

F.T.

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Crown Timber Office,

Winnipeg, March 23rd, 1897.

Sir,

I have the honour to submit herewith my report on matters in connection with the Rocky Mountains Park of Canada, at Banff, dealt with under my Commission granted by Order in Council dated 2nd February, 1897.

I gave notice of sittings of Commission by advertisement in Calgary Herald of March 1st, and Calgary Tribune of March 6th, and by sending copies of newspapers and personal letters to all parties interested whose address I could ascertain.

The Commission opened in the office of the Superintendent of the Park at 10 A.M. on Wednesday, 10th March, and adjourned on Thursday the 18th March, sittings having been held daily of from twelve to thirteen hours.

Mr. A.L. Sifton was present in the interests of the Government and during part of the time Mr. McCarthy, Q.C., in the interests of some of the claimants.

All the evidence taken will be found in the book forwarded herewith, and exhibits therein referred to also forwarded, lettered A. to Z.-

In accordance with instructions I have dealt with matters connected with special files forwarded, in separate reports attached thereto, and have reserved for this report only the matters complained of in respect to general management past and future.

I find that Mr. Stewart has since his appointment been greatly hampered in his work by following causes:

1st. The difficulties in regard to title which were caused

The Honourable Clifford Sifton,

Minister of the Interior,

Ottawa, Ont.

caused in the first instance by the evident change of policy on the part of the Department from selling to leasing, after he had been encouraged in his efforts to sell. For this course he was not at all responsible.

2nd. The vacillating policy pursued by the Department in regard to the most ordinary business transactions shown by cancelling instructions from time to time and stopping proceedings which he had been instructed to take.

3rd. The fact that certain parties were allowed to accumulate large indebtedness, which caused general dissatisfaction to parties paying promptly.

I find that Mr. Stewart has shown great interest in the management of the Park and I think was at first really desirous of pursuing friendly relations with the inhabitants, but he has certainly made mistakes which reflect seriously upon the Department and would militate strongly against the successful ending of the difficulties if he were retained in control.

I think a mistake was made originally in appointing to a position, which required business management and continual dealing with the public, a gentleman of Mr. Stewart's age, who had spent his life largely in a professional capacity, having under his control men who were compelled to obey his instructions, and thus naturally acquired habits of rather an arbitrary nature.

In order to further explain my meaning I would give a few examples, shown by evidence, of his manner of dealing. The case of Robert Tapping may be taken as one.

This man had moved a building on a lot contrary to Mr. Stewart's instructions. No proceedings however were taken against him, but some years afterwards Tapping

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having in the meantime been recognized by Mr. Stewart as entitled to the lot, and having sub-let it to one Wm. Jack, Mr. Stewart recommended the Department to lease the lot to Jack, which was done on payment of \$25.00 back rent without consulting Tapping's claim, although the lot was occupied by a building Mr. Stewart stated was worth \$300.00. On examination he failed to give any satisfactory reason for this action and I consider his recommendation to the Government in the matter was misleading, or such action would not have been countenanced.

I find that in two or three other cases Mr. Stewart has also recommended leases to issue to strangers in title to lots on which buildings were situate, without competition, ignoring the claims of parties previously recognized as entitled to leases, and for payments apparently much less than value of buildings.

These actions although temporarily pleasing to individuals, caused much dissatisfaction in the community and reflected blame upon the Department.

I find that Mr. Stewart when his prejudices were aroused was hardly inclined to act fairly in regard to some parties. A couple of instances in connection with Doctor Brett will suffice. I find that Mr. Stewart, as admitted by himself, reported to the Department that an account of Doctor Brett's for \$1450.00 had been collected with great difficulty, and finally settled with notes at three, six and nine months. The evidence shows that this account was settled within the time agreed upon, viz; four months; copies of cheques are with exhibits.

On another occasion when Doctor Brett was summoned for violation of the Livery License, it was of interest to know whether others had paid in previous years.

Mr.

Mr. Stewart swore that one Frank Beattie had paid his license fee for that year. On examination before me Mr. Stewart admitted he must have been mistaken in so stating, as he had not so paid. As this was a matter easily ascertained by the general public in a small place, the effect of a general belief that the Superintendent was not reliable as a witness in Court would be very detrimental to his successful management.

A number of witnesses gave evidence in regard to minor matters which in their opinion reflected upon the veracity of the Superintendent and you will find by the evidence that it was almost the universal belief of the witnesses that Mr. Stewart was unreliable in that respect. I do not, however, attach much importance to that, as evidence, as these parties all had disputes more or less severe with him. I find that the evidence tendered is sufficient to show that Mr. Stewart on divers occasions referred to Doctor Brett as being only fit for the Penitentiary, or words to that effect, and although this was largely caused I believe by the continual disputes between the parties, yet I consider it very unfortunate for an official of the Government to allow himself to make such statements in respect to any person with whom he had dealings.

I have selected these instances from the evidence and consider that they alone are sufficient to show that in the present state of affairs in the Park, and with the desire expressed in my instructions of an amicable settlement of grievances, that such amicable settlement would be impossible under present management. Whereas, I think the bulk of the people would welcome a cessation of hostilities and would endeavour to comply

with the requirements of the Government, under different management.

In regard to future management of the Park, I would recommend that all arrears <sup>of</sup> rent, etc., be collected at once, so that all inhabitants may be upon an equal footing and that in future all accounts which with a few exceptions are small accounts, due half yearly, be collected promptly as I am convinced that a great deal of the trouble hitherto has been encouraged by people in arrear who resisted, to stave off settlement. Interest should be charged on overdue accounts.

I think the expense of management could be very materially reduced and the work required to be done, efficiently performed. While it would be an advantage that the Superintendent be competent to do surveying, still it is not absolutely necessary, as most of the work in that line required for some years at least has been done.

I would suggest that the Superintendent's office be placed in the rear of the museum building, and that an addition be added for the purpose, if required. The Curator in charge of the museum could attend the office *during the absence of the Superintendent who should be free* during the summer months to look after works and the welfare of visitors.

I would recommend that a new set of books be opened and all accounts transferred, after a careful auditing of same. I would also recommend a change in the manner of keeping accounts in connection with the cave and basin, which is the only source of revenue outside of Superintendent's office. I have not examined these accounts and mean no reflection <sup>on</sup> ~~of~~ anyone, except that the manner of taking cash is open to grave abuses and in justice to persons in charge of cave and basin should be changed.

changed. A lock box and checks would be a simple and practical means ~~xxxxx~~ to adopt. All licensed vehicles should be numbered, the number to be placed on same in a conspicuous place. Dogs that are taxed, to carry a tag. There are other minor changes that would suggest themselves under business management.

For some years past the townspeople have been permitted to cut the dry and fallen timber within the Park for their own use, free of dues. This is a privilege not enjoyed by residents of other towns and villages. The wood is principally cut by one or two parties having teams, and is sold to the residents. Should it be decided to permit the dry wood to be taken under present conditions, I would recommend that the permittee be required to cut up the whole of the trees felled in such a manner that there shall be no waste. The present practise is to cut only one or two logs from each tree felled, and leave the top of the tree in the woods. The tops and branches unfit for rails or firewood should be gathered and piled together in an open place, where it will not endanger the spread of fire.

Mr. Stewart states in his evidence that the telephone system is out of order and has not been working satisfactorily for some time. I would recommend that Mr. Gisbourne, Superintendent of Government telegraphs, or some other person, be instructed to place the same in proper order.

I would recommend that the Superintendent be given special instructions to consider it a part of his duty, to encourage as far as possible, the idea of the Government making this resort a pleasant place for visitors, and in this connection would recommend that the

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request of the residents for recreation grounds be granted I would however suggest that the place at present chosen, being one and a half miles distant from the settled portion of the Park, is too far distant for any purpose excepting horse racing, and should be reserved for future action in that respect, while a smaller plot in the immediate vicinity of the town should be laid out for a cricket, baseball, bicycling, and other sports requiring less space. I would in this connection also bring to your attention a matter with which I was much struck during my visit, and that is the desirability of enlarging the present boundaries of the Park to a considerable extent. The only occupation in considerable territory on all sides of the Park will be mining, and that would not necessarily interfere with preservation of natural scenery, game, and fish, which are year by year proving more attractive to outside visitors of wealth, who are free in spending money to gratify pleasure. The experience of other countries having natural scenery, shows that such travel is a great and increasing source of revenue, and in the interests of the Dominion should receive every possible encouragement. One difficulty in present confined boundaries is, that animals preserved, and which are to many a greater curiosity than the scenery, are easily driven beyond the boundaries and killed.

I consider it highly important that early action be taken in dealing with all matters upon which I have reported.

Respectfully submitted,

I have the honour to be, Sir,

Your obedient servant,

'Sd' E.F. Stephenson,  
Commissioner.