

MEMORANDUM

OFFICE OF THE DEPUTY MINISTER

DEPARTMENT OF HIGHWAYS

VICTORIA, ..... March 8th, 1965 .....

To..... Mr. Wilson Duff .....

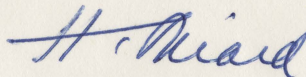
..... Provincial Anthropologist .....

..... Provincial Museum, Buildings .....

Re: Kit Sum Kay Lum right-of-way

We attach hereto a plan, which shows our road right-of-way in the vicinity of Kitsumgallum River. You will notice to the east that there is no definite right-of-way, but you might be able to locate from the plan.

We also attach a copy of a letter, dated February 15th, 1949, from the Indian Commissioner to our Chief Engineer, which you may find of interest.



H.T. Miard  
Deputy Minister

HTM:MH  
Encls: 2.

INDIAN COMMISSIONER  
BRITISH COLUMBIA



CANADA

INDIAN AFFAIRS  
BRANCH

3588

IN YOUR REPLY REFER TO

NO 12-3-5

ALSO TO DATE OF THIS LETTER

DEPARTMENT  
OF  
MINES AND RESOURCES

RECEIVED  
PROV. PUBLIC WORKS DEPT.  
VICTORIA, B. C.

P.O. BOX 70  
VANCOUVER, B.C. February 15, 1949

FEB 16 1949

ANSWERED.....

NOTED.....

Chief Engineer,  
Provincial Public Works,  
Victoria, B.C.

FEB 16 1949  
DEPARTMENT OF  
PUBLIC WORKS  
VICTORIA, B.C.

Re: Kitsumkaylum I.R. No. 1  
Highway Right-of-Way  
Your File No. 3588

Dear Sir:-

Following your application of August 30th, 1948, for transfer of a highway right-of-way through the above-mentioned Reserve to the Province, our Superintendent was requested to investigate and report with regard to the improvements effected, if any, and the compensation payable therefor and for any timber and gravel which might have been removed. Mr. Anfield has reported as follows:-

1. "Twenty log piles containing 285 logs were counted with a total log scale of 352,545 ft. b.m. Value of this timber at \$3.00 per thousand stumpage and royalty is \$1,057.64. Some of these logs may have some value and Mr. Carl Pohle, owner of the timber license on this Reserve, was asked to look over these piles and remove any timber of any value. Timber species are as follows: hemlock 55%; spruce 30%; and balsam 15%.
2. There is a large gravel pit on this Reserve 50 yds. x 50 yds. x 30 ft. deep from which an estimated 25,000 cubic yards of gravel has been removed presumably for right-of-way purposes. Value of this gravel at 5¢ per cubic yard for compensation purposes is set at \$1,250.00.
3. No individual improvements were noted apart from

784183

M.C.D.

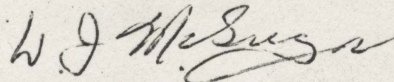
one grave which is under the centre of the highway. The ownership of this grave cannot be ascertained though I am assured by Mr. James Bolton, representative of the Band, that to the best of his knowledge and belief no living heirs of the deceased are known.

4. The old Kitsumkaylum graveyard abutts the highway. Mr. Bolton informs me that this graveyard was fenced prior to the construction of the highway. The present condition of this graveyard indicated that during construction of the road refuse and small timber was piled thereon. The fence has been knocked down and the graves disturbed. Small fences around them have collapsed. It is noted that the right of way excludes this graveyard but it is considered that compensation should be paid to the Band for the destruction of the fence and grave plots. The Band is anxious to put a new steel wire fence around the cemetery and to tidy it up. I have discussed this with the Band and they agree that \$250.00 would be fair compensation for this purpose."

With regard to Item 2, it was subsequently ascertained that part of the gravel removed from the pit, not exceeding 50% of the total, was used on the highway within the Reserve boundaries and consequently, compensation would be payable on not less than half of the quantity at the rate of 5¢ per cubic yard..

You will be advised when our Superintendent reports whether or not any of the timber is salvageable.

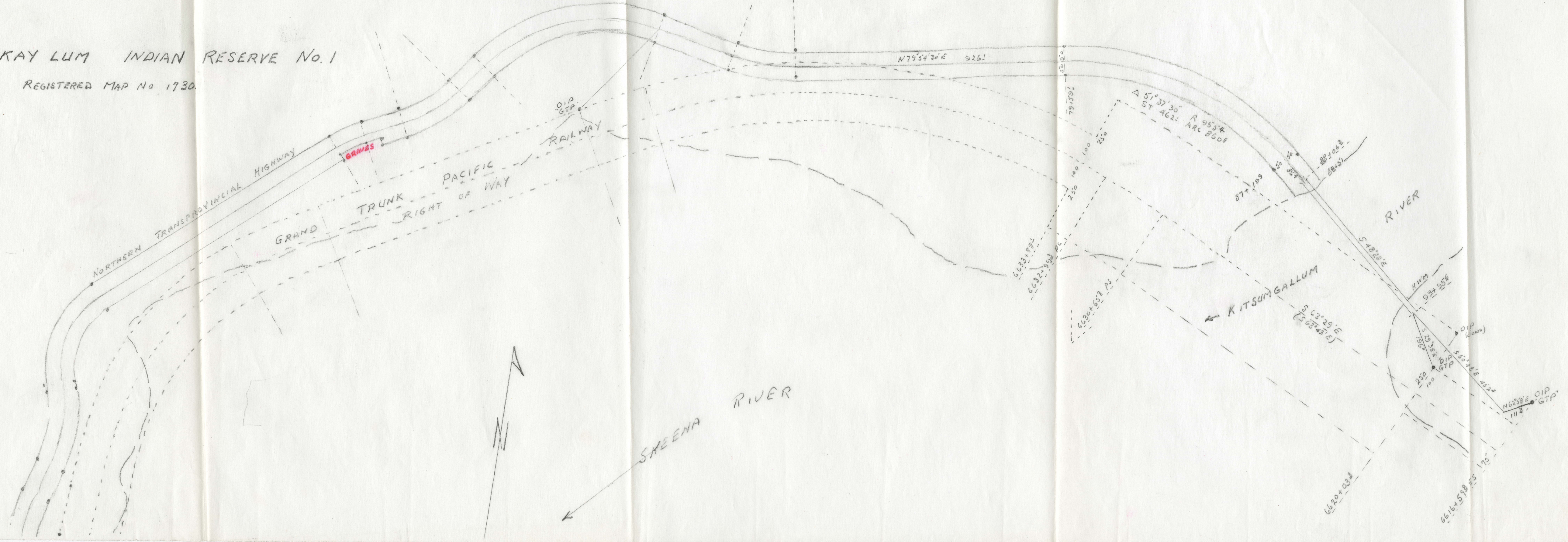
Yours very truly,



for W.S. Arneil,  
Indian Commissioner for B.C.

Taken from Map 3103  
Prince Rupert L.R.O.

KIT SUM KAY LUM INDIAN RESERVE No. 1  
REGISTERED MAP No 1730



SCALE: 1 inch = 200 feet