

At the Executive Council Chamber, Victoria,

PRESENT:

The Honourable

Mr. MacLean  
Mr. Manson  
Mr. Barrow  
Mr.  
Mr.  
Mr.  
Mr.

in the Chair.

To His Honour

The Lieutenant-Governor in Council:

The undersigned has the honour to report

THAT an application has been made by P. Burns & Company, Limited, to be registered as the owners in Indefeasible Fee of ALL AND SINGULAR that certain parcel or tract of tidal land and premises, situate, lying and being in the Province of British Columbia, the District of New Westminster and City of Vancouver, being composed of a portion of Burrard Inlet adjoining the West  $\frac{1}{2}$  of Subdivision "C" in District Lot 183 as shewn on a plan of subdivision of said Lot, and registered in the Land Registry Office at Vancouver and which may be more particularly known and described as follows, that is to say:-

Beginning at the point of intersection of the West boundary of Subdivision "C" with the High Water mark of Burrard Inlet, thence North-1060 feet, thence East 330 feet, thence South 940 feet more or less to said High Water mark, at the point where the East Boundary of the West  $\frac{1}{2}$  of Subdivision "C" intersects the same, thence Westerly and following the said High Water mark to the point of beginning as shewn colored red on the plan attached hereto.

THAT the Title of the said P. Burns and Company, Limited is derived through meane conveyances from His Majesty the King in the right of the Dominion of Canada.

THAT it has been decided by Honourable Mr. Justice Duff of the Supreme Court of British Columbia in the case of the Attorney-General of the Province of British Columbia *ex rel* City of Vancouver versus the Canadian Pacific Railway, reported in Volume 11, B.C.R. at Page 291:-

"That at the time of the admission of British Columbia into Canada that part of Burrard Inlet between the First and Second Narrows was a public harbour and that the parts of the foreshore subject to the public right-of-passage were in use and were in fact part of the harbour as was the whole of the foreshore adjoining the Townsite of Granville."

THE MINISTER REMARKS

THAT owing to the circumstances under which applications of this

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nature are made and in view of the principles of law as laid down by their Lordships the Privy Council in the case commonly known as the "Spanish Bank Case" it is necessary to determine each application upon the merits as presented, and that no decision shall be considered as a precedent to govern the exercise of discretion in a future application.

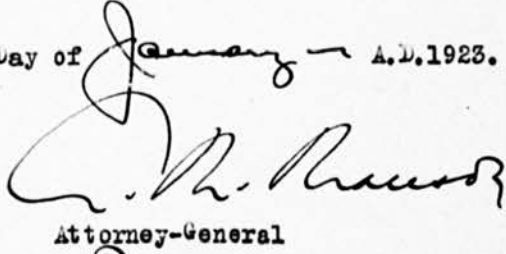
**AND TO RECOMMEND**

THAT in pursuance of the provisions of Section 47 of the "Land Registry Act" sanction be given to the registration of the Title of the applicant to the above-mentioned property.

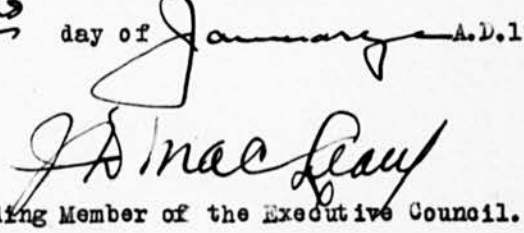
**AND TO FURTHER RECOMMEND**

THAT a certified copy of this minute, if approved, be transmitted to the Registrar of the Vancouver Land Registration District and to the Inspector of Legal Offices.

DATED this 22<sup>nd</sup> Day of January A.D. 1923.

  
Attorney-General

APPROVED this 22<sup>nd</sup> day of January A.D. 1923.

  
Presiding Member of the Executive Council.

Order in Council No 98

24<sup>th</sup> January 1923

Received from the Provincial Secretary's Office, Certified Copy of  
above Order in Council.

Department of Legal Office

Per J. Daw