

# The Protection of Native Races.

Rev. Dr. Tucker's Appeal

ON BEHALF OF

The Indians of British Columbia.

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*An Address delivered upon occasion of the Luncheon  
held at Toronto on 18th March, 1914.*

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The Native Race Question is one that affects Governments, Missionary Societies, native and ruling races throughout the world. It is a universal question. It is the outstanding problem of South Africa. It spreads over the whole continent and comes to a head in the Congo. It extends over the whole rubber-producing countries of South America and comes to a head in Putumayo. It is one of the main problems of Mexico, the United States and Canada. And there are Native Race Protection Associations in the leading countries of the world—in Switzerland, Italy, Portugal, France, Great Britain, Australia, and the United States. This newly formed Association will enable Canada to join hands with the other kindred Associations, and help to bring the moral forces of Christendom and Civilization to bear upon the Native Race Question throughout the world.

And in Canada the Indian Question is, or ought to be, one of the most important problems. The Indians are the original inhabitants of the land. We have inherited this magnificent Dominion from them. We have destroyed their hunting-grounds

and taken their livelihood from them. We have decimated them with our diseases and our fire water, and degraded them with our vices. We owe it to them to do all in our power to help them, and it is well within our power to do so effectually. And in this, the one object we should have in view is to raise them to the status of citizenship. For this purpose we have splendid instruments in our hands in the Reserves, the complete system of Boarding, Residential and Industrial Schools, and the Indian Fund. Now, in the nature of things, Governments move only as they are urged on by public opinion. This newly-formed Association can arouse and educate public opinion to support the Government in any effort they may make for the solution of the Indian problem.

Then there is the Indian Land Question in British Columbia. As this is a problem of immediate and urgent importance, it calls for a somewhat fuller and more detailed treatment.

At the outset it may be said that there are twenty-five thousand Indians in British Columbia, and that they are, especially in the North, among the most intelligent, self-reliant and progressive Indians in the Dominion. Many of them now are fully qualified to become citizens, but owing to the special laws by which they are governed, it is almost impossible for them to do so. We have christianized them in our churches and educated them in our mission schools. It is only reasonable to expect that they should think and desire to act for themselves. They are banded together in an Indian Association, so that it is possible to ascertain their desires and hopes.

Now they say: "We are the original inhabitants of this country. From time immemorial our fathers have hunted in its valleys and fished in its streams, and their remains have been laid to rest on all its hillsides. We and our children have a right

to an adequate place in its spacious areas. As the original inhabitants of the land we have special claims, apart from those which belong to us as mere human beings. No race of new-comers, even though they are white, and civilized and christian, and rich and strong, are entitled totally to disregard these claims. Furthermore, we plead the provisions of the Proclamation of King George Third in 1763, which places the Indian territory under the sovereignty and protection of the British Crown, and which forbids all loving subjects to encroach on that territory without the special sanction of the Crown. We plead the protection of the King of England. We are willing, however, to submit our claims to the highest Court in the Empire, and we agree to abide by the result." This would seem to be a reasonable plea, and to be urged in a moderate and convincing manner.

The Government of British Columbia, on the other hand, takes a position that can scarcely be said to be as reasonable or as convincing. They say frankly that the Indians have no claims that deserve to be considered or need be submitted to the courts. The Province belongs exclusively to the white men, who are justified in meting out to the Indians whatever treatment may seem good to them. They, in consequence, refuse to submit the case to the courts, and they proceed to sell the land to settlers and speculators without any regard to the claims of the Indians. This has led to widespread dissatisfaction and unrest among the Indians.

Now, what has been the attitude of the Canadian Government in regard to this Indian Land question in British Columbia? In dealing with the Indians, throughout the Northwest, the Canadian Government has frankly recognized the Indian title, and has treated with the Indians on that basis. The first plank in their policy has been to extinguish the Indian title, and to satisfy the

Indian claims by compensation in the form of reserves, annuities and educational advantages. This has led to the chain of Indian Reserves extending over the face of the plains, and to a complete system of Indian Schools, which, though carried on by the churches, has been liberally supported by the Government. When British Columbia entered the Confederation, the Indian Question immediately arose between the two Governments. British Columbia said, the Indian claims have no foundation. The Dominion said, with equal emphasis, the Indian claims are well founded. On that ground the Dominion took its stand, and even went so far as to say that the Indians would be justified in resorting to force to vindicate their claims. This stand may be seen in State papers of the time, and both the Department of Justice and the Department of the Interior are committed to it. And the Governor-General of the day, Lord Dufferin, one of the greatest statesmen of the Victorian era, upon the occasion of his memorable visit to British Columbia, boldly stated that British Columbia was making a mistake in not recognizing the Indian title and treating with the Indians on that basis, and stood alone among the Provinces of the Dominion in taking such a stand. So the matter stood forty years ago. This much, however, was accomplished. A commission was appointed by the two Governments, which went over the ground and delimited a number of Reserves, which were to be handed over to the Dominion Government, to be held by them in trust for the Indians. In defining these Reserves, however, the commission never sought the consent of the Indians. And though forty years have elapsed, the Reserves have not been handed over to the Dominion Government.

Then came a long period of quiet, during which the Indians were undisturbed in their valleys, and only asserted their claims in an intermittent manner. But in recent years, owing to the

inrush of settlers and the sale of land on a large scale, the question has once more become acute. And Sir Wilfrid Laurier, as Prime Minister of Canada, on his recent visit to the Pacific Coast, assured the Indians at various points that they would be protected by the Canadian Government, and that their claims would be submitted to the Judicial Committee of the Privy Council. And to an important deputation from the "Friends of the Indians" and the "Moral and Social Reform Council of Canada" that waited upon him in Ottawa, he said, putting the whole case in a nutshell: "The Indians make certain claims; the Government of British Columbia denies those claims; the courts exist for the express purpose of deciding such conflicting contentions; and the Government of Canada, as guardian of the Indians, will do all in its power to have the case submitted to judicial determination; for it is the part of good government to see that no section of the population should be dissatisfied." And the submission to the courts has been frustrated by the refusal of British Columbia and the constitutional difficulty of bringing a Government into court against its will. And the refusal of British Columbia remains a mystery, for it has never deigned to give a reason for its refusal. It is open to the man on the street to suspect that it knows the weakness of its case, and is afraid of the result of a judicial decision.

Thus stood the case on the advent of the present Government of Canada to power. To a deputation that waited on that Government, the then Minister of the Interior gave the assurance that the rights of the Indians would be protected. Accordingly a commissioner was appointed to treat with the Government of British Columbia on the subject. And, marvellous to relate, an arrangement was arrived at, in a few weeks, on that long-standing and very difficult question. That arrangement purported to be a

complete and final settlement of the whole matter. The facility with which it was reached, however, may be accounted for by the fact that it ignored all the knotty points in the situation. It dealt only with the Indian Reserves. It did not ask the consent of the Indians. And it left entirely out of account the core of the whole question, the Indian title. On such a basis it must remain a mere arrangement, and not a just or adequate or permanent settlement, for it ignores the whole case of the Indians. It is a reversal of the policy pursued consistently for forty years by the Canadian Government, which either maintained the claims of the Indians or judged that at least those claims should be submitted to judicial determination. It comes perilously near to being a breach of trust, and that the most sacred trust, the duty of a strong and enlightened nation towards its weak, helpless and dependent wards. It must leave an indelible stain on the fair name of Canada. It is inconceivable that the Canadian people, knowing the facts of the case, would sanction such a course as that.

We have with us to-day Mr. A. E. O'Meara, the man who has been most closely identified with the efforts in behalf of the British Columbia Indians. At one time, as you know, he was a barrister in Toronto, but even then he took a deep interest in religious and missionary work. A few years since he felt called to give up his profession and to go as a missionary to the Yukon, under his friend, Bishop Stringer. In going up and down the Pacific Coast he came into contact with the Indian land situation in British Columbia, and he decided to use his legal knowledge in helping to solve that question, and in the performance of this task he has crossed the Continent and the Atlantic Ocean many times. He first of all made the acquaintance of the Indians, and I may perhaps say that there is no man who has a fuller knowledge of the mind of those Indians, and who enjoys their confidence in a

higher degree. His efforts have all been exercised on behalf of a peaceful settlement, and it is due to him, in some measure at least, that no acts of violence have taken place. Then he has had several interviews with the Government of British Columbia, and has brought all his personal influence and that of the "Friends of the Indians," whom he represents, to bear on them, but with no effect. He has had scores of interviews with Ministers of the Crown at Ottawa, and has seen the Imperial Colonial Minister and some of his subordinates and friends of Native Races in the Old Country. In all these interviews he has acted with a judgment and a tact that are beyond all praise. This work, extending over several years and involving several trips across continent and ocean, has also involved very considerable expense. In acting as an intermediary between the Governments concerned and between the Indians and the Governments and in seeking a peaceful and constitutional solution of a question that has baffled the statesmen of Canada for forty years, and with which the honor of the nation is closely bound up, it seems to me that he is acting as our representative. In such a case the least that we Canadians can do is to supply him amply, by voluntary contributions, with all the funds that are necessary to prosecute the work successfully, and that will leave him free to give his best thought to the large and intricate legal and constitutional questions that are involved in this great national issue.

This newly formed Association can, and I hope will, stand behind the "Friends of the Indians of British Columbia" and Mr. O'Meara as their representative, and see that justice shall be done in this important matter.