BC Archives Research Guide

QUICK GUIDE TO LAND RECORDS

This guide provides a brief history of land ownership and use in British Columbia and provides information for accessing land-related records held by the BC Archives.

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.

"Old MS", Colonial Correspondence, and cartographic card catalogues are not fully converted to electronic form. You may need to consult them, within the BC Archives reference room, in addition to conducting an online search of the <u>BC Archives Collection</u>.

Inventory binders are no longer being updated as new records are accessioned or series are added, but they can provide helpful background and historical information not captured elsewhere. The blue, numbered binders are located in the Reference Room:

- Inventory 15 Guide to Lands Records
- Inventory 15 Administrative Lists (for series descriptions organized by type of land)
- Inventory 15B Numerical List (for series descriptions organized by series number)
- Inventory 15C GR-1069, "Herald Street Collection"

Related inventories can be found in the following binders: 6 (Mines), 8 (Public Works), 14 (Forests), 16 (Water Rights), 25 (Indian Affairs), and 30 (Royal Commissions).

TYPES OF LAND OWNERSHIP AND OCCUPATION IN BRITISH COLUMBIA

There are five categories of land ownership in BC:

- 1. federal (Dominion) Crown land
- 2. provincial Crown land
- 3. local government
- 4. private (non-Indigenous)
- 5. Indigenous reserves and traditional territories subject to the treaty process

Between 1849-1970 there were two ways of legally becoming an owner of provincial Crown land:

- 1. purchase
- 2. 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.

British Columbia land ownership records are not automatically transferred to the BC Archives. Private property records, including all historical land title and survey records, are maintained by the <u>BC Land Title and Survey Authority</u>

Right of way records for highway, railway, and utility lines are maintained by the <u>Ministry of</u> <u>Transportation and Infrastructure</u>.

Temporary occupation and use of Crown land, now called Crown land tenure, was introduced in the colonial era (1849-1871) through leasing (renting). The principal types of leasing are: pastoral or grazing, foreshore, timber, mineral, and petroleum/gas. The <u>Land Tenures Branch</u> provides information on current Crown land uses and related application processes.

The <u>Integrated Land Management Registry (ILRR)</u> is the authoritative registry for information on BC Crown land legal interests and land status, land and resource restrictions and reservations, and locations of private land.

The federal government administers <u>Indigenous reserve lands</u> and other reserves of provincial Crown land set aside for special purposes such as <u>national parks</u> and <u>military bases</u>.

LAND RECORDS HELD BY THE BC ARCHIVES

Provincial Crown land grants

<u>Crown grants</u> were routinely issued by the province of British Columbia to convey surface, subsurface, and other rights.

The <u>Government Access Tool for Online Retrieval (GATOR)</u> provides online access to the <u>BC</u> <u>Crown Land Registry (Tantalis)</u>. The registry is a database of Crown land records going back to the 1850s that maintains, records, and tracks the sale, survey, licence, access, return and restriction of Crown land in British Columbia.

The <u>Historic Crown Grant Search Tool</u> facilitates searching for a Crown Grant by the name of the grant holder, as well as other parameters, such as the grant date. The data was populated by Genealogical Society of Utah volunteers and may contain transcription errors and missing/incomplete data (date is also available on <u>FamilySearch</u>). However, results only provide data from a portion of the Crown Grants that were issued between the years 1860 and 1930. See <u>GR-3096</u> for a complete index.

The BC Archives also has copies of crown land grant records for the following years:

- <u>GR-3096</u> Crown land grant indexes, 1869-1930
- <u>GR-3097</u> Crown land grants, 1869-1930
- <u>GR-3139</u> Crown land grants, 1851-1878

The <u>Land Title and Survey Authority of BC (LTSA)</u> is responsible for the production and issuance of Crown grants on behalf of the province.

If you do not find the information you need, <u>GeoBC</u> offers Crown land and resource research expertise.

Land sale registers

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.

The BC Archives holds the following land sale register records:

<u>GR-1166</u> - Register of auction sales of lots, 1889-1894.
Contains a register of auction sales of lots at Esquimalt, Hastings, Lulu Island, New Denver, Nelson, New Westminster, Vancouver, and Victoria.

- <u>GR-3140</u> Crown land auctioneers agreements, 1899-1914.
- Consists of auctioneers' agreements with private persons concerning the purchase of Crown lands at Atlin, Hastings, Hedley, Kootenay Valley, Lockhart Beach, McBride, New Westminster District, Point Grey, Quesnel, and Tulameen.
- <u>GR-1406</u> Registers of auction land sales held at Vancouver, 1901-1908.
- <u>GR-2615</u> Auctioneers records for auction sales, 1906. Consists of New Westminster Land District, duplicate auctioneers' records for auction sales in 1906, of Crown land at Hastings townsite, District lot 540; North Vancouver, District Lot 2027 in Group 1; and in 1908, a further sale of lands in North Vancouver.
- <u>GR-2616</u> Auctioneers records for auction sales, 1913. New Westminster Land District, auctioneers' records for auction sales, in 1913, of Crown land at Hastings townsite, lots 1-138; Kitsilano, District Lot 540 G.1, Lots 1-101; and Point Grey, District Lots 538 and 176 G.1.

Land (lot) registers

Land (lot) registers are bound volumes maintained by the <u>BC Crown Land Registry (Tantalis)</u>. The volumes recorded the first instance of alienation of Crown land or a reversion of private property to the Crown land base.

The BC Archives has an incomplete set of registers transferred when the 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.

Search the <u>BC Archives Collection</u> for the search terms "lot registers" and "land registers". Use Advanced Search to narrow results by place, district, or date(s). Summaries and descriptions of these records are found in the Land Registers section of Inventory 15, Guide to Lands Records, located within the BC Archives reference room.

Pre-emption and homestead records

Pre-emption was a method by which colonial or provincial Crown land in British Columbia that had not been fully surveyed could be acquired by claiming it for settlement and agricultural purposes and improving it.

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. The largest body of pre-emption records are found in <u>GR-0112</u>.

The Crown Lands Grants Index (<u>GR-3096</u>) and the <u>Historic Crown Grant Search</u> can also be used to locate completed pre-emptions. Some of <u>GR-0112</u> was microfilmed by the Genealogical Society of Utah and is also available on <u>FamilySearch</u>.

See the *Pre-emption and Homestead* guide on our <u>Guides, Indexes, and Inventories</u> webpage for more information about searching pre-emption and homestead records.

Correspondence registers and indexes

Not all land transactions resulted in a correspondence file. Where such a file exists, it can contain details about how a piece of property was acquired, disallowed, or abandoned.

Land correspondence files in the BC Archives date from the 1850s to 1980. The BC Archives does not have a complete set of correspondence registers and there is no known complete subject index to Crown Land Registry correspondence.

Some pre-1918 inward correspondence files were renumbered and microfilmed as part of <u>GR-1441</u>. Only the <u>BC Crown Land Registry (Tantalis)</u> has a record of these cases.

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.

Pre-1918 correspondence files are organized as either inward correspondence (L.I. or Lands Inward) or outward correspondence (L.O. or Lands Outward).

Relevant series include:

- <u>GR-1372</u> Colonial correspondence 1849-1866 and 1858-1871
- <u>GR-2900</u> Correspondence outward, 1859-1872
- GR-0868 Chief Commissioner of Lands and Works correspondence inward, 1871-1883
- <u>GR-0993</u> Correspondence index to lands files, 1871-ca. 1980
- <u>GR-2909</u> Register of letters inward, 1912-1953
- <u>GR-2920</u> Correspondence cards, 1953-1980
- <u>GR-1440</u> Correspondence files with regard to Crown lands, 1872-1918
- <u>GR-0440</u> Lands Department executive records, 1872-1918
- <u>GR-0525</u> Letterpress copies of "official" correspondence outward from the Assistant to the Chief Commissioner of Lands and Works, 1901-1903
- <u>GR-1811</u> Department of Lands correspondence outward, 1908-1910
- <u>GR-1812</u> Surveyor General correspondence outward, 1911-1918
- <u>GR-0897</u> Department of Lands correspondence inward, 1901-1910
- Use <u>GR-1225</u> to determine if a file dating between 1918 and 1980 was transferred to the BC Archives, remained with the ministry responsible for Crown land management, or was transferred to another ministry. If transferred to the BC Archives, then consult the finding aids for:
 - <u>GR-1441</u> Correspondence files ("O" series) with regard to Crown lands, 1918-1985
 - <u>GR-1147</u> Lands "O" series correspondence files, 1968-1978
- <u>GR-0991</u> File check list of Lands correspondence [O series], 1918-1970
- <u>GR-2982</u> Minutes of decision of Joint Indian Reserve Commission, 1876-1980

Additional summaries and descriptions of correspondence files are found in the Correspondence section of Inventory 15, Guide to Lands Records, located within the BC Archives reference room.

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

<u>Order-in-Council</u>, and they are normally publicized by a notice in the <u>BC Gazette</u>. Correspondence files generally exist for a reserve, but they may not be in the BC Archives.

Railway Belt and Dominion Peace River Block records

The BC Archives holds the Dominion Land Surveyor (DLS) diaries for the Railway Belt and the Dominion Peace River Block (<u>GR-0437</u>) as well as correspondence with settlers and administrative files from 1885 to 1949 (<u>GR-0436</u>).

For further information see the *Pre-emption and Homestead* guide on our <u>Guides, Indexes, and</u> <u>Inventories</u> webpage and the Railway Belt section in Inventory 15, Guide to Lands Records, located within the BC Archives Reference Room.

Esquimalt and Nanaimo Railway Belt records

Most of the <u>Esquimalt and Nanaimo (E&N) Railway Belt</u> land records held by the BC 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 original land sales records held by the <u>Land Title and Survey Authority</u>, the <u>Canadian Pacific Railway</u> Archives also maintains copies of land sales records within the E&N Railway land grant.

For further information see the Railway Belt section in Inventory 15, Guide to Lands Records, located within the BC Archives Reference Room.

Indigenous land records

Details on researching Indigenous land records at the BC Archives can be found in:

- <u>Stolen Lands, Broken Promises: Researching the Indian Land Question in BC</u>, 2nd Ed., Union of BC Indian Chiefs, 2005
- <u>Researching the history of aboriginal peoples in British Columbia: a guide to resources</u> <u>at the British Columbia Archives and Records Service and BC Lands</u>, Terry Ann Young, 1992

The BC Archives Inventory 25 binder, located within the BC Archives Reference Room, describes records created by the provincial and colonial governments, including correspondence and maps of the Joint Reserve Commission, 1876-1907 (<u>GR-2982</u>).

Federal Indian Affairs records

The BC Archives holds a partial set of <u>Indian Affairs Record Group 10 (RG10) Inventory</u> records created by the federal Indian Affairs department and acquired from <u>Library and Archives</u> <u>Canada (LAC)</u>, as microfilm and photocopies.

These records are described in Inventory 25, located within the BC Archives Reference Room.

Property tax records

The BC Archives holds two main series of property tax records:

- <u>GR-1999</u> Property tax assessment rolls, 1876-1948, administered according to the *Taxation Act* and the *Public Schools Act* for the collection of real property taxes, school taxes, etc.
- <u>GR-3861</u> Rural property tax roll, 1979-1995 and 1998-2000, created by the Property Taxation Branch for the purposes of billing. Records for the years not held by the BC

Archives (i.e., 1996-1997 and after 2000) are still in the custody of the <u>Property Taxation</u> <u>Branch</u> and must be requested through their office.

Records contain information for the owners of a property, not necessarily the residents that lived there. They are searchable by taxation district.

Additional tax records held by the BC Archives (e.g., indexes, Indigenous taxation records, Railway Belt taxation records, etc.) can be searched by linking to series from the following authority records:

- British Columbia. Surveyor of Taxes
- British Columbia. Property Taxation Branch
- British Columbia Assessment Authority

Since 1976, BC assessment records are created and held by the BC Assessment Authority.

If a property is located in a city, town, district or village, it is considered to be within a municipality. Municipal property tax records remain in the custody of their respective <u>municipal</u> <u>office</u>.

Not all tax assessment rolls after 1876 have survived.

Old MS land records

Also referred to as "private" or "manuscript" records, Old MS records were created by private individuals, organizations, or companies during the colonial era (ca. 1849-1871), though there are some later records as well.

Many Old MS records can be searched via the <u>BC Archives Collection</u>, but some are only fully described in the Old MS card catalogue located within the BC Archives Reference Room. See the *Land records (Old MS)* inventory on our <u>Guides, Indexes, and Inventories</u> webpage for a comprehensive list of land-related Old MS records.

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.

Records may be available at the <u>BC Crown Land Registry (Tantalis)</u> or the BC Archives. Search the <u>BC Archives Collection</u> using search terms such as "forfeiture", "reverted", or "expropriation".

Lands publications

The <u>BC Archives Library</u> houses a unique collection books, pamphlets, serials, directories, newspapers, atlases, maps, dissertations, theses, and other publications that document different kinds of land transactions. Additional resources include government annual reports, publications, statutes, and regulations.

Search the <u>BC Archives Library</u> by Subject for terms such as "Crown Lands", "Public lands", and "Land Use".

The British Columbia gazette

The <u>BC Archives Library</u> has holdings of *The British Columbia gazette* (also known as *Official gazettes of the province of British Columbia*) (<u>NW 320.05 B862</u>) from 1859-1980. This weekly publication, accumulated into annual volumes, includes notices of land grants and leases.

Also available online from 1859-1985 via Internet Archive.

The Canada Gazette is available online from 1841-1997 via <u>Library and Archives Canada -</u> <u>Canada Gazette</u>.

<u>Minutes of proceedings of a Select Committee of the House of Assembly appointed to inquire into</u> the present condition of the crown lands of the colony, with reference to the proposal of Her <u>Majesty's secretary of state for the colonies, dated 15th June, 1863, to hand over the crown lands</u> to the legislature

The <u>BC Archives Library</u> holds a microfilmed copy of *Minutes of proceedings…* (<u>NW 971.24</u> <u>V223mi</u>), which includes nominal lists of property owners with land description and property value.

Also available online from UBC Open Collection.

Orders-in-Council

Digitized copies of Orders in Council from 1872 to the present are available on the <u>BC Laws</u> website.

The <u>BC Archives Collection</u> also holds Orders-in-Council (OiCs) dating from 1872 to 2009:

- GR-1955 Indexes to Orders in Council, 1872-1984
- <u>GR-0113</u> Orders-in-council, 1872-2009
- <u>GR-1664</u> Oversize attachments for Orders-in-council, 1874-1994 (after 1994 oversized attachments remained filed with the OIC itself)

Cartographic Maps and Plans

Search the <u>BC Archives Collection</u> by keyword for maps and plans. Try variant names and spellings, truncation, and wild cards. Filter results by clicking on Advanced Search and selecting "Cartographic Material" within the General Material Designation drop-down menu. Filter further by selecting "Yes" from the Digital Object Available drop-down menu or by entering a date range.

A large portion of the BC Archvies' maps and plans have not be catalogued online. They must be searched using the cartographic materials card catalogue, located within the BC Archives reference room, and then viewed on microfiche.

Digitized copies are often not available online due to file-size limitations of our website. They must be viewed on microfiche in the BC Archives reference room.

Large-scale maps, along with providing the basis for a legal description, will sometimes show *BC Gazette* data, OiC numbers, and correspondence file numbers.

Survey plans

The <u>Land Title and Survey Authority of BC (LTSA)</u> holds all legal survey plans of un-subdivided and some subdivided Crown land, including townsite surveys, dating back to the colonial period (1849-1871).

The BC Archives also holds copies of some of these plans. Search the <u>BC Archives Collection</u> using search terms such as "survey plans".

National Topographic Series (NTS)

National Topographic Series (NTS) maps held by the BC Archives are copies of original maps made by the federal government. The BC Archives has a partial set of large- and small-scale maps that are listed by scale size in the cartographic card catalogue.

To search for a NTS map held by the BC Archives:

- 1. See the NTS index map, available from the Retrievals desk in the reference room, to determine the number and letter of a region (e.g., north Vancouver Island is **92/L**).
- Go to the bottom right section of the cartographic card catalogue, located in the reference room. Drawers are listed by scale size using "H" numbers H1 to H6 (e.g., H2 includes maps from scales 1:50,000 to 1:63,360). Search each "H" section for your region's alphanumeric code (e.g., 92/L in H1-H6).
- Note the full reference number(s), including 'e' for east and 'w' for west, and submit call slips for each map from the Retrievals desk All reference numbers should be preceded by 'CM' (e.g., CM/H2/92/L 03 will be map three of north Vancouver Island in a scale between 1:50,000 to 1:63,360).

See map finding aids in brown covers, located within the reference room, for further information about map series pertaining to forestry, mining, and water rights. See map finding aid CM/CL1 for 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).

Originals, depending on their age, may either still be with their federal government agency or archived with Library and Archives Canada.

Summaries and descriptions of these records are found in the Cartographic section of Inventory 15, Guide to Lands Records, located within the BC Archives reference room.

Royal Commissions/Commissions of Inquiry

The Legislative Library's <u>British Columbia Royal and Special Commissions</u> portal has the most comprehensive collection of BC Royal and Special Commissions reports, dating back to 1872.

The BC Archives also holds some Royal Commission records. Search the <u>BC Archives</u> <u>Collection</u> and the Old MS card catalogue in the BC Archives reference room, using search terms such as "Royal Commission" and "Royal Commissions".

To search Federal Royal Commissions, visit Library and Archives Canada.