

BRITISH COLUMBIA ARCHIVES RESEARCH GUIDE

QUICK GUIDE TO LAND RECORDS

Getting Started

British Columbia land ownership records, unlike some other provinces, are not automatically transferred to the British Columbia Archives after a number of years have passed. The BC Land Title and Survey Authority, (<http://www.ltsa.ca>), which became operational on 20 January 2005, manages all historical land title and survey records relating to Crown land and alienated Crown land (private property) dating back to the 1850s.

Currently, the most important tool in the BC Archives for understanding the historic context of Crown land records and how to locate them is **Inventory 15, Crown Lands**, a loose-leaf binder on top of the Textual Records (GR and MS) card catalogues in the Reference Room.

Types of Land Ownership and Occupation in British Columbia

There are five categories of land ownership in BC: federal (Dominion), provincial government (Crown land), local government, private (non-Aboriginal), and Aboriginal (Indian Reserves and traditional territories subject to the treaty process). Between the colonial era (1849-1871) and 1970 there were two ways of legally becoming an owner of provincial Crown land: purchase or pre-emption (homesteading). After the pre-emption process was eliminated in 1970, purchase was the primary means of permanently acquiring Crown land as private property.

Temporary occupation and use of Crown land, today called land tenure, was also introduced in the colonial era through leasing (renting). The principal types of leasing are pastoral or grazing leases, foreshore leases, timber leases, mineral, and petroleum/gas leases. The Crown Land Administration Division, Ministry of Agriculture and Lands, is currently responsible for selling Crown land (<http://www.al.gov.bc.ca/clad/>).

The federal government administers Indian Reserve (I.R.) lands and other reserves of provincial Crown land set aside for special purposes such as national parks and military bases. Crown Land Registry maintains records of I.R. and federal reserve lands, as well as some leasing information.

Access Tools at the BC Archives

Catalogues, Colonial Correspondence Index, Pre-emption Records Index and Web Site: Because the card catalogues and Colonial Correspondence Index are not fully converted to electronic form, you will need to consult them in addition to conducting an online search of the Archives' Web site. The Library catalogue contains publications, including the *Statutes of British Columbia* and departmental annual reports, which support research into government and non-government records. The Cartographic Catalogue describes both archival and published maps, along with architectural and engineering plans. A partial Pre-emption Records Index in the Reference Room covers pre-emption records in GR-0112.

Inventories: Loose-leaf binders located on top of the Textual Records (GR and MS) card catalogues; the three binders containing information on land records are Inventory 15, Crown Lands, and 15C/15D, Herald Street Collection. Related inventories are 6, Mines; 8, Public Works; 14, Forests; 16, Water Rights; 25, Indian Affairs; and 30, Royal Commissions.

BC Gazette: This government periodical, first published in 1858, documents different kinds of land transactions. Except for the years 1861-1862 when it was not published, the Archives has a complete, set from 1858 to 1980 (call number: **NW 320.05 B862 [year]**; Vancouver Island, 1864-1866, **NW 320.05 V223g v.1-3**). A partial index compiled by the Archives exists for the years 1858-1872 (**NW 320.05 B862 index 1859-1872 1991**) and annual indexes were produced by the *Gazette* beginning in 1873 (Archives photocopied bound set, 1873-1972, **NW 320.05 B862 index**).

Orders in Council: The Archives has legal custody of OICs dating from 1872 to 2000 (**GR-0113**) and a microfilm copy of the index for the years 1872-1984 (**GR-1955**). To locate a specific OIC from 1985 to 2000, you will either need to have the OIC number, or contact the OIC Administration (387-5378).

Maps and Plans: Large-scale maps, along with providing the basis for a legal description, will sometimes show *BC Gazette* data, OIC numbers, and correspondence file numbers. Lists by land district that convert a survey description to the corresponding National Topographic Series (NTS) map are available from the Retrievals desk. The Archives has a partial set of NTS large- and small-scale maps that are listed by scale size in the Cartographic Catalogue. An uncatalogued set of large-scale NTS Reference maps are available upon request through the Retrievals desk. An NTS index map is available on the Reference Maps cabinet. Although all legal survey plans of unsubdivided and some subdivided Crown land, including townsite surveys, back to the colonial period are held by Crown Land Registry, the Archives has copies of some of these plans. Finding aids exist for map series pertaining to forestry, mining and water rights, as well as published (lithographed) large-scale maps such as the pre-emptor's series (1911-1969), the land series (1913-1958), and the degree series (1912-1956). Online Cadastre (http://www.ltsa.ca/sgd_Online%20Cadastre.htm) provides free access to all Crown land survey data through a Web mapping service.

Royal Commissions/Commissions of Inquiry: Provincial and federal public inquiries held by the Archives are described in Inventory 30. Subject access is through the Textual Records (GR and MS, new system) card catalogue, Web site or published bibliographies available at the Information Desk.

Type of Lands Records at the BC Archives

Crown Grants: Microfilm copies of original Crown grants and indexes dating between 1851 and 1930 held at Crown Land Registry, Ministry of Environment, **GR-3096**, **GR-3097**, and **GR-3139**. An online database (<http://a100.gov.bc.ca/pub/rd/>), hosted by the registry, also serves as an index to the Crown grants. The database includes thumbnail images of some Crown grants that can be ordered. **Note** The database contains inaccurate information (transcription errors) and missing/incomplete data for many Crown grants. Many Crown grants are also indexed in the user-pay Tantalus GATOR system (<http://ilmbwww.gov.bc.ca/irb/gator/>).

Land Sales: Land sale registers contain information on the sale of Crown land, most often by public auction or public tender. Certificates of purchase for Crown land are sales receipts issued to buyers. You will need to consult the Financial Records category of Inventory 15, Crown Lands; Inventory 15C/15D, Herald Street Collection; the card catalogues; and the Web site to find all instances of these records that date from the 1850s. **GR-3140** consists of microfilm copies of auctioneers' agreements, 1899-1914.

Land (Lot) Registers: Bound volumes maintained by Crown Land Registry in which are recorded the first instance of alienation of Crown land or a reversion of private property to the Crown land base. The Archives has an incomplete set transferred when Crown Land Registry automated its records tracking system. Most of the registers contain a name index and contents include a correspondence file number, the Crown grant number and survey information. Summaries and descriptions of these records are found in the Land Registers category of Inventory 15, Crown Lands.

Pre-emption Records: Pre-emption records date between the late 1850s and 1970. Pre-emption records include the pre-emption application and record itself, the certificate of improvement, and any correspondence associated with the pre-emption. These are the only complete series of land records held by the BC Archives. A separate research guide describes how to use these records. The largest body of pre-emption records are in **GR-0112**. A partial Pre-emption Records Index in the Reference Room covers some of the pre-emption records in GR-0112. Summaries and descriptions of all pre-emption and related records are found in the Pre-emption category of Inventory 15, Crown Lands.

Correspondence Registers and Indexes: The Archives does not have a complete set of correspondence registers and there is no known complete subject index to Crown Land Registry correspondence. A partial

subject index for the years 1871 to ca. 1980 is **GR-0993** (boxed finding aid). The main set of registers of letters inward are **GR-2909** (1912-1953, microfilm) and **GR-2920** (1953-1980, microfilm). Summaries and descriptions of correspondence registers and indexes are found in the access tools sections of the Correspondence category in Inventory 15, Crown Lands.

Correspondence: Not all land transactions resulted in a correspondence file. Where such a file exists, it can contain much detail about how a piece of property was acquired, disallowed, or abandoned. Land correspondence files in the Archives date from the 1850s to 1980. Summaries and descriptions of correspondence files are found in the Correspondence category of Inventory 15, Crown Lands.

- The pre-1918 correspondence files are organized as either inward correspondence (**L.I.** or Lands Inward) or outward correspondence (**L.O.** or Lands Outward). Those abbreviations frequently appear on correspondence.
- The main correspondence series by time period are: 1858-1872 (**GR-1372**; **GR-2900**, both on microfilm); 1873-1917 (**GR-0868**; **GR-1088**; **GR-1440**, microfilm; **GR-2982**); and 1918-1980 (**GR-1441**, microfilm). Some pre-1918 inward correspondence files were renumbered and microfilmed as part of GR-1441. Only Crown Land Registry has a record of these cases.
- The main correspondence outward series, all on microfilm are **GR-0440**, **GR-0525**, **GR-1811**, and **GR-1812**.
- Files dating between 1912 and 1918 always end with the suffix “/12”, but this information may not always appear when the file number is cited in various records.
- Use **GR-1225** (boxed finding aid) to determine if a file dating between 1918 and 1980, the “Oh” files that are always prefixed with “O”, was microfilmed and then consult the finding aid to **GR-1441**.

Miscellaneous Reserves and Grants of Land: A variety of land reserves and types of land grants were offered at various times by the government to organizations and individuals. Among these are military or soldier grants, church, park, forest, and military reserves. Reserves may be created by statute and regulation, or an Order in Council, and they are normally publicized by a notice in the *BC Gazette*. Correspondence files generally exist for a reserve, but they may not be in the Archives.

Dominion Land Branch (Railway Belt and Dominion Peace River Block) Records: In addition to correspondence files with settlers and administrative files from 1885 to 1949 (**GR-0436**, microfilm), the Archives also holds the Dominion Land Surveyor (DLS) diaries for the Railway Belt and the Dominion Peace River Block (**GR-0437**). For further information see the separate Pre-emption and Homestead Claims research guide.

Esquimalt and Nanaimo Railway Belt Record: Most of the E&N Railway Belt land records held by the Archives pertain to commissions of inquiry held between 1897 and 1916 as a result of disputes between settlers within the E&N Railway land grant prior to 1884 and the E&N Railway Company. In addition to the original land sales records at the Land Title office, 850 Burdett, Victoria, the Canadian Pacific Railway (604-643-3396) maintains copies of land sales records within the E&N Railway land grant. For further information see the Railway Belt category in Inventory 15, Crown Lands.

Indian Affairs Records: The Archives holds a partial set of federal government records created by the federal Indian Affairs department and acquired from the National Archives of Canada as microfilm and photocopies. These records are described in Inventory 25 and are known as **RG-10** records, a designation assigned by the National Archives. Published Indian Affairs annual reports from 1864 to 1990 are available as digital facsimiles at the Library and Archives Canada Web site (<http://www.collectionscanada.ca/indianaffairs/index-e.html>).

Inventory 25 also describes records created by the provincial and colonial governments, including correspondence and maps of the Joint Reserve Commission, 1876-1907 (**GR-2982**). Details on researching

Aboriginal land records at the Archives are found in *Stolen Lands, Broken Promises: Researching the Indian Land Question In BC* (2nd ed., Union of BC Indian Chiefs, 2005; <http://www.ubcic.bc.ca/Resources/riiq.htm>) and *Researching the History of Aboriginal Peoples in British Columbia* by Terry A. Young (1992).

Tax Assessment Records: Photocopies of colonial tax assessment rolls for southern Vancouver Island (1861-1871) are found in two loose-leaf binders on top of the Library card catalogue. Tax assessments records from 1876 to 1948 are available on microfilm in **GR-1999**. Not all tax assessment rolls after 1876 have survived.

Land Forfeiture, Reversion to the Crown, and Expropriation

Due to financial circumstances or for other reasons, private property owners sometimes involuntarily lose ownership of their land and it may revert to the Crown. Property owners may also bequeath their land to the Crown. In both cases, information may be available at the Archives or Crown Land Registry. The Archives also holds some expropriation records.

Right of Way Records

Right of way records for highway, railway and utility lines are maintained by the Ministry of Transportation.

Freedom of Information and Protection of Privacy Act

Land records are generally considered public use records and the BC Archives strives to open land records for routine access as quickly as possible once they are in our legal custody. Consult the Information and Privacy Access Register in the Reference Room to determine the access status of any GR you identify in your research. If you have a question about your right of access to a record in the legal custody of the Archives, please speak to the Duty Archivist.

Copying Records

All microfilmed land records described in Inventory 15, Crown Lands, or on the BC Archives Web site are available on a self-serve basis in the Reference Room. You can make paper copies (printouts) from these self-serve microfilm reels on reader-printers during regular business hours. If it is less expensive, you also have the option of purchasing a duplicate of an entire microfilm reel. Requests for copies of hardcopy records or certification of microfilm copies must be submitted in writing, approved by an archivist, and prepaid. Archives staff produces all certified copies, including microfilm printouts.

Mailing Address: Access Services, BC Archives, Royal BC Museum Corporation, 675 Belleville St., Victoria, BC V8W 9W2

Reference Room: 655 Belleville St., Victoria, BC

Phone: (250) 387-1952 **Fax:** (250) 387-2072

E-mail: access@bcarchives.bc.ca

World Wide Web: <http://www.bcarchives.bc.ca> or <http://www.royalbcmuseum.bc.ca>