

## **HBCA Information Sheet: Farm Land Sales**

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The Hudson's Bay Company gave up its territorial rights in Rupert's Land so that the region could become part of the new Dominion of Canada. Under the terms of the Deed of Surrender, which took effect in 1870, the HBC was compensated by the payment of £300,000 blocks of land around its trading posts to a maximum of 50,000 acres and 1/20<sup>th</sup> of the land in the 'Fertile Belt' in the southern prairies.

This land was allocated to the HBC in a checkerboard pattern. The Dominion Lands Act of 1872 provided that the HBC received all of section 8 in each township, all of section 26 in each township with a number divisible by 5, and the southern half and north-west quarter of section 26 in all other townships. In some townships where the Dominion Government required the land for its own purposes it gave the HBC sections other than 8 and 26.

### **Dominion Lands Survey System**

It is helpful to have some understanding of this system when using records of land in western Canada. The survey is based on a system of square townships, each of 36 sections. Each section is divided into quarters, designated as NW, NE, SW and SE. The townships are numbered northerly from the 49<sup>th</sup> parallel, which is the boundary between western Canada and the USA. The ranges are numbered west from the meridians, which run north from the boundary. The Principal Meridian is just west of Winnipeg. The Fifth Meridian runs through Calgary. Note that in Manitoba there are also ranges numbered east of the Principal Meridian. A legal description such as SW8-10-3 WPM means the southwest quarter of section 8 in township 10 in range 3 west of the Principal Meridian.

### **Record of HBC Lands**

It is necessary to know the legal description of the land before searching the Record of HBC Lands, 1873-[ca. 1961] (location code RG1/21). The first 17 volumes in this series cover an area from Township 1, Range 1, East of the Principal Meridian to Township 35, Range 24 West of the Fifth Meridian. Volumes 18 and 19 list the 'extra' sections, that is, those other than sections 8 and 26.

The quarter sections are listed on the extreme left of the lefthand page. To the right is a heading 'Area Sold, Surrendered or Otherwise Disposed Of.' The contract numbers are listed here. The contract number is usually the same for surface and mineral rights. As not all contracts were completed, more than one number may be listed for a quarter section. The contract number is essential to using the Farm Land Agreements.

### **Farm Land Agreements**

Farm Land Agreements or Agreements for Sale, 1879-1961 (location code RG1/26) are arranged by contract number and not by legal description. There is no index of the names of the people who signed the contracts. Documents such as quit claim deeds and abstracts of titles may be filed with the agreements. Not all the agreements have survived and not everybody who signed an agreement completed the schedule of

payments. To those who did, title was conveyed by the HBC. The conveyances are documented in several record series.

### **Conveyances**

First, it is necessary to go to the correct volume in Record of HBC Lands (location code RG1/21) and look on the right-hand page under the heading 'Final Disposition.' The conveyance number and date are given. Before August 1893, the conveyances were recorded in the Fair copies and foul copies of the Governor and Committee minutes (location code A.1). The date of the conveyance is the date of the committee meeting at which title was formally transferred to the new owner. From August 1893 on, the Deed Copy Books, 1893-1922 (location code RG1/61) and Duplicates of Conveyances, 1922-1967 (location code RG1/62) document the transfer of title. An entry in the Record of HBC Lands such as DB1 F.312 is a reference to the first Deed Book and the page on which it is found, that is RG1/61/1, folio 312. Note that the Copy Books and Duplicates were at one time considered as one series and the volumes were numbered continuously. A reference to DB21 means the first volume of the Duplicates (RG1/62A/1) and so on. In some cases, it may be necessary to consult Ledger Cards Recording Payments Regarding Land Sales and Leases, 1921-1961 (location code RG1/58) for the number of a conveyance in the Duplicates.

The Deed Copy Books were microfilmed by the HBC and are available for loan (Reels 8M1-8M21). They are indexed by name of owner, with the index at the back of volumes RG1/61/1-16 and at the front of RG1/61/17-20. The Duplicates of Conveyances have not been microfilmed. The first ten volumes have indexes (RG1/62A/1-10).