

# Bygone Days of British Columbia

## The Story of the Indian Reserve

BY R. E. GOSNELL

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(Continued from Saturday, Nov. 28.)

Under the terms of Confederation the charge of the Indians, their trusteeship and the management of the lands, were assumed by the Dominion, and the latter was to pursue as liberal a policy as had been pursued by the colonial government prior to union.

For the purpose in question the provincial government bound itself to convert suitable lands for the use and benefit of the Indians upon application of the Dominion government; and in case of disagreement as to the quantity of land reference was to be made to the secretary of state for the colonies.

The above was the basis upon which the land for reserves was handed over to the province; but the conditions were materially modified by the understanding arrived at in 1873 or 1876, whereby each reserve shall be held in trust for the use and benefit of the nation to which it has been allotted; and in the event of any material increase or decrease hereafter of the numbers of a nation occupying a reserve, such reserve shall be enlarged or diminished, as the case may be, so that it shall bear a fair proportion to the members of the nation occupying it. The extra land required for any reserve shall be

our rights in the lands now occupied by the Indians.

It took a long time for the two governments to agree upon a method of dealing with the Indians. The clause in the terms of union governing was vague and indefinite. A policy as "liberal" as had been pursued by the colony of British Columbia before union was in itself very difficult to determine, and the areas of land to be handed over by the province on application of the Dominion were equally as uncertain.

When the case of the Indians was transferred to Canada the government at Ottawa began making inquiries in order to obtain a statistical basis for a policy of administration.

Hon. James Howe was then secretary of state for the provinces, a portfolio not afterwards continued, and Dr. J. W. Powell appointed as superintendent of Indian affairs for the province. It was not until the 6th of January, 1876, that final agreement was reached. The correspondence published and unpublished is voluminous and reveals a lot of "haggling." Naturally, the government at Ottawa looked at the question from a different point of view from that taken by the local government. There were several good reasons for this:

haustively and somewhat vigorously combatted by the local government in a memorandum prepared by their attorney-general, Hon. G. A. Walkem, and approved on the 19th of August, 1875, and in a memorandum prepared by Hon. (afterwards Sir) J. W. Trutch, chief commissioner of lands and works, and submitted to the Earl of Granville through Governor Musgrave, in reply to a letter on the condition of the

### Indians of Victoria

by Wm. Schlicht Green, secretary of the Aborigines Protection Society. This society, the missionaries and some of the clergymen of the day were the chief critics of the local government, and their criticisms, of course, had their due weight with the "higher" authorities. The missionaries of all denominations, although many of them undoubtedly did excellent work among the Indians, in many ways, some of them were rather meddlesome, and the correspondence and reports show that the officials of both governments regarded them as a source of constant trouble as far as the relations of the Indians with the government were concerned.

It is quite impossible to go into the details of the report made by Attorney-General Walkem. It was an able and exhaustive defence of the local government's policy—it reviewed the policy pursued by the government of Sir James Douglas as the basis of what had been continued; that as far as possible, consistent with the financial resources of the colony, reserves had been laid out, large expenditures of money had been made for various purposes, caused by

### "Indian Outrages,"

in settling boundary and other disputes and whites, in suppressing the liquor traffic, in fighting and preventing smallpox, in giving aid to sick and destitute, in paying rewards to deserving natives, in making "gifts," and in various other ways. On the other hand, the Indians were exempt from paying tolls, direct taxation and customs dues. Their rights were strictly guarded by law and the guardians of the law, and they were placed on an equality with out discrimination with the whites, save in their own interests. And so on and so on. The fact that 30,000 or 40,000 Indians had for years been handed without serious trouble, and that the Coast Indians in particular, by a policy of encouragement in self-reliance and habits of industry, had been able to earn wages and provide amply for themselves was proof that they had not been neglected or had suffered in comparison with Indians in other parts of Canada.

Sir Joseph Trutch in his communication to the Earl of Granville in 1876, referred to, said: "The strongest motives of duty and interest combined to press upon the government, as upon each honest individual member of our community, the urgency of our striving by every means in our power, to advance the material and moral condition of our Indian population. By such influence may we hope to change their habit of mind, that in a following generation they may become susceptible of appreciating the truths of revealed religion; although, and I state it most regretfully, in my twenty years' experience among aborigines of this coast, I have not yet met with a single Indian of pure blood whom I consider to have attained to even the most glimmering perception of

### The Christian Creed.

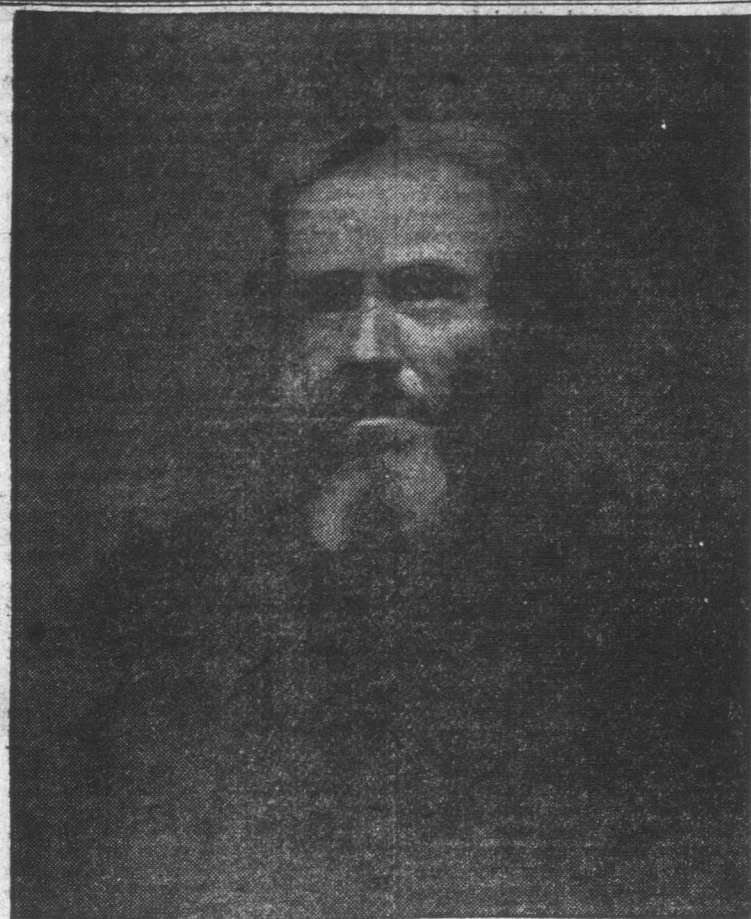
In fact, the idiosyncrasy of the Indians of this country appears to incapacitate them from appreciating any abstract ideal, nor do their languages contain words by which such a conception could be expressed. "But I contend that the policy which has prevailed in British Columbia since its settlement by Europeans, has been essentially benevolent towards the Indians; that the degree of civilization which we have introduced into their country has in fact conferred infinite benefits upon them, although bringing with it all the evils incidental to its vicissitudes; and that this system needs not change or reform, but only increased means to bring out its real merits and capabilities."

Dr. Powell on taking office as Indian superintendent, set about getting information for his government, and prepared a report fully covering the whole situation. Among other things it contained a census of the Indian population by tribes. Unfortunately, I have been unable to lay my hands upon a complete copy of this, although extracts are contained in the annual report of 1874. In this report the Indian population is placed at 28,520. Presumably a more complete census in 1878 places the population at over 35,000, and at this figure it remained for some years practically without change until about 1891, when a revision showed about 25,000 or 26,000.

At the time the discussion became acute between the two governments, the provincial wanted to give

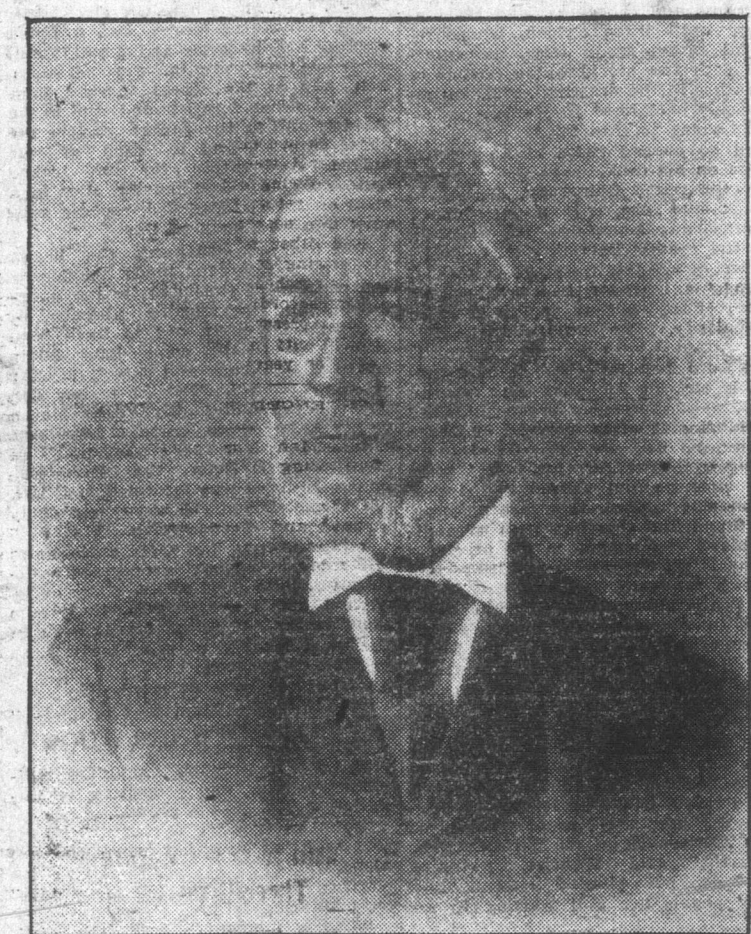
### Ten Acres to Each Family

of five on an estimated population of 40,000. The Dominion made a request for 80 acres, or the difference between 80,000 acres and 640,000 acres. At the time of Confederation the area of Indian reserves already allotted and surveyed was about 30,000, or anything between five and ten acres per family of five. A compromise was finally reached on the basis of 240,000 acres in all. In the end, however, as the result of much discussion and sundry reports, the entire basis was changed, and early in 1876 the adjustment was referred to three commissioners, one appointed by the Dominion, one by the province, and one jointly. These were to visit each Indian nation (that is, those speaking the same language) and determine on the spot their special requirements as to land, etc., etc. No basis of acreage was to be fixed, and each nation being dealt with separately, the commissioners to be guided by all the circumstances with a view to a liberal policy being adopted; the ex-



ARCHIBALD MCKINLEY  
Member of the Indian Reserve Commission.

penses of the commissioners were to be borne jointly and more or less equally. The other terms of the convention have already been alluded to in the beginning of this article, as to the land being held in trust and its ultimate reversion to the province. When the surrender of the Songhees reserve was proposed and the removal of the In-



A. C. ANDERSON  
Member of the first Indian Reserve Commission.

dians elsewhere first contemplated, I have it on good authority that

Sir John Macdonald,

then head of Indian affairs, had not heard of this arrangement and was surprised that it should have been made.

The Indian land commissioners appointed under this agreement, which, by the way, had been largely brought about on the suggestion of Wm. Dun-

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In the early stage of the game there had been a previous board of Indian commissioners. Mr. Lenihan, to whom I referred in last letter, was sent out from Ottawa by the Liberal government to act with the lieutenant-governor and the Indian superintendent, presumably as an advisory board, but it was not considered a practicable arrangement, and it really never went into effect. Mr. Lenihan was then appointed, and acted for several years, as superintendent in New Westminster.

The preliminary discussion of the question, while it did not actually develop "strained relations" between the two governments, was carried on with a good deal of evident "spirit" on both sides. Added to the natural irritation existing between two governments

### Not Very Much in Harmony

on the subject, there were the difficulties arising out of settlers seeking lands over which the local government had exclusive jurisdiction, claimed or wanted by Indians, and the interference of the ever-ready self-constituted advisers of the natives. At one time, as is apparent from official documents, there was a serious danger of Indian trouble, contributed to by various causes. It arose from the uncertainty and delay in settling the land question, which to the Indian was paramount. He saw two representatives of one crown, a local king and a federal king, sparring with each other, and each claiming him that the fault was the other's.

As soon, however, as the contending parties settled upon a policy and got to the real work of allotting lands, relations assumed a much more friendly aspect, and the effect upon the Indians themselves was soon apparent in the spirit of contentment shown in the Indian superintendent's report. No regard was made to the "acreage basis" of reserves, and, curiously enough, the Indian reserves of the province now represent an area of considerably

### Over Half a Million

acres, or very nearly what the Dominion asked for in the first instance. Many say that the province was too liberal, and that it is now more or less before the courts, and as its discussion might be said to involve "politics," the consideration of the issues must be left to the courts.

The question which has recently been raised is not one of Indian administration but of reverendary rights in the land as it becomes removed from Indian use and occupation. It is a most interesting and important issue, but as it is now more or less before the courts, and as its discussion might be said to involve "politics," the consideration of the issues must be left to the courts.

## SEEKING INCREASED GRANTS TO SCHOOLS

### Effort Made to Have Government Pay Additional Sums Locally.

There are several teachers of special subjects on the public school staff who, while thoroughly capable, are not "properly certificated" teachers, in the language of the School act. For this reason there has not been any grant made for them, as there is for all certificated teachers.

For some time the city school board has had this matter up with the department of education, endeavoring to secure the payment of the same grant for the instructors in such subjects as domestic science, music, typewriting, drawing and physical training as is allowed for the teachers in the ordinary scholastic subjects. Stress was laid on the fact that these special subjects are prescribed by the department in the school curriculum the board should be treated in regard to them as to other teachers.

The department has agreed to make the grant in one case, amounting to \$336.65, an assistant teacher in the high school, and is considering other cases which have been laid before it. The board will also ask for a grant towards Superintendent Paul's salary on the ground that, while not teaching, he is responsible to the council of public instruction for the efficiency of the city schools.

### SHRINERS VISIT SEATTLE.

An Enjoyable Time Spent at Foundation of New Temple.

Members of the Mystic Shrine from this city have returned from a gathering held in Seattle on Wednesday night. The occasion was the first one upon which such a gathering has been held in Seattle, and marked the opening of a new temple, "The Nile." One hundred and twenty-five candidates were initiated. The local Shriners were represented by about twenty-five members, including Max Leiser, R. F. Green, George Courtney, W. Skene, George Perkins, Capt. Brown, Capt. Bloomquist, J. A. Worthington and E. E. Leeson.

At the wharf the Victoria delegation was met by a committee headed by J. L. the popular purser of the Alaska Steamship Company, and escorted to the hotel. The ceremonies took place in the Moore theatre, and after the business a vaudeville programme was given. About 800 were in attendance. Supper was served in the new Washington hotel. The local visitors all speak in the highest terms of the hospitality meted out to them in Seattle.

A letter received by C. E. Redfern, of this city, from South Africa, states that on October 28th last the government buildings at Bloemfontein, the capital of the Orange River Colony, were destroyed by fire. The loss was not stated but they were insured for \$120,000.

## OPTIMISM IN THE DOMINION

### VISITORS REPRESENTING CANADIAN MANUFACTURERS

### Report That Chargeur Reunis Liners Will Not Go to Puget Sound.

(From Friday's Daily.)

J. E. Walsh, manager of the transportation department of the Canadian Manufacturers' Association; R. W. Broadner, manager of the traffic department of the association; and R. H. H. Alexander, secretary of the B. C. Manufacturers' Association, are visiting Victoria, Mr. Broadner, speaking on the general situation of the country as observed by himself during his trip across the continent, says there is a feeling of optimism on all sides. This is borne out by the fact that the vessels from Port William and the elevators all along the line of the C. P. R. are handling grain to their fullest capacity. The shortage of cars complained of, he says, is practically without foundation. There is the usual kick, which is bound to occur every year, as all the wheat cannot be shifted at once, but at every point passed he found an abundance of cars waiting to tranship the crop to the coast.

The eastern visitors were recently in Seattle, where Mr. Walsh discussed transportation matters with representatives of various steamship and railway companies. He was informed while there, on good authority, of a likely change in the Chargeur Reunis ports of call, which is said to be the result of a contract made by the shipping company with the C. P. R., which would thereby be enabled to secure a share of the land haul on freight, whether destined to Canadian or American ports.

The report that the French line of vessels will eventually dock in Esquimalt harbor is supplemented by a statement made by Mr. Walsh. He says it is reported in Seattle that the French boats will soon discontinue calling at all Sound ports, but will visit Victoria and Vancouver.

He also obtained confirmation of previous advices that a lot of freight from Europe and the American Atlantic seaboard was not being sent over the new Tehantepec railway to connect on the Pacific. This course is being taken, in view of the recent increase in certain schedules of transcontinental rail rates.

Mr. Broadner says the Canadian Manufacturers' Association is strongly against reciprocity, which he declares would mean the commercial ruling of Canada by the United States. The motto of the association is "Canada for Canadians," the establishment of home industry and the purchase of such goods as cannot be secured in the Dominion from British countries.

The duty on logs from British Columbia going into the United States and of a duty on lumber from the United States coming into Canada, finds favor with the officials. It should, they think, have the effect of preventing the dumping of second grade lumber in the prairie provinces from the United States.

Mr. Alexander is travelling with the Canadian Manufacturers' Association representatives for the purpose of introducing them to local manufacturers' associations in the cities visited. They will wait on the local body this afternoon for the purpose of informally talking over matters of import to merchants and manufacturers and to become acquainted.

## REVOLUTIONARY LEADER'S TRIUMPHAL MARCH

### General Simon to Enter Port au Prince To-morrow.

Port au Prince, Dec. 4.—The night passed quietly in Port au Prince. There was no disorders of any kind and indications are that normal conditions will soon be restored.

General Simon, the leader of the revolutionary movement, has decided to postpone his entrance into Port au Prince until to-morrow, because Friday is regarded as a day of ill omen. Furthermore, it is his purpose to make a triumphal entry at the head of all his troops, 5,000 or 6,000 men, and his entire force has not been concentrated. The general is to-day about 15 miles from Port au Prince.

### EXCURSIONS FROM PRAIRIES.

First Contingents on Cheap Rates Are Now on Their Way.

The C. P. R. excursions from the prairies have commenced, the first leaving Fort William on the 1st of December, but with stopping off privileges. This means that very few will arrive here for some days yet. The excursion rates of two dollars above single fare for the round trip were issued on the 1st, 2nd and 3rd of December, and will come into effect just after the middle of the month. There are also two excursions in January, one at the beginning and the other about the middle of the month.

As the cheap rates are good all the way from Fort William to Laggan, it is expected that large crowds will avail themselves of the privileges. Practically no limit is placed on the number of persons who may accompany the excursion, and as there is no extra charge for crossing to Vancouver Island.

It has been intimated that in all probability the Prairie Club will rise to the occasion and do some good missionary work for the city of Victoria. Most of the visitors will doubtless drop in at the club in order to get in touch with friends from the prairie, and special efforts will be made to impress those who intend to settle in the west with the desirability of remaining here.



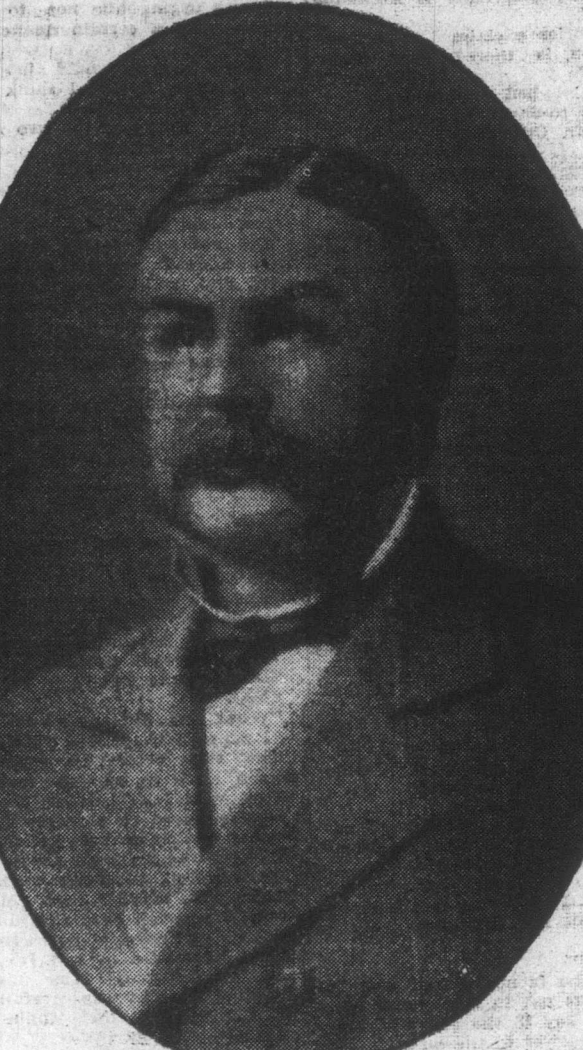
HON. JOS. HOWE  
Secretary of State for the Provinces, 1871.

Alotted from crown lands, and any land taken off a reserve shall revert to the province."

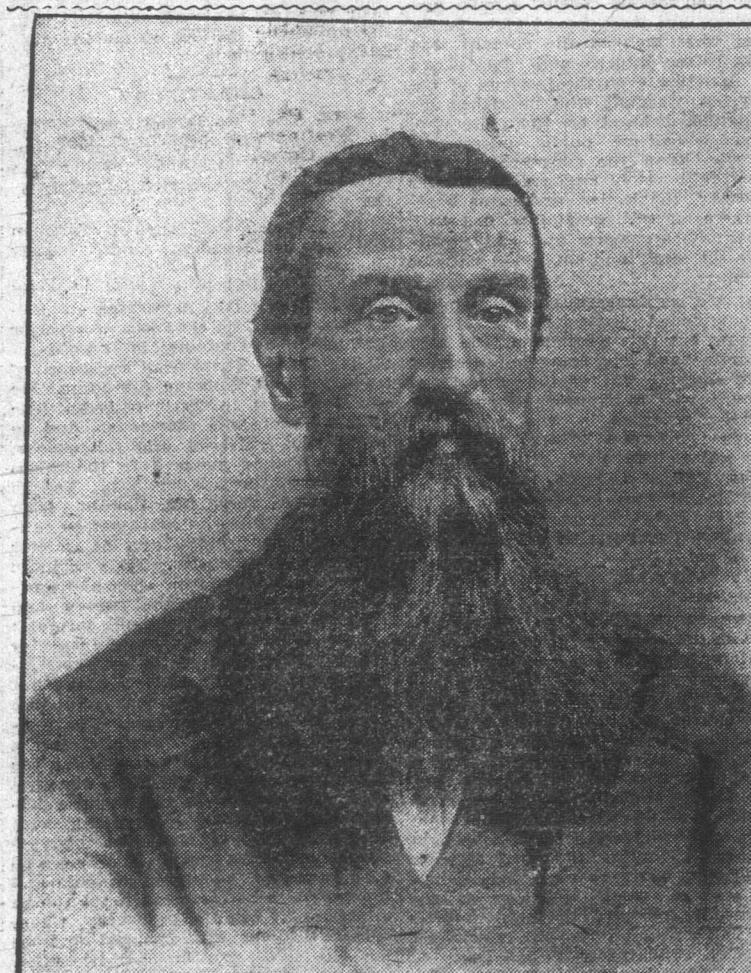
The terms of the convention in question are not part of the treaty of union, but are confirmed by order in council by both governments, and are part of the terms of the understanding by which it was possible for them to arrive at a settlement of

### A Very Vexed Question.

The language of the sections quoted together from the basis of Mr. Bodwell's argument in the case again before the supreme court of British Columbia the other day. As pointed out by the chief justice, the issue raised is purely academic as it has not arisen out of any "concrete" case; but whether now or later on this language must determine



GILBERT MALCOLM SPROAT  
Indian Lands Commissioner



MR. TAIT  
An early Indian official, New Westminster