

## BRITISH COLUMBIA ARCHIVES RESEARCH GUIDE

### QUICK GUIDE TO PRE-EMPTION AND HOMESTEAD RECORDS

#### PRE-EMPTION

**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. It was designed to encourage settlement and provided temporary title or permission to occupy land. Companies and partnerships, as well as individuals, could apply. Grants were not issued until specified improvements and residency requirements had been completed, and the land had been fully surveyed. The process was formally established under the 1870 Land Ordinance (although the earliest pre-emptions began in 1859) and was terminated by the 1970 Land Act.

Details of the pre-emption process varied over the years and generally consisted of the following steps:

- A block of vacant, non-reserved, and often as yet unsurveyed Crown land was selected.
- The land was staked and a written application submitted.
- A Certificate of Pre-emption was issued in triplicate (copies to the pre-emptor, the local office, and the department in Victoria).
- After improvements, residency qualification, and land surveying, a Certificate of Improvement was issued and the land purchased at a discount rate or at no further charge.
- A Crown grant was issued and ownership of the land passed into private hands (i.e., alienated). The Crown grant had to be registered at a Land Title office and a Certificate of Indefeasible Title issued for the process to be fully completed.
- Responsibility for keeping records of the land now passed to a Land Title office. If the new owner defaulted on taxes, the land reverted to the Crown.

The BC Archives holds originals and/or copies of all surviving pre-emption records. Many are found in [GR-0112](#), some of which has been microfilmed.<sup>1</sup> See the [GR-0112](#) finding aid for a list of additional records. Files for Crown grants issued from 1851 to 1930 ([GR-3097](#) and [GR-3139](#)) have been microfilmed and the reels are available in the Reference Room.<sup>2</sup>

#### HOMESTEADING

**Homesteading** was the process by which land under Canadian government administrative control in Western Canada was made available for settlement. Except for the lack of a Certificate of Improvement and different terminology, the homesteading process was nearly identical to the pre-emption process. The two blocks of land in BC where homesteading occurred, between 1884 and 1930, are called the Railway Belt and the Dominion Peace River Block. Dominion Lands Branch records consisting of correspondence, applications for homestead entry, application for patents, and registers relating to land settlement in the Railway Belt and the Peace River Block ([GR-0436](#)) as well as correspondence files relating to surveys in British Columbia, files relating to surveys of quarter sections and Dominion Land Surveyors' diaries ([GR-0437](#)).

With the exception of the Crown grants (Letters Patent), the federal government homestead records for BC were transferred to the BC Archives, and are found in [GR-0436](#) (land settlement) and [GR-0437](#) (land surveys).

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<sup>1</sup> The registers, volumes 213-214, have also been digitized and can be viewed [online](#).

<sup>2</sup> The reels have been digitized and can be viewed [online](#) at FamilySearch.

Land settlement within the Esquimalt and Nanaimo Railway Belt was administered by the Canadian Pacific Railway Company beginning in 1887 following transfer of this land grant by the Canadian government to the company. For information on E&N Railway Belt records, consult the Railway Belt category in Binder 15: Crown Lands, in the Reference Room.

## LOCATING RECORDS

### Pre-emption Records

A database– [Historic Crown Grants](#) – provides an online index to Crown grant files, 1851-1930, which are available on microfilm at the BC Archives (GR-3097 and GR-3139) and is searchable by surname, first name, business name, land district (drop down menu), grant date, grant number, volume, BC Archives reel number, and GSU reel number. It includes thumbnail images of the grants and coloured maps of many of the grants which can be ordered. Use the volume and grant number to locate a file on the BC Archives reel shown in a result display. “EARLY VOL” refers to GR-3139 records.

Issued To	Land District	Grant Date	Grant Number	Volume	Microfilm
					BC Archives
Begbie, M B	New Westminster	1860.03.06	0274	EARLY VOL	B14435
Begbie, M B	New Westminster	1860.10.06	0274	EARLY VOL	B14435
Begbie, M B	New Westminster	1874.09.18	1452	0003	B14218
Begbie, Mathew Bailie	New Westminster	1860.08.20		EARLY VOL	B14435

Crown grant files will contain pre-emption details and other information, if the land was acquired through pre-empting, i.e., not purchased outright in an auction or other direct land sales.

Indexes to the registers in which crown grants were recorded from 1869 to 1930, and which were used for the Historic Crown Grants database are available on microfilm ([GR-3096](#)). They are more complete than the database<sup>3</sup> but do not provide reel numbers and are somewhat difficult to use.

Crown grant information and images can also be found in [Tantalis GATOR](#), a provincial government online search and retrieval system for Crown land data. It includes links to several types of scanned original Crown land documents, such as the original Crown grant, crown land survey field notes and official plans. See the online [guide](#) for search details.

Note that only completed pre-emptions will be included in the Crown grant records and indexes. The only index to pre-emptions, completed or not, is a card index in the Reference Room, by name of pre-emptor, to GR-0112. However, it is not a complete index to GR-0112 and there are pre-emption records found in other record series in our collections. Other approaches outlined below may be necessary.

#### 1. If you know the geographic location and the pre-emptor's name

- Check for a **pre-emption register** in volumes 213 to 245 of GR-0112. You may need to consult a map to determine the appropriate pre-emption register or pre-emption record book. See step 2 below or the QUICK GUIDE TO LAND RECORDS for some useful maps.
- If you find a register for the appropriate geographic area (there may be more than one register for a geographic area), search the nominal (name) index under the letter of the alphabet that begins the

<sup>3</sup> The database, based on work by volunteers, contains inaccurate information (transcription errors) and missing or incomplete data for many Crown grants). More complete indexes are found in GR-3096 (also on microfilm) but are not easy to use.

surname you are looking for. Names are recorded in pre-emption record number order and the pre-emption record number order corresponds to the date of the pre-emption application, so the lower the number the earlier the pre-emption.

- If you find a name, keep searching until the end of that section of the index. Some individuals made multiple pre-emption applications, so the first instance you find in the nominal index may not be the only one in that land district.
- Look up the pre-emption number in the register. The following information is typically recorded
  - Record no.
  - Date of Record
  - Name
  - Lot No.
  - Acres
  - C. of I. [Certificate of Improvement]
  - File No. [Correspondence file no.]
  - Crown Grant No.
  - Remarks
- If the pre-emption was recorded before 1927, there may be a pre-emption record book in GR-0112 (volumes 1 to 212, and 246 to 248). Except for some Vancouver and Victoria district volumes, most of the pre-emption record books have an end date of December 1913.
- Note that where a correspondence file number exists for pre-emptions recorded between 1912 and 1917, the file number will have a suffix of "/12" that may not be recorded in the register. The main correspondence series for 1858-1872 are [GR-1372](#) and [GR-2900](#) and for 1873-1917 they are [GR-0868](#), [GR-1088](#), and [GR-1440](#). File numbers for pre-emptions recorded between 1918 and 1970, always starts with "0" and correspondence is found only in [GR-1441](#). For further information on correspondence records, see the **QUICK GUIDE TO LAND RECORDS** (available online at <http://royalbcmuseum.bc.ca/bc-archives/visitor-information/reference-guides>).
- If you cannot find your pre-emption in GR-0112, see the Crown Lands binder for additional pre-emption records and/or search the Archives Collections Search database. Also see the draft GR-1069 finding aid and *Old MSS Lands Records at the BC Archives*, a list of lands and lands-related records that were catalogued under a system used by the BC Archives between the mid-1930s and early 1970s (known as the "Old MSS" system) – and only described in detail in the "Old MSS" card catalogue.

## **2. If you have a pre-emptor's name but no geographic location**

- First try to determine where the person pre-empted. Some research tools for this kind of search can be found in the **GENEALOGY RESEARCH GUIDE** (available online at <http://royalbcmuseum.bc.ca/bc-archives/visitor-information/reference-guides>).
- A selection of land district maps are found in the Land Registers section the Crown Lands binder. The pre-emptor's series of lithographed maps are available on self-service microfiche; no personal names are on the maps, only locations open for pre-emption between 1911 and 1969.
- If you are able to determine a location, follow the directions in Step 1 above.
- If you are unable to determine a location and are certain that the person pre-empted and was granted title to the property, and have searched the Historic Crown Grant database as well as Tantalus Gator, it may be that the land was part of the Dominion land in BC and was homesteaded.

### **Homestead Records**

Dominion land settlement records are found in **GR-0436** which is divided into three series (BC Lands correspondence files; Index maps and Township General Registers; and Homestead Grant Registers). The

records have been microfilmed and the reels are available in the Reference Room.<sup>4</sup> Note that GR-0436 does not include the Letters Patent (the Crown grant document). Some basic instructions for searching and accessing the records appear below. For more detailed instructions and information see the [finding aid](#) which also has a nominal list of the correspondence files.

### **1. By location**

To locate correspondence in Series 1 about a specific parcel of land or homestead, a legal description is needed to determine the file number. There are two ways within GR-0436 to find the legal description:

- i. Use the index maps in Series 2, volume 1 (self-serve microfilm reel B14683 or B07893(1)). File numbers are usually marked on each portion of land within these schematic township maps. Use the FILE NUMBER / MICROFILM REEL CONVERSION LIST (see SECTION 2 of the finding aid) to convert the file number to a reel number.
- ii. Use the alphabetical indexes (SECTION 3 of the finding aid) to find the name of a person, and then use the detailed file list (Series 1, Box 403, microfilm reel B14679, or Box 2 of the Reference Room copy of the finding aid) to see the legal description.

For example, to locate a Series 1 file pertaining to the legal description SE [Southeast] 1/4 [Quarter], Section 19, Township 20, Range 9, West of the 6th [Sixth] Meridian:

- Use the index volume (microfilm reel B14683 or B07893(1)), determine the file number: 12887, OR
- Use the file number/reel number conversion list to convert the file number to a microfilm number: B14642.

### **2. By subject or personal name**

To locate records relating to a person or a particular subject, search the alphabetical index in SECTION 3 of the finding aid for the name of A person or subject to obtain the file, volume and microfilm reel number.

#### **Other resources**

The [Western Land Grants](#) database can be searched by name as well as by geographic location for references to Dominion land grants issued for Manitoba, Saskatchewan, Alberta and the Railway Belt of British Columbia between 1870 and 1930. The microfilm reel numbers refer to Library and Archives Canada microfilm which are not held at the BC Archives. Many records have map sheet images attached. The database can be useful for searching by location (section, township, range, meridian) to identify a name, or searching by name to identify a location.

**[GR-0437](#)** Correspondence files relating to surveys in British Columbia; files relating to surveys of quarter sections in the Railway Belt and the Peace River Block; Dominion Land Surveyors' diaries.

BC Railway Belt printed township (survey) plans.(Map accession M91-012, 1512 fiche)

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