The Commissioners covenant with the Trustee that they will duly perform and observe the obligation imposed hereby upon them, and that these presents and the debentures shall be construed as and be one security and charge in favour of the holders of the debentures and of the said Trustee.

IN WITNESS WHEREOF the parties hereto have executed these presents the day and year first above written.

SIGNED, SEATED AND DETIVERED

by the above named Commissioners
in the presence of:

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I HEREBY CERTIFY that on the 3/ day of any of 1918, at the City of Victoria, in the Province of British Columbia, May with the personally known to me appeared before me and acknowledged to me that he is the Charman of the Land Settlement Board and that he is the person who subscribed his name to the annexed instrument as of the said Land Settlement Board and affixed the Seal of the said Land Settlement Board to the said instrument. That he was first duly authorized to subscribe his name as aforesaid and affix the said seal to the said instrument and that such corporation is legally entitled to carry on business in the Province of British Columbia.

IN TESTIMONY WHEREOF I have hereunto set my hand and Seal of Office at the City of Victoria in the Province of British Columbia this 3/sd day of Cagastin the year of Our Lord, One thousand and nine hundred and eighteen.

A Notary Public in and for the Province of British Columbia.

## FOR ATTORNEY

the person who subscribed the name of THE YORKSHIRE & CANADIAN TRUST, LIMITED, to the Vangouver, B. C., personally known to me, appeared before me and acknowledged to me that he is HARRY WYTON DYSON, knows the contents of said instrument, and subscribed the name of the LIMITED, is the same corporation mentioned in the said instrument as the maker thereof, and is still in deed of the said THE YORKSHIRE & CANADIAN TRUST, LIMITED, under authority of a power annexed instrument as the maker thereof; that the said THE YORKSHIRE & CANADIAN TRUST, existence and entitled to do business in British Columbia, to the best of his belief, and that he, the said said THE YORKSHIRE & CANADIAN TRUST, LIMITED, thereto voluntarily as the free act and at Westourer, in the Province of British Columbia, HARRY WYTON DYSON, of 525 Seymour Street day of I HEREBY CERTIFY that, on the 26 of attorney which has not been revoked.

IN TESTIMONY whereof I have hereto set my hand and scal at Mancouvery

B. C., this 30

in the year of our Lord one thousand nine hundred and Content of the 
Page 145 of 179

refetember

26 day of I HEREBY CERTIFY that on the Vuctoria , in the Province of 1918, at the City of Hurry Wylow Dyson personally British Columbia, known to me appeared before me and acknowledged to me that General Manager. of Yorkshire and Canadian Trust Limited and that he is the person who subscribed his acturney of the name to the annexed instrument as said Yorkshire and Canadian Trust Limited and affixed the Seal of the said Yorkshire and Canadian Trust Limited to the said That he was first duly authorized to subscribe instrument. his name as aforesaid and affix the said Seal to the said instrument and that such corporation is legally entitled to carry on business in the Province of British Columbia.

> IN TESTIMONY WHEREOF I have hereunto set my hand and Seal of office at the City in the Province of British Columbia this day in the year of of Our Lord, One thousand nine hundred and eighteen.

> > A Notary Public in and for the Province of British Columbia.

## SCHEDULE "C"

By virtue of the powers conferred by the "West Nicomen Dyking District Aid Act" being Chapter 100 of the Statutes of the Province of British Columbia, 1918, and by virtue of an Order of the Lieutenant-Governor in Council of the said Province made on the 28 -day of 1918 the Lieutenant-Governor in Council hereby absolutely guarantees to the holders of the debentures secured by the foregoing Deed of Trust payment of the principal and interest of the said debentures and of the interest coupons attached thereto according to the tenor thereof. In the event of the Commissioners of the West Nicomen Dyking District failing to pay the said debentures or the interest thereon the said debentures and the interest shall be chargeable upon and paid out of the consolidated revenue fund of the Province of British Colunbia.

IN WITNESS WHEREOF the Lieutenant-Governor in Council has caused this guarantee to be signed by the Minister of Finance of the said Province and the Seal of the said Province to be affixed at the City of Victoria, in the said Province this  $26^{\frac{\pi}{100}}$  day of August, A.D.1918.

the Such Browner Columbia

John Hart.

Minister of Finance.

DATED THE 1ST DAY OF AUGUST,

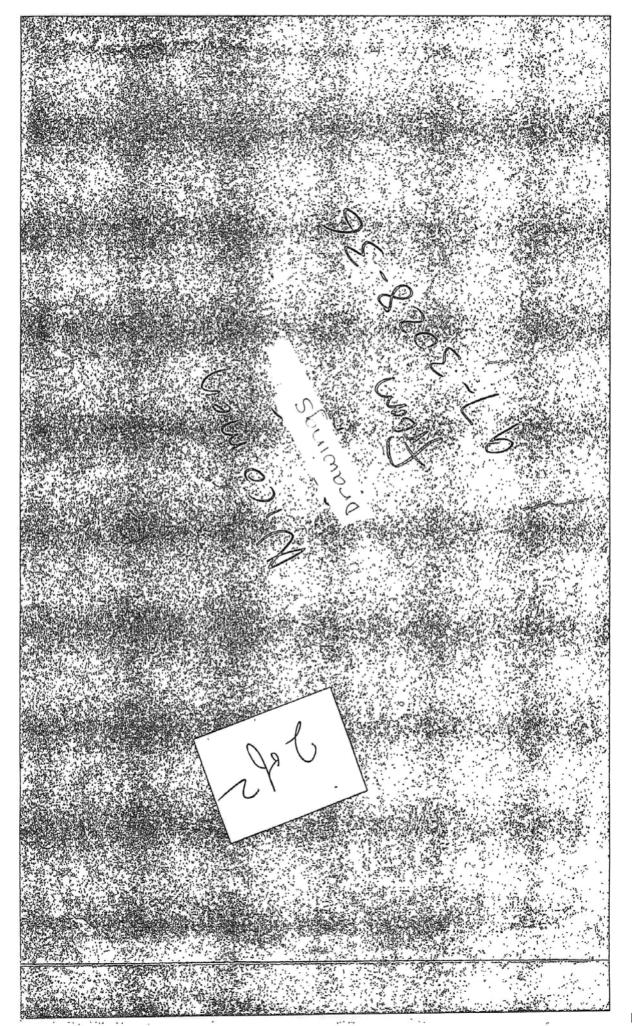
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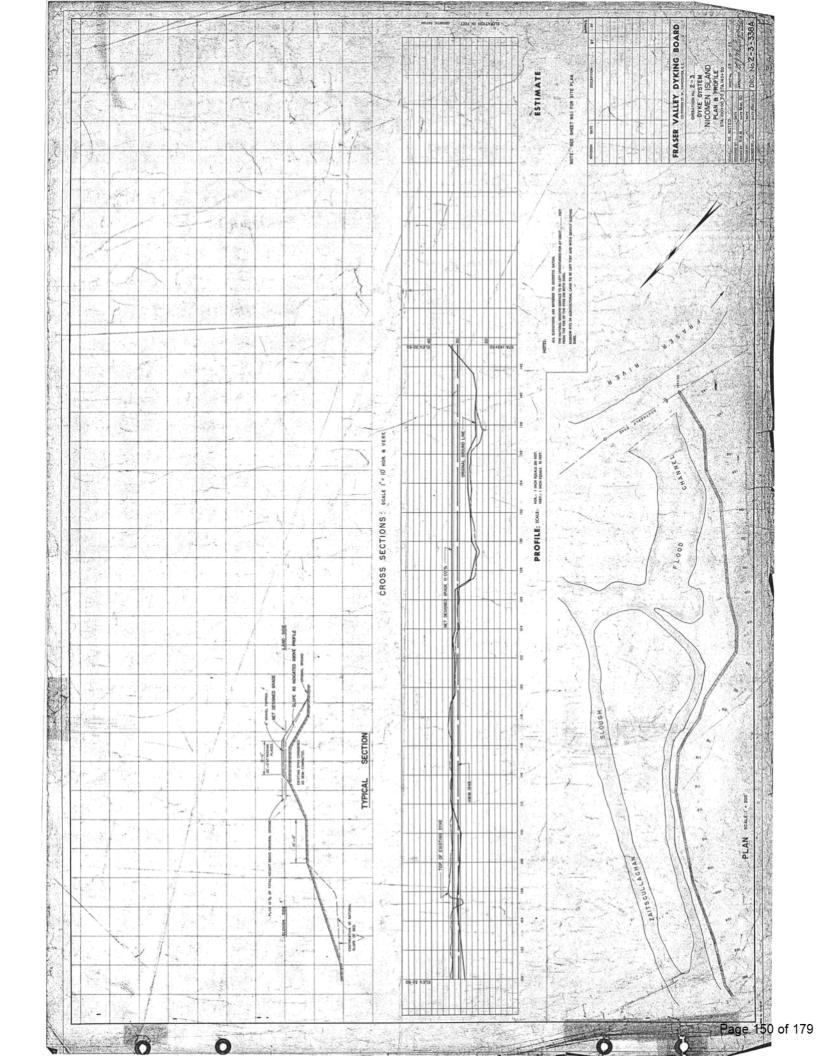
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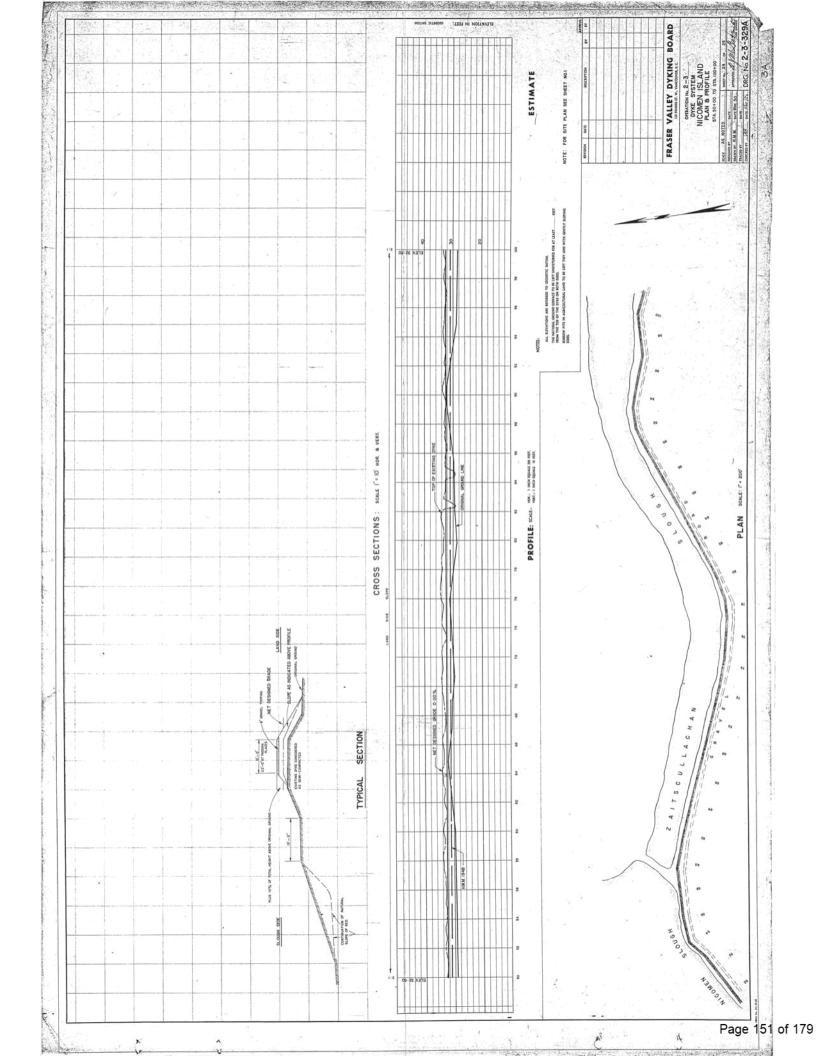
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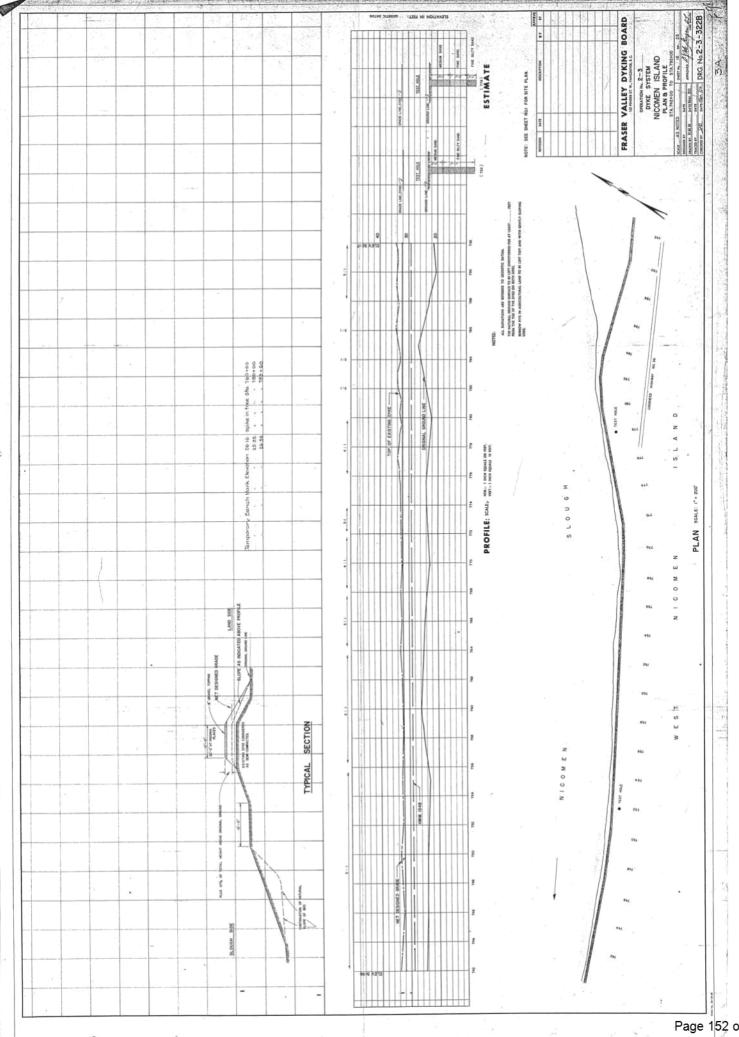
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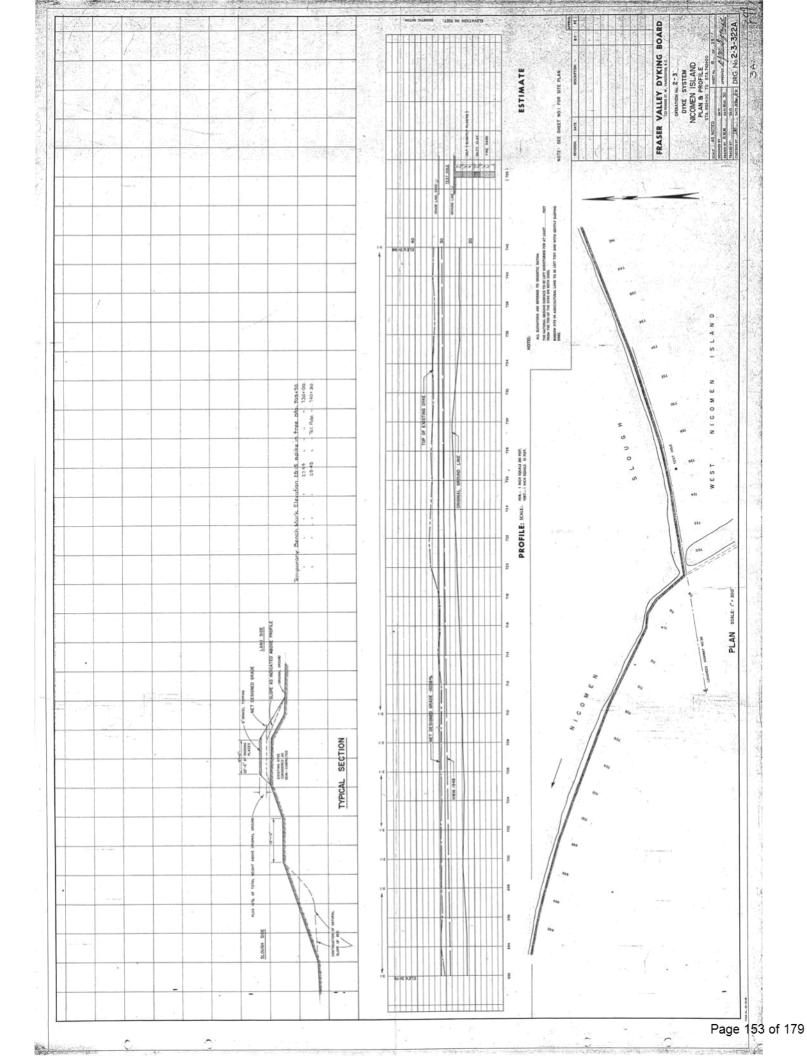
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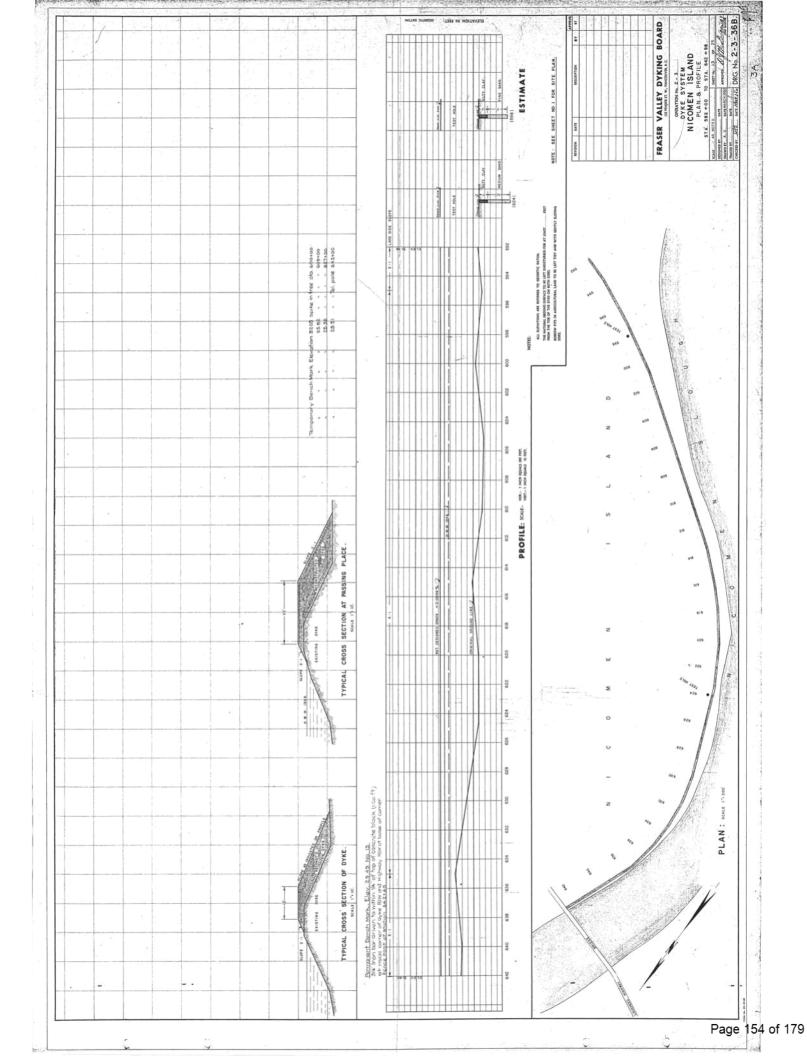




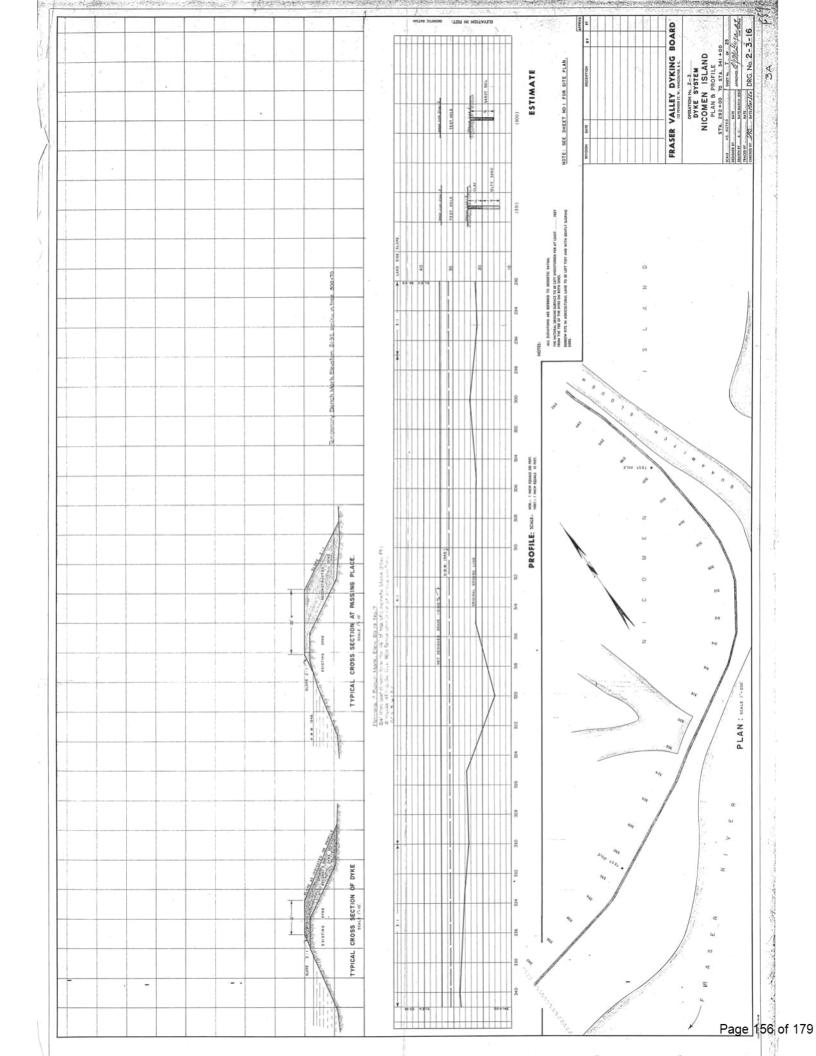


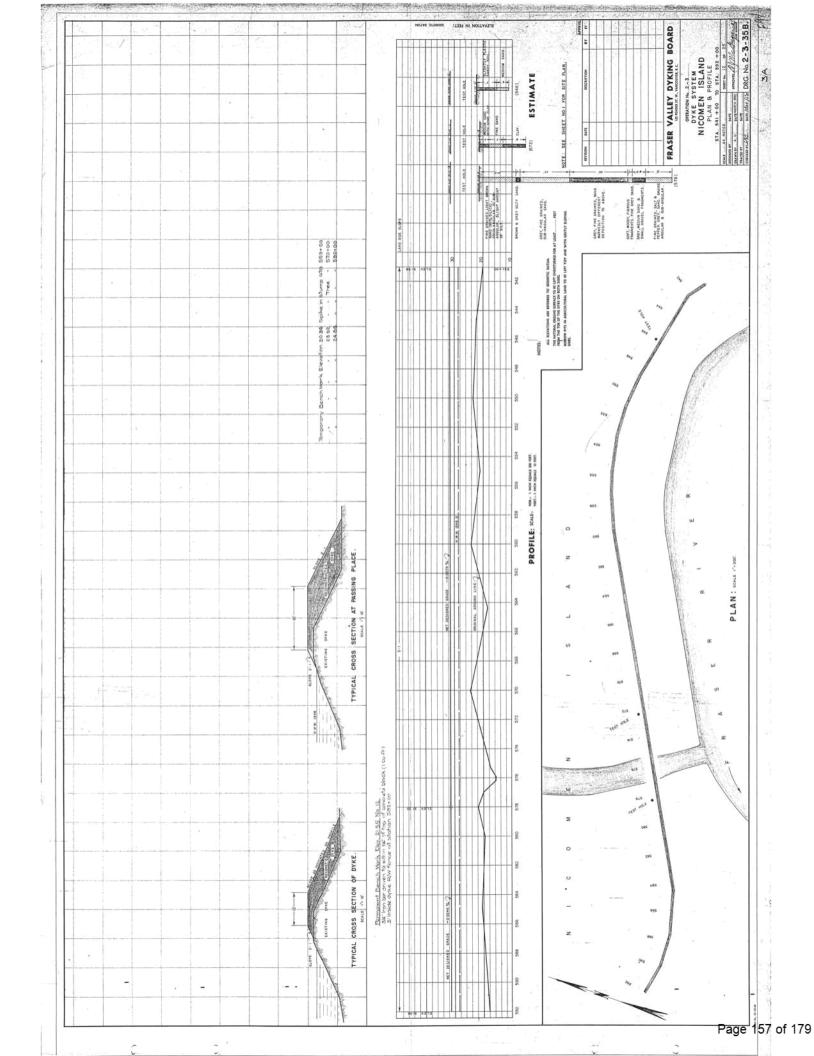


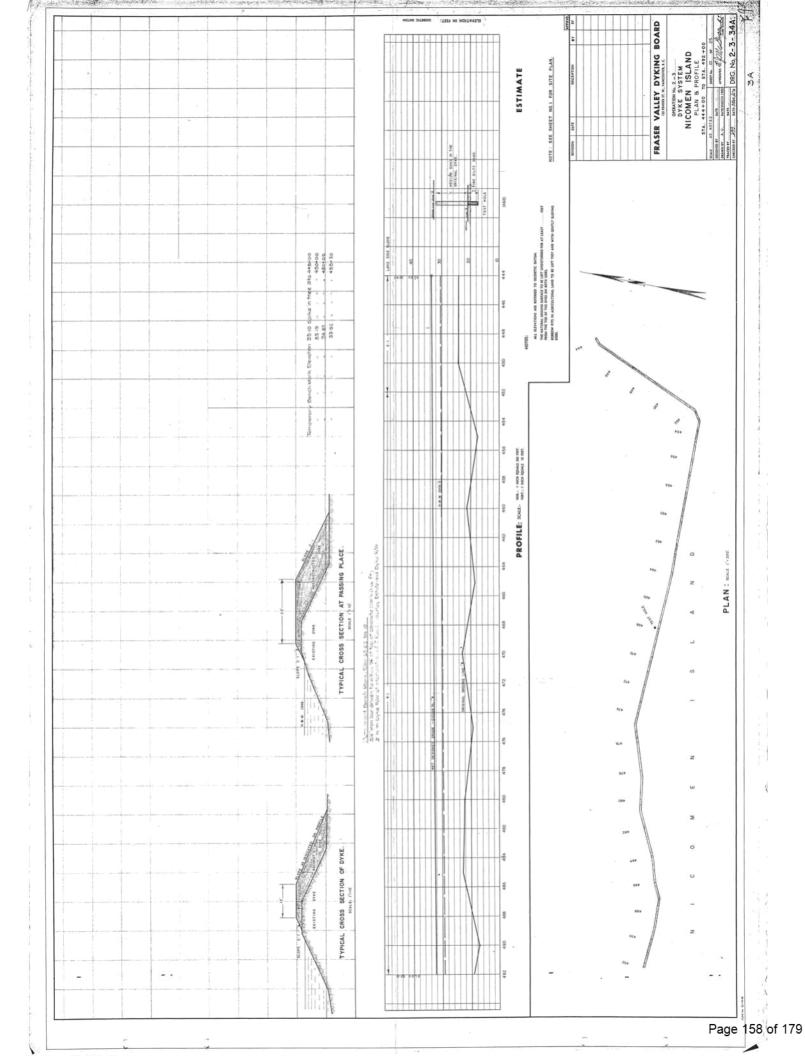


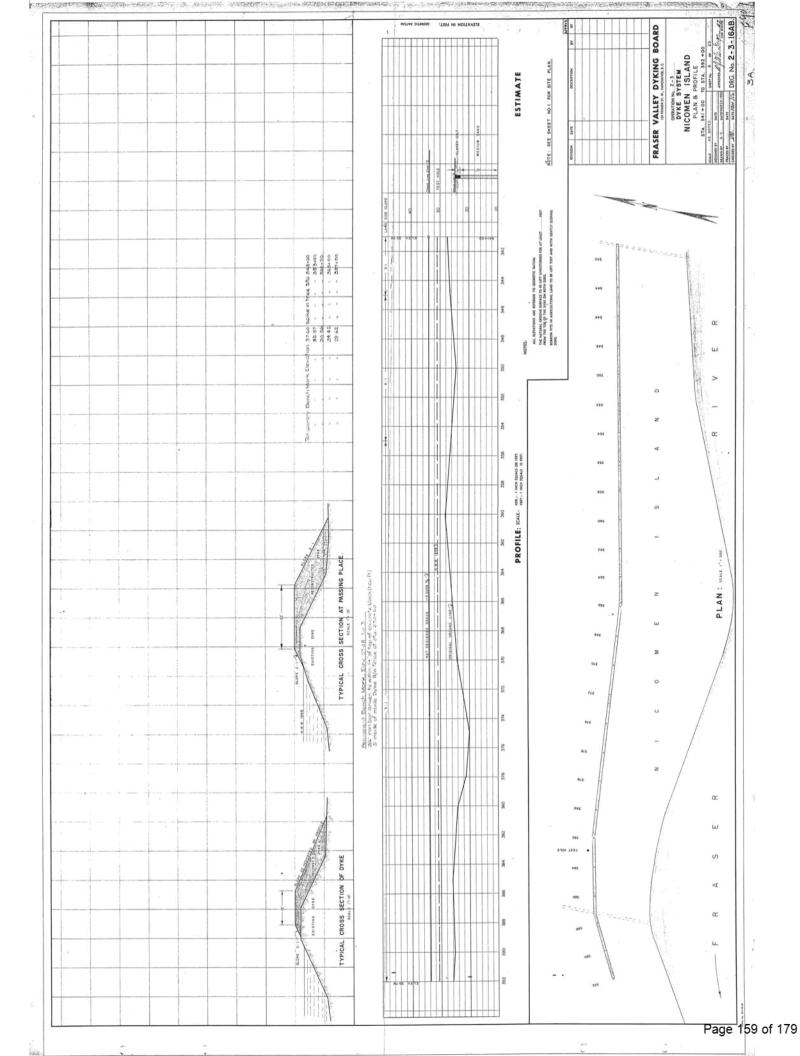


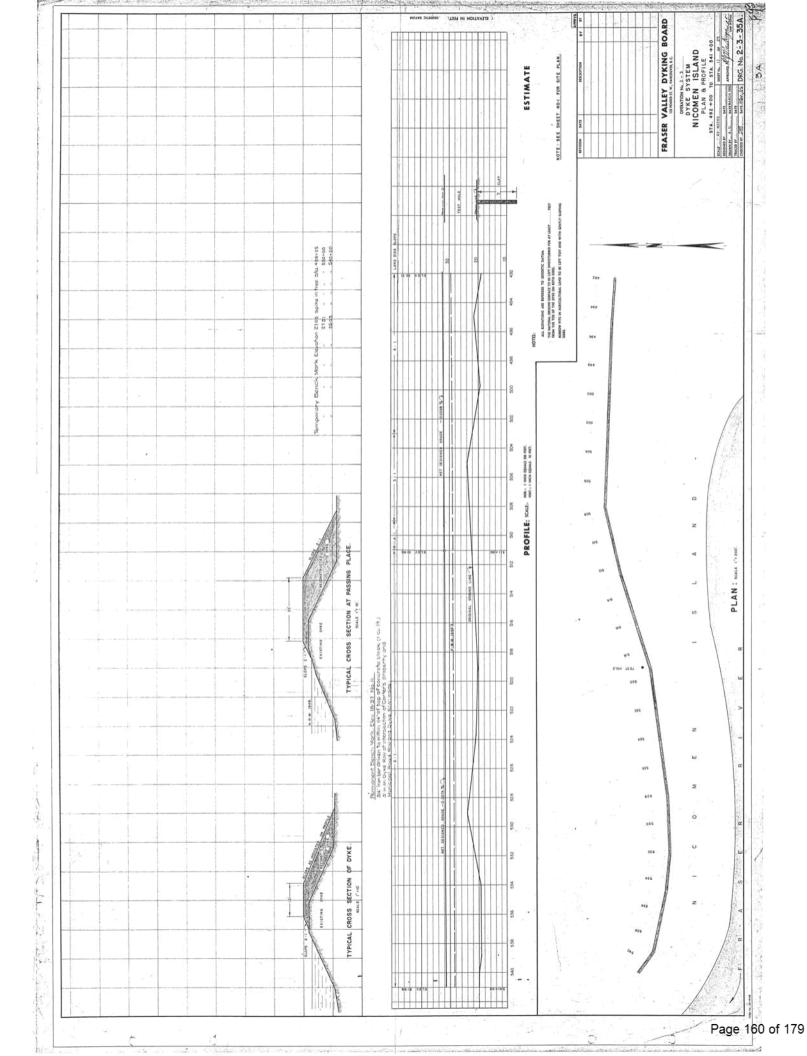
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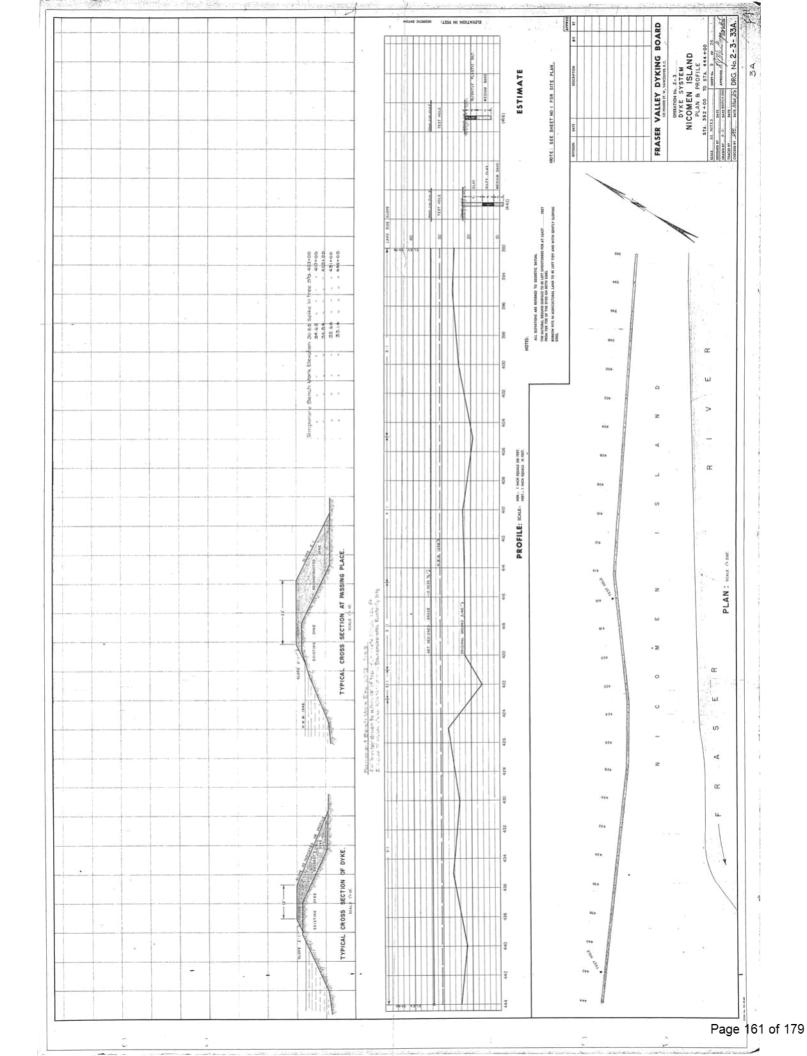


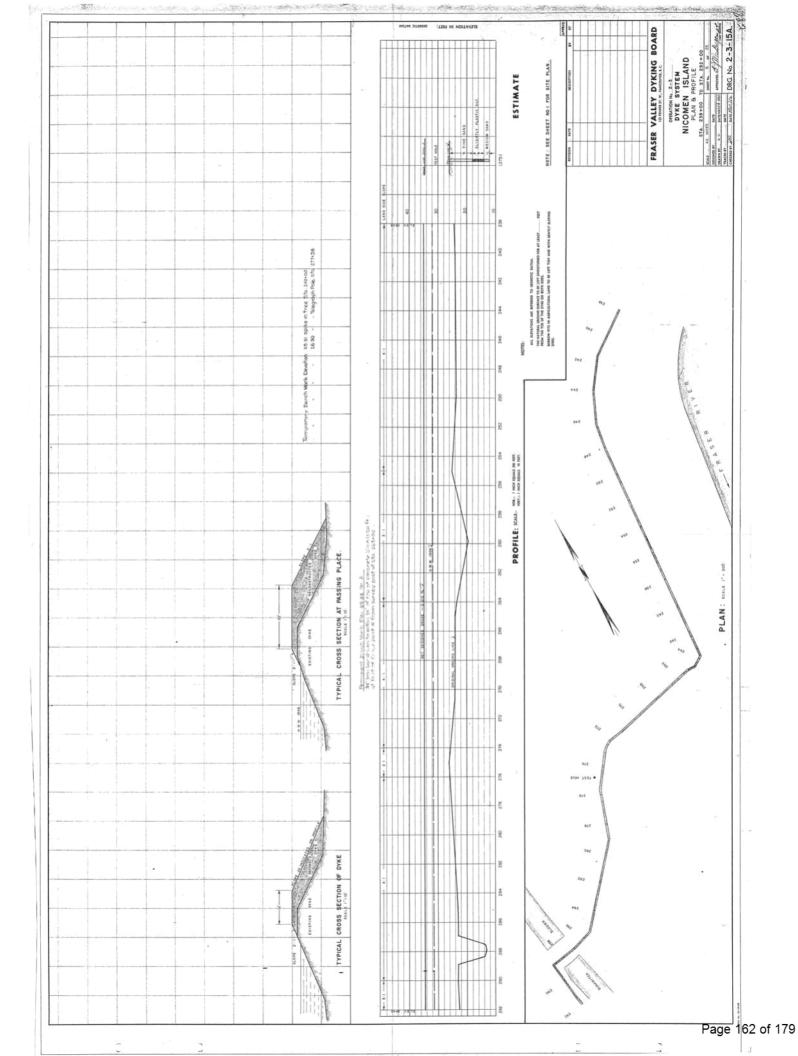


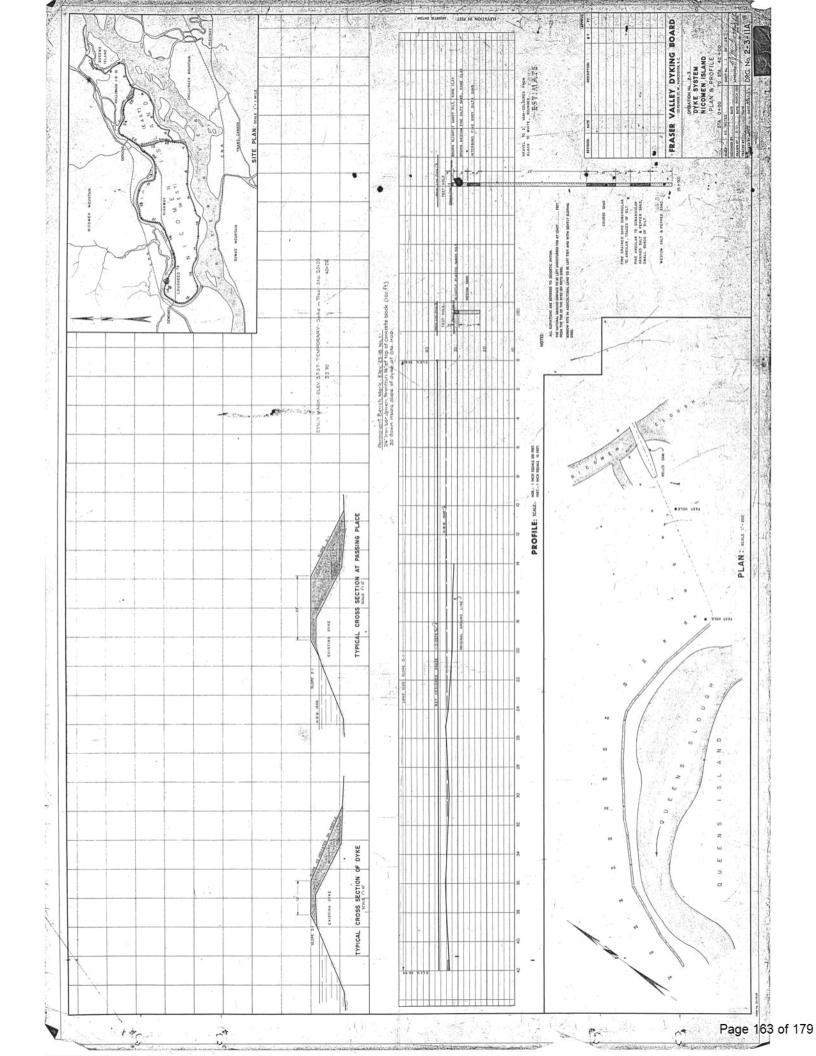


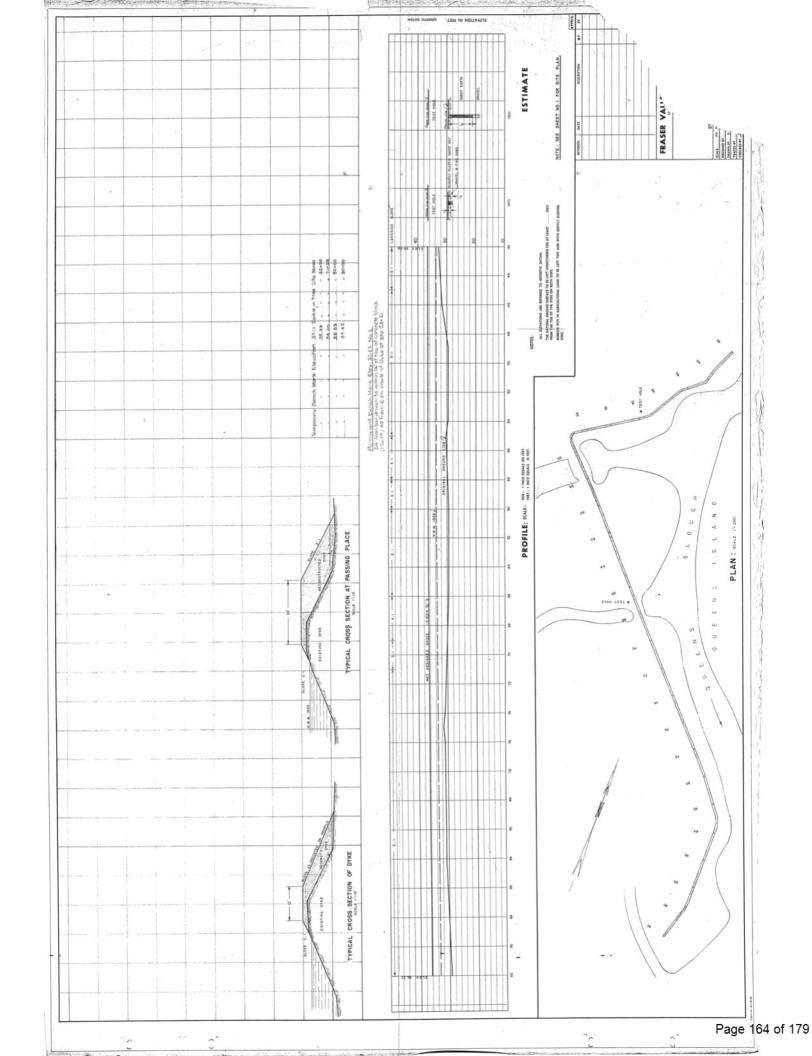


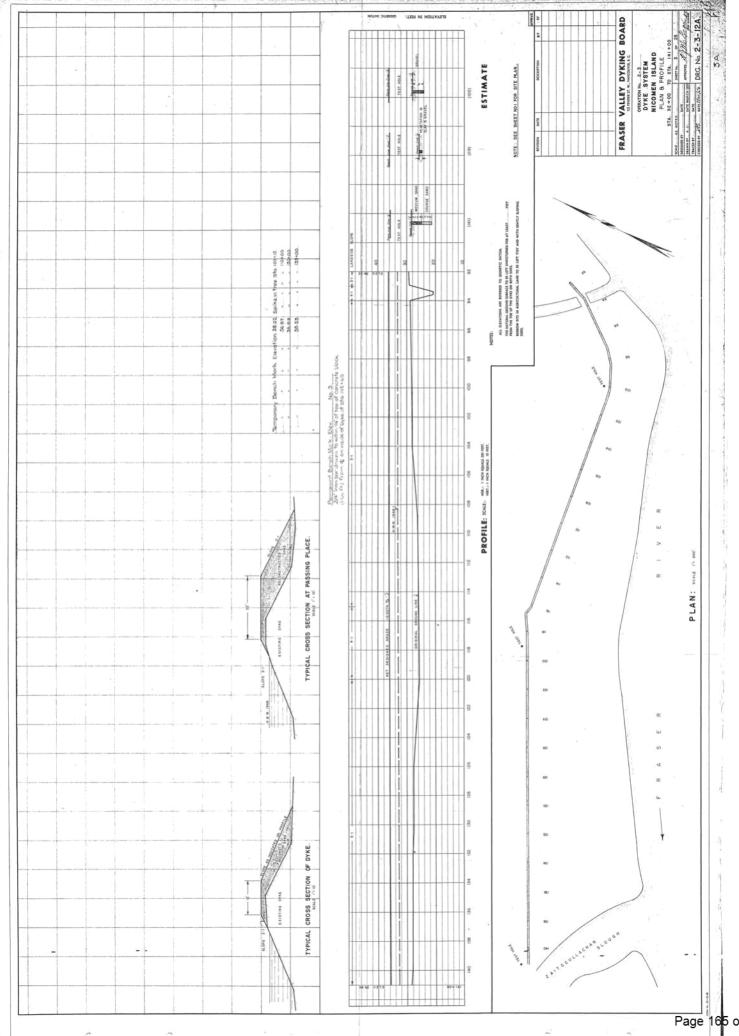




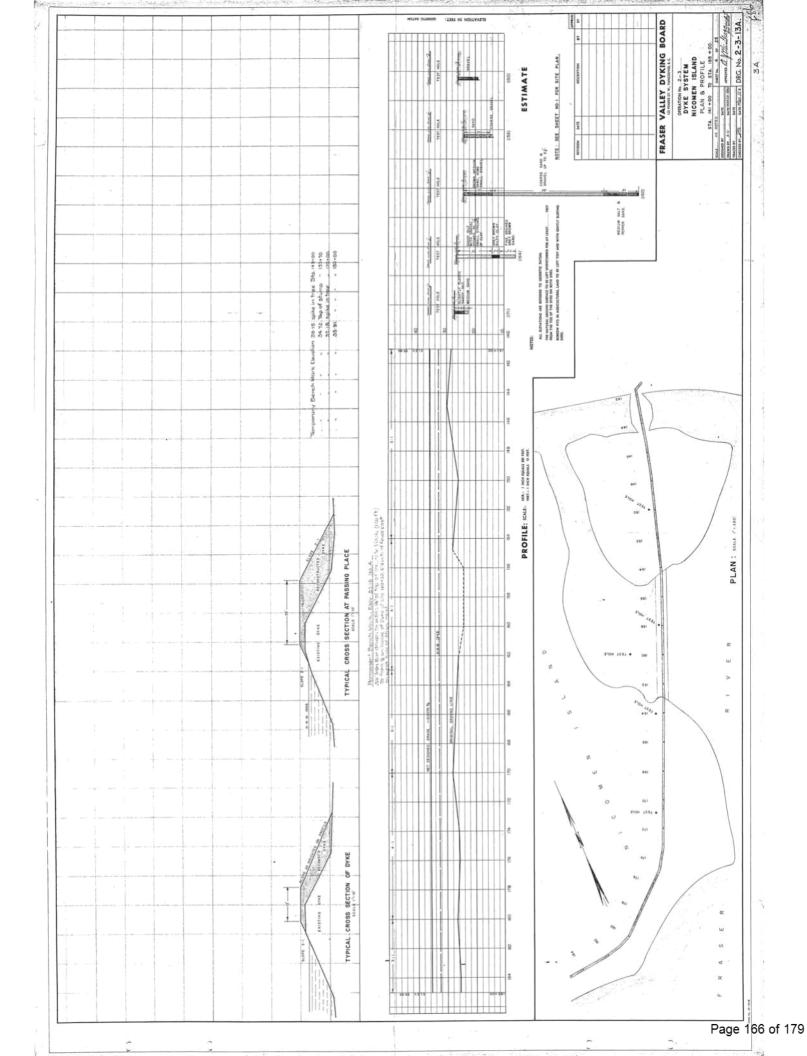


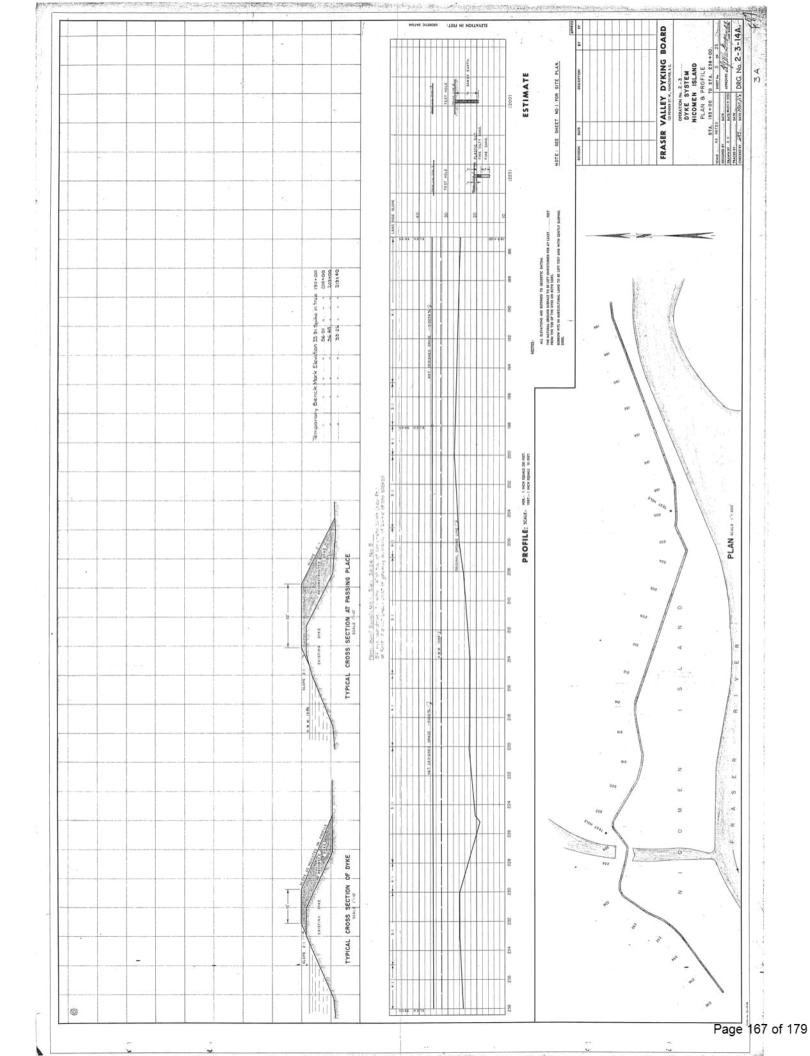


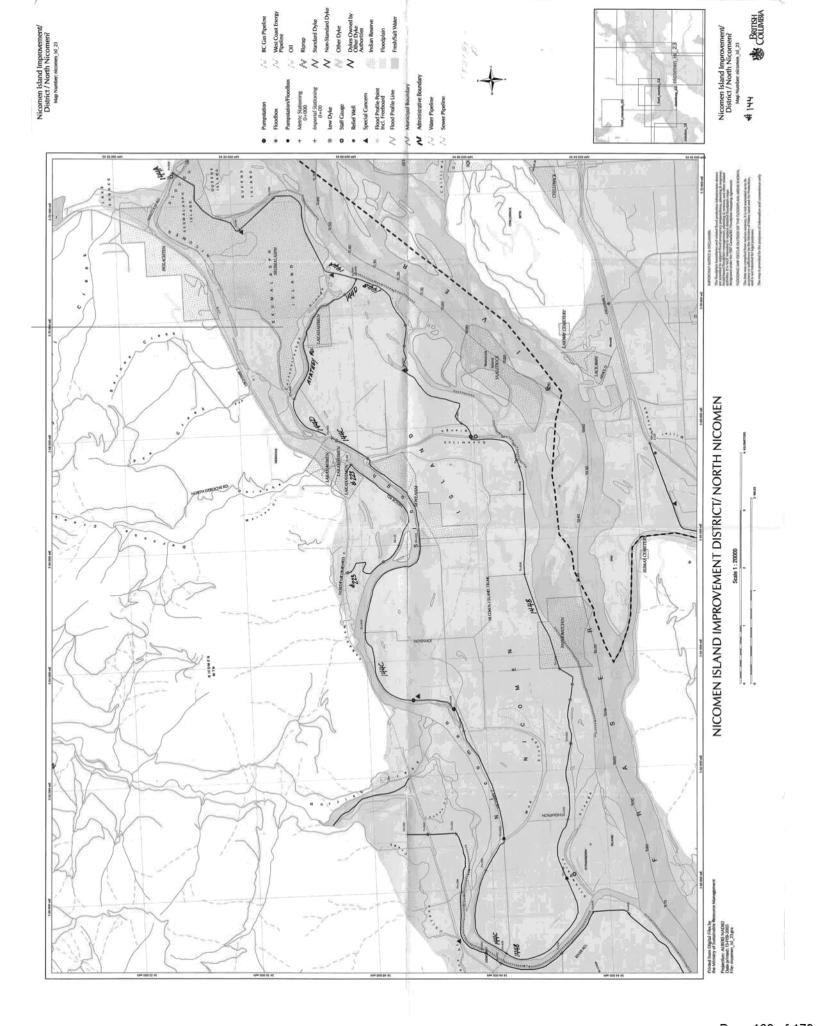


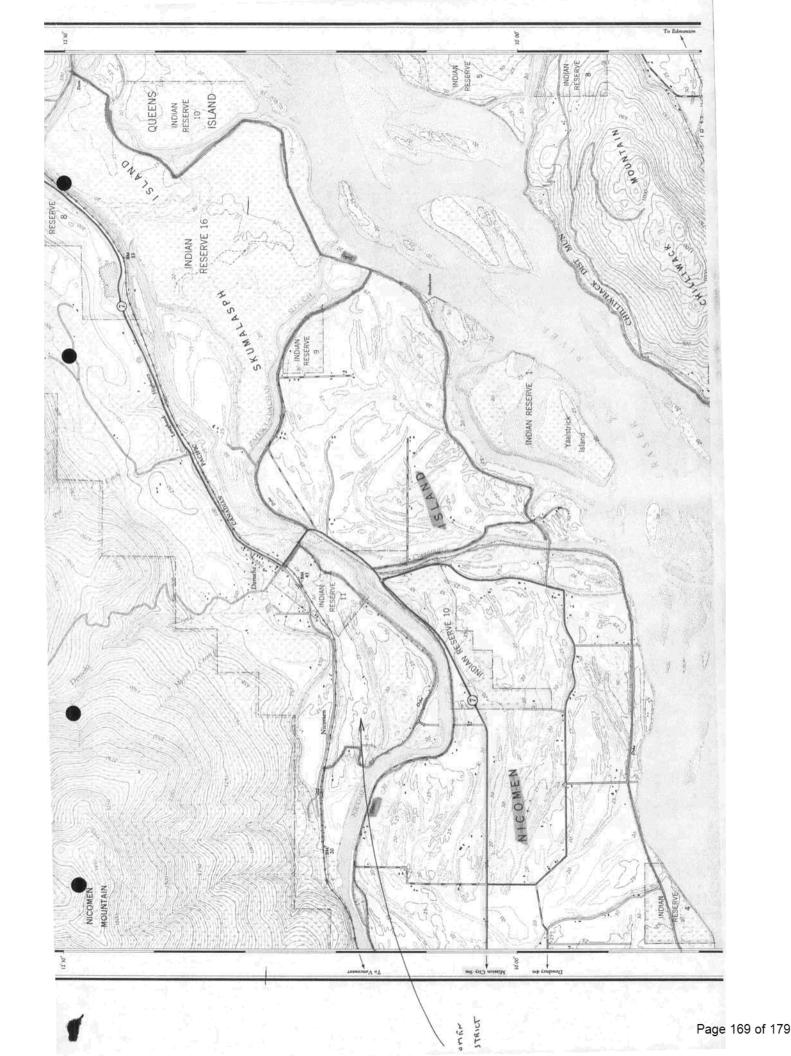


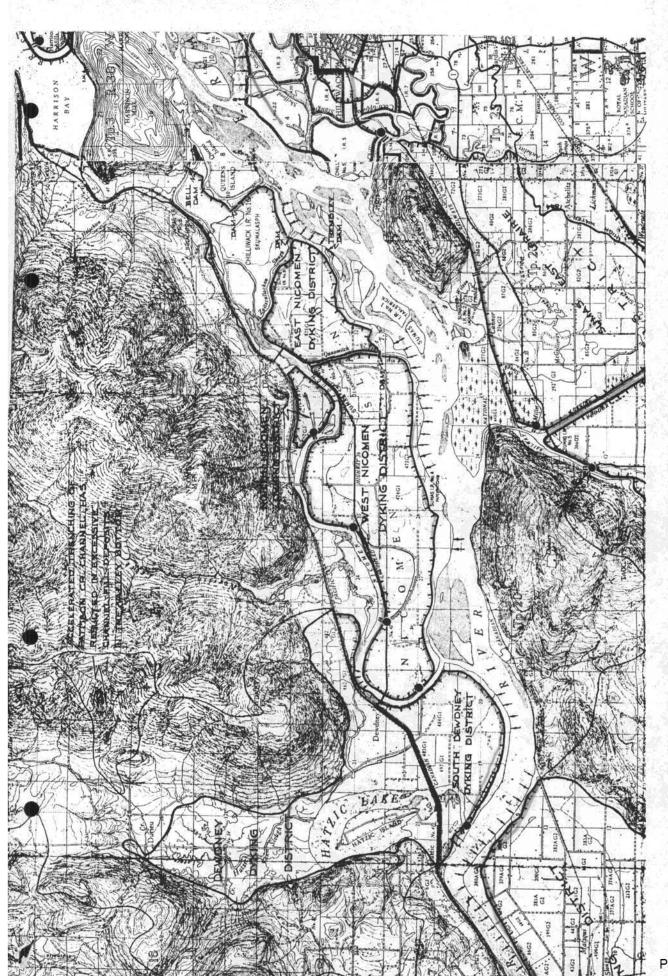
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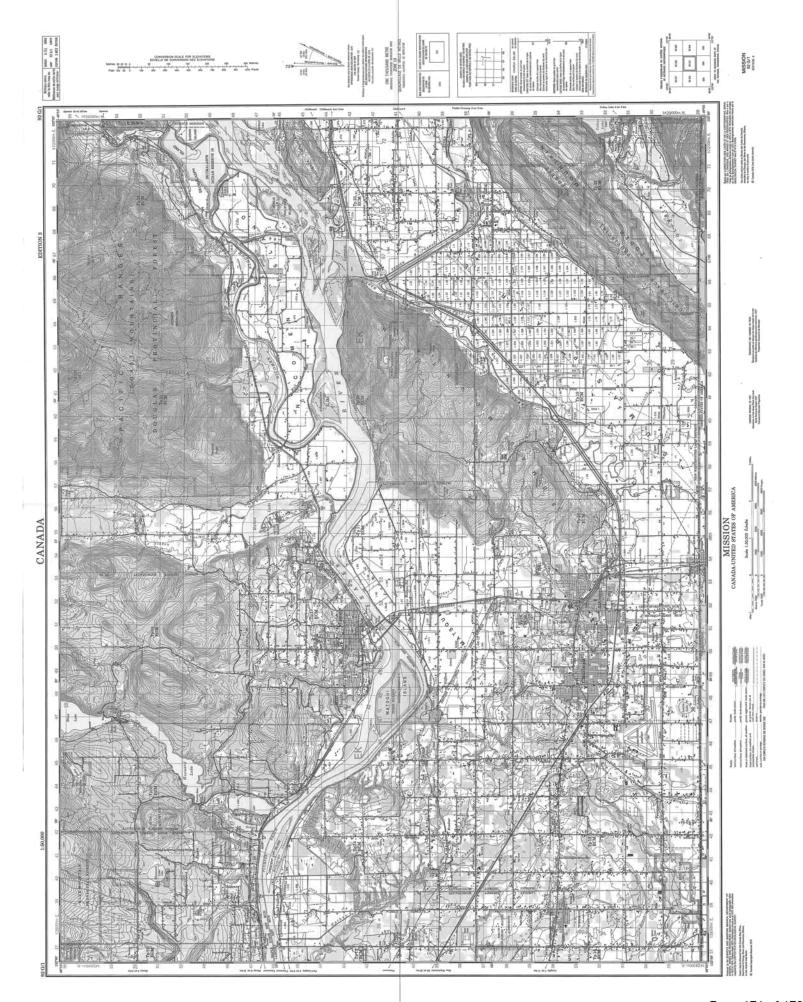


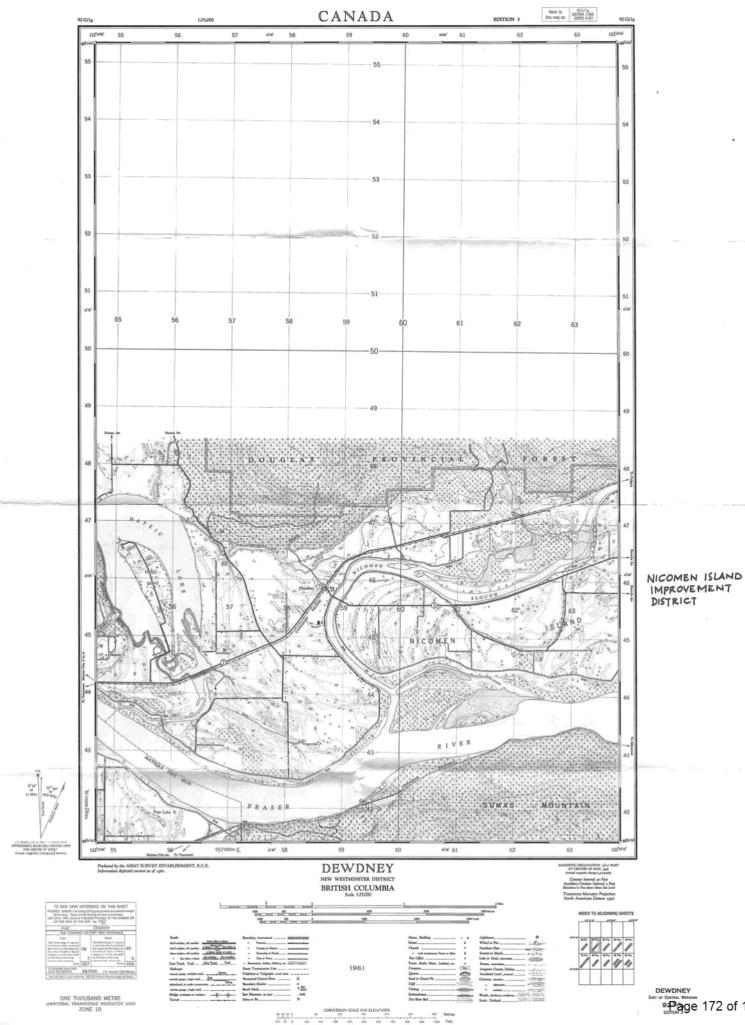




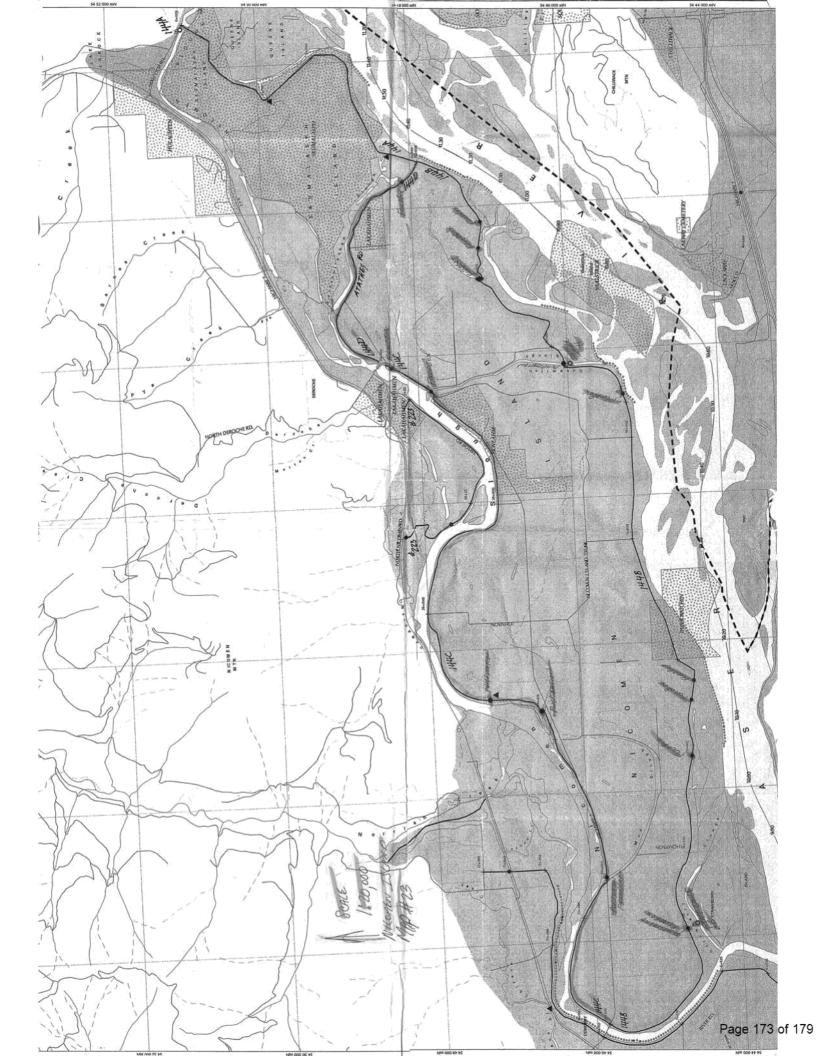


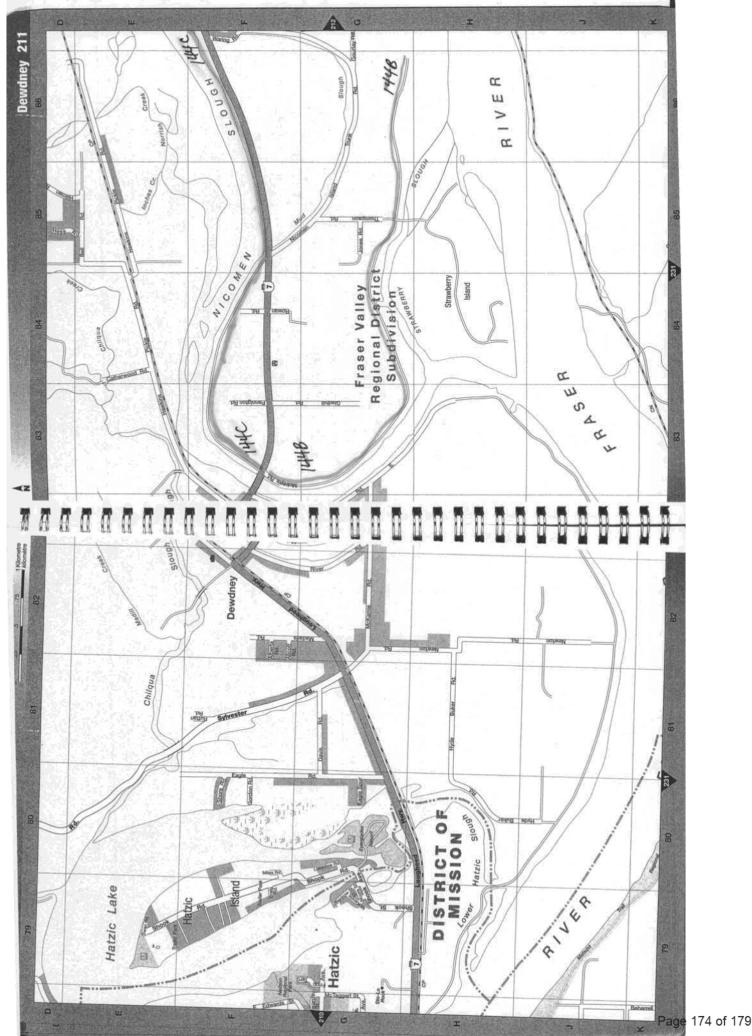


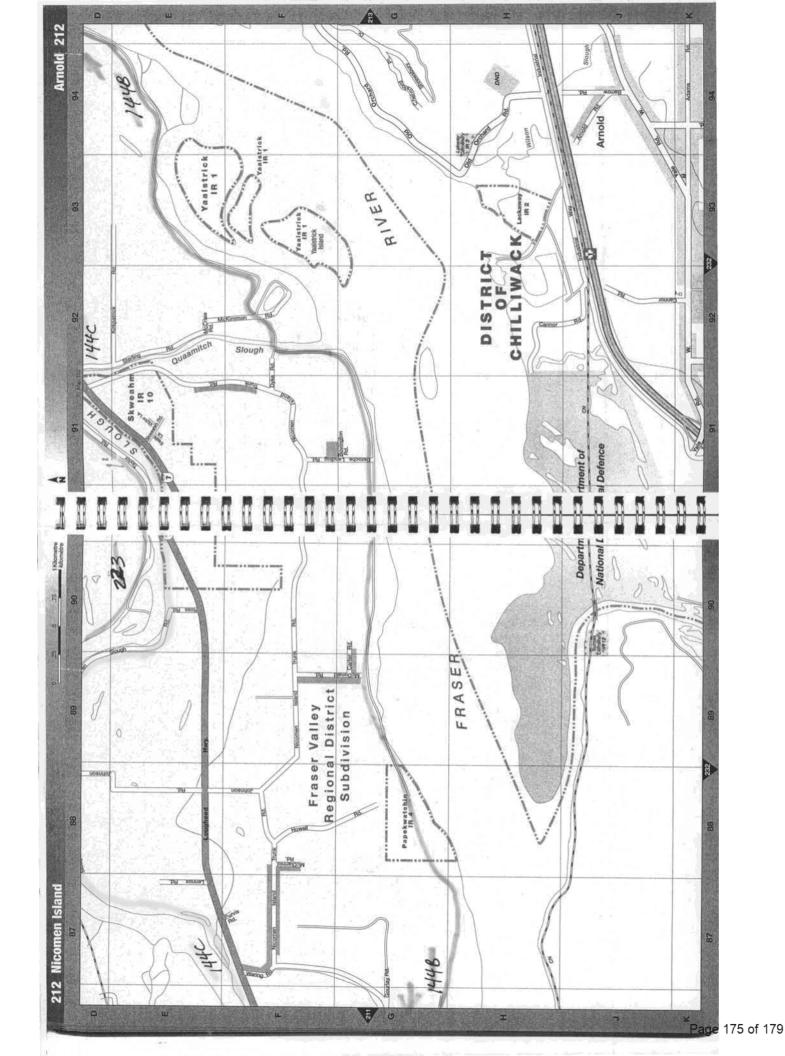


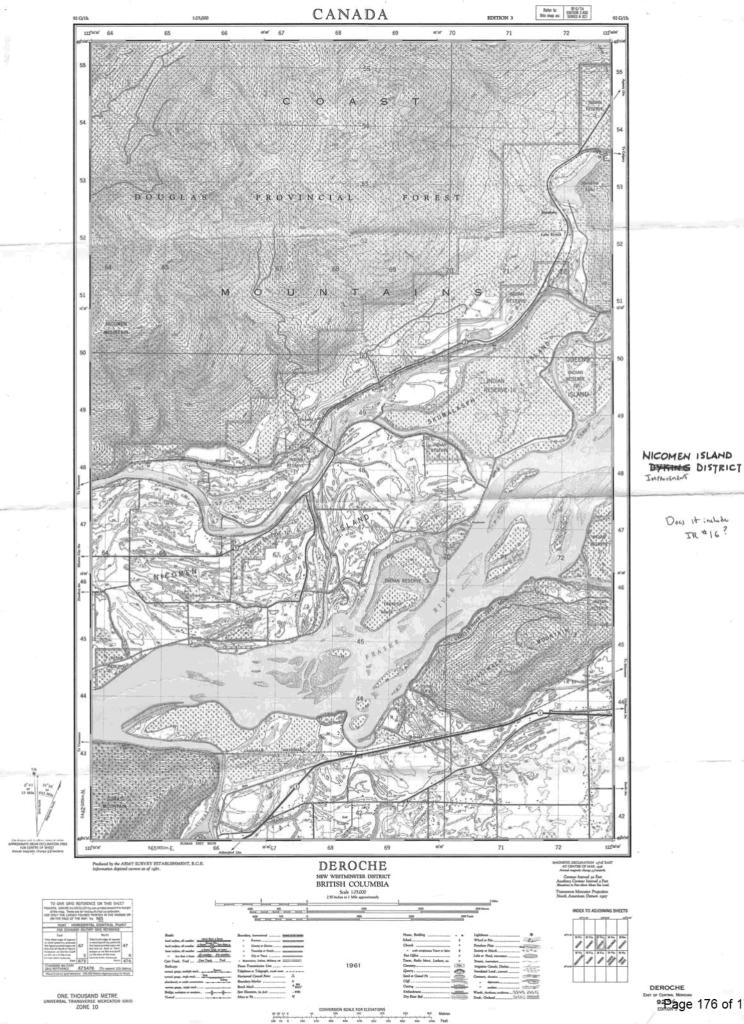


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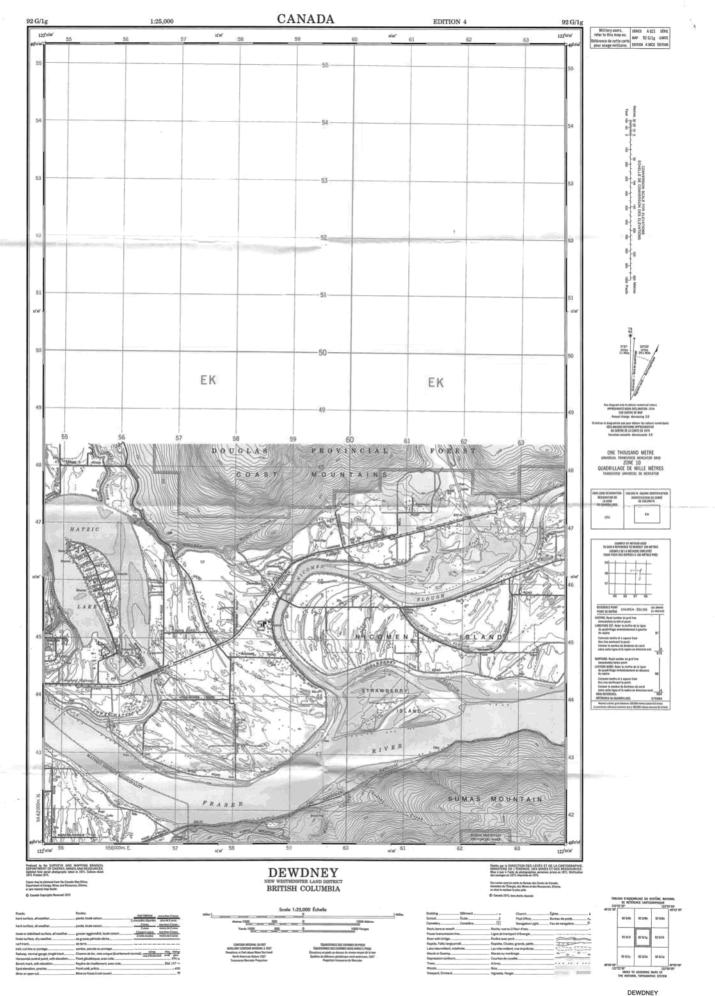








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