

File No. 017771

SUBJECT

Jan 17, 1930

NAME Harold Watson

SUBJECT Apt L 1155 H.D.

①
Lands

Dept.

CROSS REFERENCES

2844
DUPLICATE

(To be forwarded to the Deputy Commissioner of Lands.)

British Columbia.

CERTIFICATE OF PURCHASE.

NOT TRANSFERABLE

DISTRICT OF

West Kootenay

JAN 17 1920

DEPARTMENT OF LANDS

Date, 14th 1920

Pre-emption Record No. Date

Certificate of Improvement No. Date

* Lot 11155 4th K.A.

Sold to Harold Watson at Private Sale.

Acreage 79.80 Price, \$ 2.50 per acre = \$ 199.50

Acreage Price, \$ per acre = \$

Acreage Price, \$ per acre = \$

Payable as follows:—

Now paid

257⁴⁰ purchase price 50⁰⁰

90499

50⁰⁰

Certified by *Em*

Received this 14th day of January 1920

the sum of Fifty Dollars,

being the purchase price on the above.

J. Carmichael
Commissioner.

*. The official number of the parcel of land to be inserted here.

N. B.—Crown Grants are issued in the name of the original purchaser from Government; applicants for which should enclose their Certificates of Pre-emption Record, Certificates of Improvement, and Certificates of Purchase, under covering letter, to the Deputy Commissioner of Lands Victoria.

3
Commissioner of Lands.

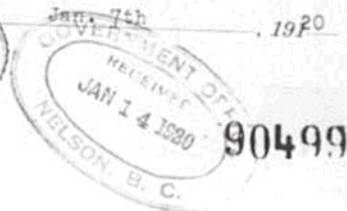
Nelson, B.C.

Fruitvale, B.C.



Jan. 7th

1920



Sir,

I beg to apply to purchase the following lands: Lot 11155
Group 1, Kootenay District, containing 79.8 acres, 2nd class
land and I herewith enclose my cheque for \$50.00 being the
first payment on same.

This land is required for mixed farming purposes and
it is my intention to cultivate the arable portion which
amounts to about 20 acres of fairly level land and use the
balance which is somewhat rocky as cattle range.

Yours obediently,

Harold Nelson

When replying refer to
District Office File No.

Department File No.



GOVERNMENT AGENT'S OFFICE

Nelson, B.C. Jan. 15 1920

90499



The Superintendent of Lands,
VICTORIA, B.C.

Dear Sir,

I enclose herewith application of
Harold Watson to purchase Lot 11155 containing 79.80
Acres together with Certificate of Purchase No. 2844
covering 25% of the purchase price, for your consid-
eration.

Yours obediently,

J. Chisholm
Government Agent.

STATUS.

Application of Harold Watson, for PurchaseLot No. 11155 District Footenay, (Helson.) Date Gazetted 2/10/13.

Situate near _____

Acreage { 1st Class _____

2nd Class 79.8Total 79.8 acres.

CLEARANCE.

(1) SURVEYS

Received 19/1/20Returned 19-1-20Initials ansEntered on Reference Map No. 18-98Covers cancelled A.P. 972/12 S.H.A. 1916/ L.A. WickCancelled 2.1.17

(State if clear or note any possible conflict.)

(2) WATER

Received 21-1-20Returned 21-1-20Initials ansApparently none

(State if any conflict with existing or proposed works.)

(3) FOREST 18-9/139

Timber land _____

Non-timber land _____

FOREST BRANCH, ATLAS

ENTERED

Initial JAN 2, 1920

Examination made under _____

Examination ordered _____

Examination Janssay
at Helson

PLANS.

INDEX.

(a) First appearance in Gazette _____

(b) First appearance in Gazette _____

(c) Last " " _____

(d) Previous applications Nil

(e) If Pre-emption, value of improvements (if any) \$ _____

REMARKS.

Formerly taken up under A.P. in name of L.A. Wick. Cancelled 2.1.17 under S.H.A. 1916
C. of P. 2844 attached for \$50.00 (25 p.c.)Allowed
1.3.20

PROTESTS: L.I. _____

ADJUDICATION.

Allow subject to Sec 45. Land act -Passed by D.P. McLeanDate 27.1.20Approved by MBDate 28.2.20

⑥
From Nelson Office

You file #017771

Letter 18-95/39

You letter Jan. 30/20

Re App. to Purchase

L. 11155 Kortman

Harold Watson

249/20

E. B. Prow

Name Harold Watson

Lot 11155

Tract Kootenay

Acres 79.8 - 2nd

7017771

Purpose Mixed farming. Applicant intends to cultivate
arable portion (20 acres) & balance as cattle range

Report Survey Covers former App. to Pae in name of
L.A. Wick (7972/12) which was cancelled
2.1.17 under S.H.A 1916

Water Clear.

Forest has Timber land good agric prospects
on 60 acres for excellent hay crop
No. Impts.

Plans C. of P. 2844 for \$50⁰⁰ attached (25 p.c)

PROVINCE OF
BRITISH COLUMBIA.

FOREST BRANCH.

DEPARTMENT OF
LANDS.

Report on Lot-11155 Nelson Land District, Victoria
(No. of Lot, Licence, Timber Sale, or Pre-emption.)

1. Location of area examined 3 Miles South East of James
(Refer to well-known topographic features, towns, railways, etc. giving distance from, etc.)

on low summit at head of South fork of Kelly Creek
and Nine Mile Creek

2. Total area 80 Acres Merch. Timber 10 Acres Burn 70

Logged None Barren 20 Second growth 70 Agricultural 60

3. Topography Mountain plateau
(Relation of topography to logging possibilities, risk, fire-hazard, etc.)

4. Logging possibilities 20 Acres fine killed cedar which
(Explain the method of logging best adapted for use on this area. Discuss difficulties which will

be encountered, and risk involved. Consider booming-ground and water supply. Give monthly and yearly output expected. List
10 Acres second growth white pine average 12"
about 20m. about 3000 second 11" cedar pine
cost of logging in detail for felling, bucking, yarding, roading, booming, towing, maintenance, upkeep, supervision, office and general
the greater fraction of this would be needed for
expense, selling expense, slash disposal, scaling, etc.)

Buildings and fencing.

FOREST BRANCH, ATLAS
ENTERED

FEB 16 1920

INITIALS PLANS INDEX AD

Notes
K.B.M.P.
3.3.20

K.B.M.P.

Now Timber Land

5. Cost of cruising, \$ 7.50 Monday 3.00 Board 2.50 JH
(Explain how this charge is arrived at.)

6. Names and addresses of operators interested Harold Watson
(If more space is desired, attach extra sheets.)

Frederick P. G.

7. Describe size, quality, and condition of timber by species Cedars, Spruce, Fir, White Pine
(Describe size by average D.B.H. and volume per

About 20 years ago. Average size 20 inches.
log or logs per M. Describe quality by clear length and percentage of grades probably obtainable. Show condition by describing
About 20 m. of white Pine on Barren on East End
defects and damage, kind, and extent.)

Average 12 inches Tall and straight

About 100 Cedars Poles on East End average 30 ft.

8. Reproduction 20 Acres White Pine 15 to 20 years
(Age, size, quantity, condition, distribution, species by per cent.)

Balance of area Cedars Spruce White Pine & Fir & Tamarack

9. Undergrowth and windfall Small quantities Cedars windfall & Spruce
(Species and density (light, moderate, or heavy). Amount of windfall.)

10. Soil 25 Acres Rich black soil 35 Acres Poor brown 2000 Rock outcrops
(Gravel, sand, loam, clay; moist, fresh, dry; shallow, moderate, deep; rock outcrop.)

11. Agricultural possibilities Good in respect to 60 Acres which
(Give your own opinion as to the feasibility of using any portion of the area for growing
Wanted Grain Excellent - Hay Crops
farm crops. Is the area needed for settlement?)

12. Improvements Surveyed. (None other?)
(List and value all existing improvements on the area, if any.)

13. Adjacent timber None of much value
(State whether adjacent private or Crown timber could be logged with this chance. Give area and
quantity in each class.)

14. Period of removal recommended (Have you thoroughly discussed this period with the applicant?)

15. What timber should be cut?
(Minimum breast-high diameter. If broadcast burning is recommended, is the removal of
all classes of merchantable material being required?)

16. Extent of utilization recommended
(Stump height.) (Top diameter.)

17. Recommendations for scaling

18. Recommendations for marking

19. Slash disposal

20. Reforestation
(Should area be replanted, seed-trees left, or is reproduction sufficient to restock area?)

21. Recommendations and remarks

Species.	M.B.M.	Value of Logs at Mill per M.	- Total Cost of Logging per M.	= Total Stumpage Value per M.	Upset Price recommended per M.
Total					
Poles					
Pulpwood					
Cordwood					
Total					

ESTIMATE OF TIMBER BY FORTIES OR BY TYPES IN M.B.M.

[illegible]

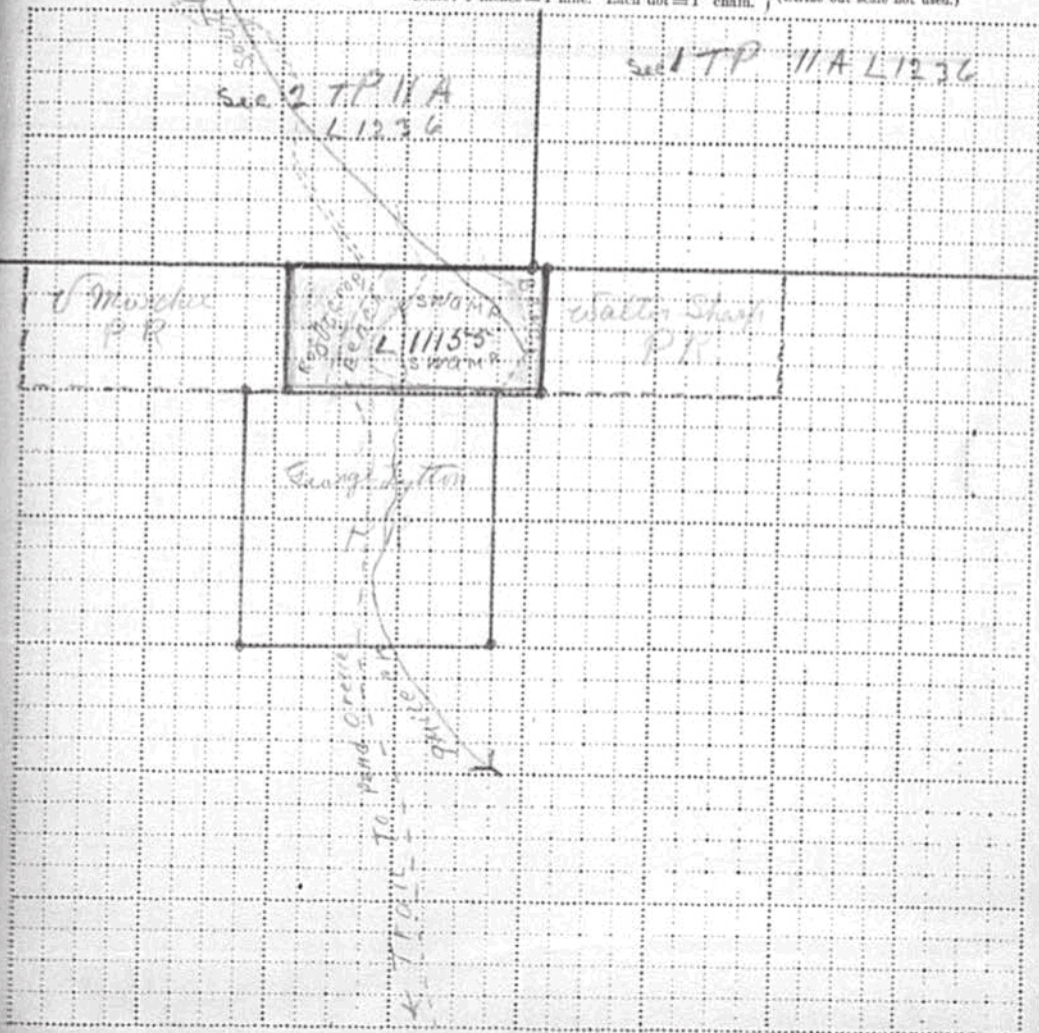
Average, per acre 1.51 1/2

Approved

District Forester.

Examining Officer.

17

[illegible]

18
Victoria,
Jan. 30, 1930.

District Forester,
Nelson, B. C.

Dear Sir:

Please refer to File 017771. Atlas Ref. 18-9ⁿ/B

An application has been received from

Harold Watson

to purchase
to ~~dis-empt~~

Lot No. 11155, Kootenay

District.

as shown on the accompanying tracing.

Please have this area examined and report on timber
quantities and suitability of the land for agricultural
purposes.

Yours truly,

Enc. *gwh*

[Signature]
Chief Clerk.



REFER TO
FILE NO. 017771.

Lands Department,

Victoria, B.C., March 1st, 1920.

Dear Sir:

I have to acknowledge yours of 15th January, 1920,
File No. _____, enclosing application of ~~Harold Watson~~,
_____, to purchase 79.8 acres of land
situate on Lot 11155, _____ Kootenay District.

In reply I beg to state that as this land appears vacant
and available, ~~Harold Watson~~
may be allowed to purchase the land, and payment for same be
made either in full or in four equal annual instalments of
25% each, with interest on deferred payments at the rate of
6% per annum.

This application is also allowed subject to the provisions
of section 45A of the "Land Act," which requires that improve-
ments must be made on the land to the value of not less than
\$5 per acre within four years from this date. This requirement
must be complied with before Crown Grant can issue, so kindly
notify the applicant accordingly ~~and issue Certificate of~~
~~Purchase in the usual manner~~, and oblige.

I have the honour to be,

Sir,

Your obedient servant,

H. CATHCART,

Superintendent of Lands.

To the Government Agent,

Nelson, B. C.

Reply to Lands Branch, attention of "Purchases."

DBM/DW/

106451 2846

DUPLICATE (To be forwarded to the Deputy Commissioner of Lands.)

British Columbia.

R7
59
✓

14 CERTIFICATE OF PURCHASE.

NOT TRANSFERABLE.

DISTRICT OF *Kootenay*

DEPARTMENT OF LANDS,

Date, *April 1st 1920*

Pre-emption Record No. Date

Certificate of Improvement No. Date

*. *Lot 11155 Sp. K.D.*

Sold to *Harold Watson* at *Private* Sale.

Acreage *79.8* Price, \$ *2.50* per acre = \$ *199.50*

Acreage Price, \$ per acre = \$

Acreage Price, \$ per acre = \$

Payable as follows:—

Balance of Purchase price 149.50
(CP 2844 \$50⁰⁰ Jan 14th 1920) ✓

LANDS DEPARTMENT

APR - 6 1920

\$ 149.50

1092
Certified by *E.J.C.*

Received this *1st* day of *April* 19 *20*

the sum of *One hundred & forty nine and 50/100* Dollars,

being the *balance of Purchase price* on the above.

[Signature]

Commissioner.

*. The official number of the parcel of land to be inserted here.

N. B.—Crown Grants are issued in the name of the original purchaser from Government; applicants for which should enclose their Certificates of Pre-emption Record, Certificates of Improvement, and Certificates of Purchase, under covering letter, to the Deputy Commissioner of Lands Victoria.

106461

7017771



Government Agent's Office,

Nelson, B.C., April 1st 1920

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

Sir,

I beg to enclose Duplicate Certificate of Purchase

No 2846


(~~xxxxxxxx~~). in favour of Harold Watson

I have the honour to be,

Sir,

Your obedient servant,




Government Agent.

16
Dec. 13th, 1923

District Forester,
Nelson,

Dear Sir,

File 017771

We are in receipt of an application apparently through your office from Harold Watson for a timber mark covering Lot 11155, Group 1, Kootenay District.

I beg to advise you that Mr. Watson acquired this lot by purchase under Section 45A of the Land Act on March 1st 1920 and, although he has paid for the land in full, we have no information that he has made the required amount of improvements. It will therefore be necessary for you to submit for approval your recommendation for a stumpage reservation to be collected and held in trust in accordance with the 2nd Paragraph, Page 2, Circular A78 issued July 5th 1923.

Yours truly,

JM
Asst. to Forester.

Reply to Forest Branch, "Attention Management".

JM/APA. *RD*

INSPECTION BRANCH—DEPARTMENT OF LANDS.

RECEIVED

JAN 2 1924

VICTORIA FILE No.

NELSON B.C.

DISTRICT FILE No.

NAME OF INSPECTOR

DATE OF INSPECTION Dec 17th. 1923

LAND DISTRICT

Kootenay

LOT No. 11155.

FOREST DISTRICT

Nelson

LAND RECORDING DISTRICT

Nelson

P.R. No.

DATE OF P.R.

Atlas Ref. or Location:

18/9S/B.9.

Purchase March 1st. 1920. Section 45A.

Name of Pre-emptor:

Purchaser.

Harold Watson. Fruitvale. B.C.

Particulars as to Occupation:

has not lived on land at any time,

Nature and Value of Improvements:

1/4 mile of Road through property	Cost	\$180.00.
1.1/2 acres cleared, cost		358.00.
2000 feet lumber piled on area for use in building house		66.00.
3000. fence post made for fencing purposes, cost		14.00.
Total		\$618.00.

Timber Classification: Only sufficient timber to make about 2000. Railway ties, Fir and larch, other timber suitable for fuel, fencing and building purposes,

Land Classification: About 30 acres of bottom land and about 30 acres of red sandy loam, 30 acres rock outcrop,

General Remarks: 80 acres on divide between S.F. of Kelly creek and 9 mile creek, near Fruitvale, I would consider that Mr Watson has ample improvements and is working in good faith, I would not consider a stumpage reservation necessary,

G. Macdonald

18
MEMORANDUM

360979

To
Chief Forester-
Victoria, B. E.

FROM DISTRICT FORESTER

NELSON, B. C. January 2nd. 1924-

Refer to yours of December 13th 1923-

Your file No 017771- Marks- Sup

Dear Sir;-

Attached please find report covering Lot 11155,
purchased by Harold Watson of Fruitvale.

It is recommended that the following stumpage
reservation be placed on material cut from this area;-

Hewn Ties
Cordwood

5¢ each
25¢ cord-

Yours truly,

F. A. MacDonald.

F. A. MacDonald
District Forester-

FAM/ E.

Enclos.

Please refer to our file No

*Issue Mark
without stumpage
and paid in
advance
Jan 7/24*

MEMORANDUM

TO DISTRICT FORESTER.

FROM CHIEF FORESTER.

Nelson, B. C.

VICTORIA, Jan. 8th, 1924.

REFER TO YOURS OF

YOUR FILE NO.

RE APPLICATION FOR TIMBER-MARK.

From Harold Watson, of Fruitvale, B. C.

I enclose certificate of _____ Mark G27, No. 7864,
to cover Lot 11155, Fruitvale, Kootenay District. As payment has
been completed and sufficient improvements are made, stumpage
reservation is unnecessary. This mark is issued subject to your

Reference cards and tracings will follow.

Kindly forward certificate to the parties concerned.

permit to cut.

WL/AB
Enc. 1

CHIEF FORESTER.

REPLY FOR ATTENTION OF
AND REFER TO OUR FILE NO.

M. 7864 & 017771.

6th September, 1928

The Government Agent,
NELSON, B.C.

Sir:-


Please refer to File 017771.
Attention "Accounts".

Re Lot 11155, Group 1, Kootenay Dist.

The final payment on this application to purchase was made in April, 1920. No application for Title has however been made, and I shall be glad to be advised the reason for the delay.

There will be a Survey Fee payable to the Government in connection with this land, and if not already paid same should be applied for.

Your obedient servant,


Superintendent of Lands.

HEM/MW.

21
COPY

Fruitvale, B.C.,
Sept. 14/28.

647421

Mr. J. Cartmel,
Gov. Agent,
Nelson, B.C.,

Re Lot 11155, Harold Watson.

Dear Sir:-

I have your letter in reference to above and would say that after the Application to Purchase Certificate was received pertaining to this Lot, considerable work was done in road making to reach it, also several acres slashed, fence posts made for fencing same, and lumber purchased for building purposes, when the Smoke Nuisance from the Trail Smelter made itself so manifest upon the foliage of this and adjoining properties, that my son decided he should take a position with the Hedley Gold Mines, until such times that observation of this smoke nuisance could be made. During the years 1926, 1927, 1928, this observation leads me to believe that the agricultural aspect of this land is so impaired by the smelter smoke that it has now no value for agricultural purposes, on the other hand it has value as a wood lot, and my son wishes to hold it as such.

I might state it was in this land that s.22

For your information a case of Smoke Damage to property distant a little over one half mile from this Lot was settled a few months ago for a very considerable sum, between Mr. Bath, Fruitvale, and the Trail Smelter. In view of these facts it is my belief the Statutory Improvements involved should be waived, and Crown Grant issue as Wild Land. Advising me you pleasure,

Yours very Truly



"J. Watson"

OUR FILE 6/20
YOUR FILE Q17771

ADDRESS YOUR REPLY

TO



Government Agent's Office,

Nelson, B.C., Sept. 15th, 1928.

647421

The Superintendent of Lands,
VICTORIA, B.C.

Sir:-

Re Lot 11155, Cp. 1, Kootenay District.
- Harold Watson.

Referring to your letter of the 6th instant
in the above connection herewith I beg to enclose,
for your information, copy of letter received this day
from Mr. John Watson, the father of the above applicant.



I have the honour to be,
Sir,

Your obedient servant,

J. Cartmel
Government Agent.

JC/P.
encl.

73
21st September 1928.

Government Agent,
NELSON, B.C.

Sir:-

Please refer to File No. 017771.
Attention "PURCHASES".

With reference to your letter of the 15th instant enclosing copy of letter from J. Watson applicant to purchase Lot 11155, Kootenay District, I beg to advise you that an inspection report dated the 17th December 1923 gave the following permanent improvements made on the land:

1/4 mile road	\$180.00
1 1/2 acres cleared	<u>358.00</u>
	<u>\$538.00</u>

On this showing there would seem to be no reason why a Certificate of Improvement should not issue and application be made for Crown grant on payment of survey fee and Crown grant fee.

Your obedient servant,

GW/M

Asst. Superintendent of Lands.

OUR FILE 6/20
YOUR FILE G17771
ADDRESS YOUR REPLY
TO



Government Agent's Office,
Nelson, B.C., Oct. 31st, 1928.

655575

The Superintendent of Lands,
VICTORIA, B.C.,

Attention "Purchases."

Sir:-

Referring to your letter of the 21st ultimo
herewith I beg to enclose the following documents in
support of the application of Harold Watson for a
Crown Grant to Lot 11155, Kootenay, viz:-

Certificate of Purchase No. 2844 (Original)
" " " 2846
Certificate as to Improvements under Section 45A
of the "Land Act".
Land Revenue Receipt #31527 - \$39.90 - covering
survey fee.
Certificate as to Taxes
Crown Grant fee, \$10.00.

The address of the applicant is C/o Jno. Watson, Esq.,
Fruitvale, B.C.,



I have the honour to be,
Sir,

Your obedient servant,



NOV 2 - 1928

JC/P.
encls. 6.

J. Cartmel
Government Agent.



File 017771

Crown Grant No. 8275/553, dated November 10th, 1928
covering Lot 11155, Kootenay District, containing 79.8 acres.

in favour of HAROLD WATSON

forwarded to Registrar of Titles at Nelson, B.C.

Date NOV 14 1928

Whom notified Self. & Jno. Watson, Fruitvale, B.C.

Government Agent Nelson, B.C.

Date NOV 14 1928

C O P Y

July 2nd, 1953

Box 181
Fruitvale

Hon. R. E. Sommers,
Minister of Lands and Forests.

Dear Sir:

On the 11th day of Feb. 1953, we attended a Tax Court of Revision held at Nelson, B. C. to appeal against the increase on lot 11155, as you will note by the enclosed assessment notice that the court set it back to the original sum of \$400.00. However there was one thing neither of us had noticed and that was the class change (from impr. to wild) therefore when we received our Tax Notice about 2 weeks ago the tax was increased practically 100%. We immediately wrote to the Nelson office and asked them to give us an explanation as to why the change was made, as you will see by the enclosed letter they refused for the simple reason no tax assessment officer from their branch has ever set foot on the said mentioned property.

We have owned this property since the spring of 1948 and was always classed as improved yet after endeavouring to clear up some of the bush to plant hay and pasture it is now classed as wild. Last summer I sold a shipment of Cedar poles, royalties paid to your Dept. of some was \$36.13.

I might add that we now have information the Tax Assessment Branch at Nelson has based their class on a report from the Forest Branch at Nelson, and the false information was tendered to them by a ranger by the name of Sam Fisher. This is the fellow who last year gave about a third of our property to the Nelson Lumber Co on Timber Sale X-51108. However, we thank you and your dept of straightening the affairs out s.22

s.22 but what we would like to know is this, just what business is it of the Tax Branch at Nelson to reassess or re-class property on the say so of s.22 Mr. Sam Fisher, rookie Ranger from England, who was 300 feet off his mark on Timber Sale X-51108.

We remain,

Yours truly,

A. & V.G. Shaw

27
July 14th, 1953

Messrs. A. & V. G. Shaw,
Box 181,
Fruitvale, B. C.

Gentlemen:

I am in receipt of your letter of the 2nd inst., referring to the change in assessment made on Lot 11155, Kootenay District, and have noted your comments respecting such change.

As matters of taxation and assessment come under the jurisdiction of the Department of Finance, I am referring your letter and enclosures to the Deputy Minister of Finance, requesting that he look into the matter at the earliest possible date and advise you of the result.

Yours truly,

R. L. S.

Minister

CEH:SM
CEH
SM

Mr. V. Fisher
Deputy Minister of Finance

Deputy Minister of Lands
July 4th

53

The Honourable the Minister has requested that the enclosed letter from A. & V. G. Shaw, concerning the change in assessment on Lot 11155, Kootenay District, be referred to you for reply.

Also enclosed is assessment notice and letter from the Provincial Assessor to Mr. Shaw, dated 27th June, 1953.

C. E. Hopper,
Deputy Minister of Lands

CEH:SM
encls

PROVINCE OF BRITISH COLUMBIA

MEMORANDUM

2578070

To Mr. E. Hopper,
Deputy Minister of Lands,
Buildings



DEPUTY MINISTER OF FINANCE
VICTORIA, B.C.

July 17th 1953

SUBJECT

OUR FILE 9.13

YOUR FILE

CFM

Jule

I have for acknowledgment your memorandum of July 14th enclosing a letter addressed to the Honourable the Minister of Lands by A. & V.G. Shaw concerning changes in assessment. In view of the allegations made, I am having this matter examined most carefully and, in due course, will advise you concerning any of our findings.

J. V. Fisher
(J. V. Fisher)
Deputy Minister of Finance

JVF/GW

30 B-181
Fruitvale, B.C.

July 2nd 1953
257579

Mr. A. C. Sommers, Minister of Lands, Mines & Forests.



017771

Dear Sir,

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31. . 2
yet after endeavoring to clear up some
of the bush to plant hay and pasture it
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sold a shipment of Cedar poles. Royalties paid
to your Dept on same was \$36¹³.

I might add that we now have information
the Tax assessment Branch at ^{Nelson} has based their
class on a report from the forest Branch at
Nelson, and the false information ^{was} tendered to
them by a Ranger by the name of Sam Fisher.
This is the fellow who last ^{year} gave about a 1/3
of our property to the Nelson Lumber Co on
Timber Sale No X51108. However we thank
you & your Coast Dept for straightening the affair
out, s.22

s.22

s.22

but what we would like to know
is this, just what business is it of the Tax Branch
at Nelson to reassess or re-class property on
the say so of s.22

s.22

Mr Sam Fisher, rookie Ranger from
England, who was 300 ~~feet~~ feet off his mark
on Timber Sale No X51108.

We remain yours truly

A + V. G. Shaw,

TX 20

THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

ASSESSMENT NOTICE 1953

PROVINCE OF BRITISH COLUMBIA

OWNER'S NAME AND LAST KNOWN ADDRESS

SHAW ALBERT AND VERA G

FRUITVALE B C

RECEIVED
JAN 9 1953

NELSON, B. C.

FOLIO NUMBER

9899

76497

7980

C OF #
ACRES
MORE OR
LESS

THIS IS AN ASSESSMENT. SEND NO MONEY ON RECEIPT OF THIS NOTICE. A TAX NOTICE WILL FOLLOW IN JUNE.

DESCRIPTION OF PROPERTY

DISTRICT LOT 11155

NELSON
KOOTENAYASSESSMENT DISTRICT
LAND DISTRICT*Reduction in Land Value
by Court of Revision*

IMPORTANT

IF YOU INTEND TO
APPEAL FILL IN
OVERLEAF AND SEND TO:
PROVINCIAL ASSESSOR
WITHIN 14 DAYSIMPROVEMENT
DISTRICT
CODE

ASSESSED VALUES UNDER THE TAXATION ACT

LAND CLASSIFICATION	LAND (\$)	IMPROVEMENTS (FULL VALUES)		LESS - EXEMPTIONS		SCHOOL DISTRICT NUMBER
		(1) TAXATION ACT (\$)	(2) PUBLIC SCHOOLS ACT (\$)	TAXATION ACT (\$)	PUBLIC SCHOOLS ACT (\$)	
WILD	800 400					11

INFORMATION FOR YOUR
GUIDANCE OVERLEAF →TAKE NOTICE THAT THE PROPERTY DESCRIBED ABOVE HAS BEEN ASSESSED FOR PROPERTY TAXATION PURPOSES AT THE VALUE SET OUT HEREIN.
THE PERCENTAGE OF VALUE SUBJECT TO TAXATION UNDER THE TAXATION ACT AND PUBLIC SCHOOLS ACT IS AS INDICATED OVERLEAF.

DATE OF MAILING NOTICE: DECEMBER 31st, 1952

PROVINCIAL ASSESSOR:

NELSON B.C.

Wated this 5th
day of Jan 1953

32

TAXATION ACT INFORMATION FOR THE GUIDANCE OF THE ASSESSED OWNER

The front of this notice sets out the full value at which your land and improvements have been assessed together with the exemptions provided by law.

Because the definition of improvements include more property under the Public Schools Act than under the Taxation Act, the improvements and exemptions under these two Acts are itemized separately overleaf. These improvements are subject to the separate taxation rates of the Public Schools Act and Taxation Act.

- (1) The Taxation Act provides that land and improvements which are not exempt shall be taxed on their full assessed value.
- (2) The Public Schools Act provides that land shall be taxed on the full assessed value of land and that improvements shall be taxed on seventy-five percent of their full assessed value.

The Court of Revision will sit on or about February eighth in each year and will confirm the assessed values for taxation purposes.

RIGHT OF APPEAL: Every person assessed has the right of appeal, as provided in the "Taxation Act" against the assessed value to the Court of Revision and to the Court of Appeal, but such right ceases if the notice of appeal is not given within fourteen days after the date on which this notice of assessment was mailed. The Surveyor of Taxes may extend that time if it is proved to his satisfaction that the taxpayer was unable to appeal within the fourteen days.

If you intend to appeal to the Court of Revision, complete the following notice and return this notice to the Assessor at the address indicated overleaf within the fourteen days allowed by the law.

TO THE ASSESSOR: Take notice that I intend to appeal to the Court of Revision against my assessment for the following reasons:

there is no passable road to this property as the Dept of Public works hasn't done anything for since May 1948
I myself with the help of my horse have done considerable work on this road and have not received any compensation to date, although it is a surveyed subdivision road, as it stands at present, it is next to worthless, will sell cheap, A. S. G. Shaw

OUR FILE _____

YOUR FILE _____

ADDRESS YOUR REPLY

TO Provincial Assessor



Nelson, B.C.
June 27th, 1953.

Mr. Albert Shaw,
Box 181,
Fruitvale, B.C.

Dear Sir:

We acknowledge receipt of your letter pertaining to the land classification of your property described as "District Lot 11155."

No adjustment can be made this year. However, a representative from this office will visit you later this year to discuss the assessment and make an adjustment if it is required.

Yours very truly,



For H.R. Burdon,
Provincial Assessor.

BR/w

PROVINCE OF BRITISH COLUMBIA

MEMORANDUM

2579696

To Mr. C.E. Hopper,
Deputy Minister of Lands,
Buildings.

FROM

DEPUTY MINISTER OF FINANCE
VICTORIA, B.C.

SUBJECT Roll Folio 9899 - District Lot 11155,
Kootenay, 79.80 acres - Assessed
Owners: Albert & Verna G. Shaw.



July 29th 1953.

OUR FILE 9.13

YOUR FILE

With reference to your memorandum of the 14th instant regarding the above property, enclosed are copies of reports thereon, which are self-explanatory.

[Signature]
(J. V. Fisher)
Deputy Minister of Finance.

JVF/BJL
Enc.

COPY

521B-53

2579696

36
Surveyor of Taxes,
Victoria, B. C.

July 27th, 1953.

J. V. Fisher, Esq.
Deputy Minister of Finance,
Buildings.



Dear Sir:-

Re: Roll Folio 9899 - District Lot 11155,
Kootenay, 79.80 acres.
Assessed Owners: Albert & Verna G. Shaw.

I am returning your file in this connection and in doing so, enclosed is copy of a report from the Provincial Assessor.

The case was heard at the Court of Revision.

The original assessment was placed on this property by the Assessor at \$800.00 Wild Land, this being at \$10.00 per acre for the 80 acres.

However, an appeal was taken to the Court of Revision and the Court cut the value to \$400.00 but retained the Wild Land classification.

The rate is 3%.

\$5.00 an acre for land with poles thereon is a very modest value in this day.

The approach to the assessment in this case was a normal one. The Assessor did contact with wife of the owner who gave him information relative to the property.

The case having been dealt with by the Court of Revision and its decision not having been appealed against, the findings of the Court of Revision are binding.

Yours respectfully,

"J. T. Clark"

J. T. CLARK,
Surveyor of Taxes.

JTC:au
Encls.

37
COPY

Our File 2.8
Your File 521B-53
Address your reply
to Provincial Assessor.

Nelson, B. C.,
July 25th, 1953.

Surveyor of Taxes,
Parliament Buildings
VICTORIA, B. C.

Dear Sir: Re: Roll Folio 9899 - D. L. 11155, K. D.,
Assessed Owners: Albert & Verna G. Shaw.

I have for acknowledgment your letter of the 18th instant together with enclosed copy of a letter addressed to the Honourable Minister of Lands.

Following receipt of your letter this office interviewed Mr. Shaw and in company with him made an inspection covering a goodly part of the 80 acre Block.

Before going into detail resulting from this recent inspection trip I will first give you a resume of events prior to this time.

On November 27th, 1952, this office, in the course of assessing new improvements had occasion to assess a new home on Part Block 258 owned by the above persons. Mrs. Shaw was home at the time and during the course of normal conversation volunteered the information that they owned an 80 acre block on which her husband had been logging during the year and that he had sold a very good shipment of poles. No further information was forthcoming through Mrs. Shaw as to the amount of poles and timber on the property.

It was not possible, due to winter road conditions to make an inspection of this property at the time. However, and before any change in assessment was made this office first checked with the Forestry Department.

A check of aerial photographs showed that there was a very good forest cover on the whole area and that no cleared land or buildings were in evidence.

No cruise figures were available from the Forestry, and therefore this office adopted the procedure of using average figures for known areas and Timber Sales in this vicinity and which showed similar types of cover in the aerial photographs.

Consideration was also given to type of country, short and easy haul and close proximity of markets with the result that a figure of \$10.00 per acre as Wild Land was considered fair.

The 1953 assessment was subsequently levied at a figure of \$800 Wild Land and this assessment was appealed.

Mr. & Mrs. Shaw both appeared at the Court of Revision in Nelson on February 11th in the forenoon.

The appellants stated that as most of the saleable timber had been removed they considered the increase in assessment was not justified. Considerable argument was offered by the appellants mostly on matters irrelevant to the assessment in question. Little or no information having direct bearing on the property was given as evidence by the appellants and in my opinion the hearing was most disappointing.

The Judge of the Court of Revision reserved his judgment at that time for further consideration and as you are aware at a later sitting reduced the value to the original figure of \$400 with the classification unchanged as Wild Land.

At no time during the hearing was the matter of Classification an issue and as far as can be recalled the matter was never mentioned or discussed.

While this office did not concur with the Court's decision we did feel that the decision would certainly prove satisfactory to the Shaws and that what might have become a troublesome matter had been brought to a conclusion.

As closely as can be recalled the foregoing is an accurate resume of the facts and events up to the time of receipt of your letter.

As previously stated in the 2nd paragraph of this letter this office in company with Mr. Shaw inspected the property.

The whole area is covered with mixed varieties some of which are immature and suitable only for cordwood and low grade hardwood and cedar poles. The timber on the average is not large and could possibly be best utilized as a portable mill operation.

With present market conditions, I do not believe a profitable operation could be maintained if the owner were obliged to sell the timber as logs to the present sawmill operations in adjoining Fruitvale.

There is positively no evidence of any cleared land or even semi cleared land on the whole block.

Several old logging roads now overgrown are in evidence on the property and I understand were used some 40 years ago by the Lambert Lumber Co., when they conducted sawmill and Logging operations in this vicinity.

Mr. Shaw did point out two small areas of good bottom land comprising in all 6 or 7 acres which he claims he intends to have bulldozed and cleared this fall and seed to hay or pasture mix. Trees have been recently felled in this area and will in all probability be cut up and sold for cordwood. Whether any clearing and seeding will be undertaken this fall is problematical.

The only evidence of improvements is a two strand barb wire fence built by Mr. Shaw in 1948. The fence is according to him some 1320 lineal feet. The cost of wire and staples I would estimate at not more than \$15 in 1948 and the posts are all old and were picked up in the immediate vicinity.

Mr. Shaw had never as far as I could ascertain even considered the fence as an improvement to the property due probably to the fact that so little cash out lay was involved.

As far as could be ascertained one of Mr. Shaw's main reasons for making an issue of the land classification is due to his own interpretation of the Game Regulations. He claims that he cannot keep hunters off his property for so long as the land carries a Wild Land classification.

After inspecting the property I am still of the opinion that the Wild Land classification is correct, however, should the Department after receiving the evidence decide to change the classification I have no objection.

The fencing, taken as an improvement to the land and figured at 8¢ per lineal foot would approximate an amount equal to \$1.25 per acre.

I trust that the foregoing information will meet with your requirements and enable you to reach a satisfactory decision. If there should be any further points in which you desire information, I would be pleased to furnish same on request.

Yours very truly,

"H. R. Burdon"

H. R. Burdon,
Provincial Assessor.

HRB/G:

40
August 5, 1953.

Mr. A. Shaw,
Box 181,
Fruitvale, B.C.

Dear Sir:

Please refer to File 017771

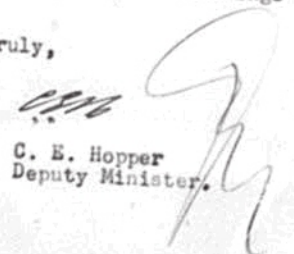
The Honourable Mr. Sommers has requested that I acknowledge your letter of the 2nd inst regarding the assessment on District Lot 11155, Kootenay District.

As the assessment of land and the allocation of taxes are under the jurisdiction of the Department of Finance, Mr. Sommers instructed me to refer the matter to that Department for a report.

We are now advised by the said Department that the original assessment was placed on this property by the Assessor at \$800.00 Wild Land, this being at \$10.00 per acre. However, an appeal was taken to the Court of Revision and the Court cut the value to \$400.00, but retained the Wild Land classification. The rate is 3%, and the matter having been before the Court of Revision, their decision rendered, the Court must have been satisfied that the Wild Land classification was correct, and in their judgment the same was retained.

According to a report from the Provincial Assessor, it appears that he has recently called on you and made an inspection of a goodly part of the land in question, and it is again regretted that I have to advise that we have no jurisdiction to make any adjustment, as the case having been dealt with by the Court of Revision and its decision not having been appealed against, the findings of the said Court are binding.

Yours truly,


C. E. Hopper
Deputy Minister.

CER/VBVM

please refer
to File No
017771.

41
Box 181
Fruitvale, B.C.

aug 6th 1953
2580746

To Deputy Minister
of Lands, Victoria, B.C.



Dear Sir,

your letter of august 5th
received in which you state that
there is nothing you could do with
regards to the changing of the classification
of improved to wild on our lot 11155
Kootenay Dist by the office at Nelson, B.C.

Now Mr Hoffer we are going to
ask you a question which your
so called Nelsonite assessors
weren't able to answer and this
is it, & how is it that our lot 11155
is the only lot that was changed
from improved to wild

4.2 2

all other surrounding lots are as follows
231 - 232 - 233 - 234 - 235 these
lots haven't even got a fence around
them, ours is partly fenced, also
I am not drawing an established
industrial salary such as most
of these other owners are, who haven't
the time to do anything with their
properties, we are clearing our
place in order to raise stock.

However Mr Troffer you can
rest assured unless we get a favorable
explanation of why we are being
singled out for a heavy tax burden,
we will definitely make a real issue
of this unfair treatment.

We are yours truly

A. & V. G. Shaw

43

August 11th, 1953

Mr. A. Shaw,
Box 181,
Fruitvale, B. C.

File# 017771

Dear Sir:

I am in receipt of your letter of the 6th instant, referring to my letter of the 5th instant, and would advise that as pointed out in my former letter, taxation matters do not come within the jurisdiction of this Department and I am therefore referring your present letter to the Department of Finance, Surveyor of Taxes, for his attention.

Yours truly,



C. E. Hopper,
DEPUTY MINISTER OF LANDS

CEH:SM



44
Mr. J. T. Clarke,
Surveyor of Taxes
BUILDINGS

Deputy Minister of Lands

August 11th


53

Enclosed herewith is a copy of a letter from A. & V.G. Shaw of Fruitvale,
respecting the classification of Lot 11155, Kootenay District.

This matter was recently referred to the Deputy Minister of Finance and
copies of your reports were submitted, of which Mr. Shaw was duly advised.

As this matter comes under the jurisdiction of your Department, I would be
pleased if you would reply direct.

CEN:SM
enc.


C. E. Hopper,
Deputy Minister.

45

FILE RECORD.

DATE _____

CHARGED TO.

[illegible]

ON THE

11-2-71

