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RG 10, C.II.2
Indian Affairs
Office of the Indian Commissioner for British Columbia

Beginning in 1876, Indian matters in British Columbia were administered, as in the East, through a system of agencies with an overall Superintendent. In February 1910, the Superintendent's office was closed and agents directed to conduct all matters of business through headquarters in Ottawa. In the same year, an Inspectorate system was inaugurated with the appointment of three Inspectors of Indian Agencies for the southeastern, southwestern and northern agencies. These individuals, based respectively in Vernon, Victoria and Vancouver were charged with responsibility to inspect and supervise the agencies, Indians and reserves.

In 1917, W.E. Ditchburn, who had held the position of Inspector for the Southwestern Inspectorate, was promoted to the post of Chief Inspector for British Columbia and his former post, apparently, was abolished. In the following year the Northern Inspectorate office was also dispensed with.

Effective April 1, 1923, Ditchburn took up the new post of Indian Commissioner for British Columbia, but following his death in 1932 the position was apparently not filled. It was abolished in 1935 only to be resurrected in 1936. Between the years 1929-1937, an Assistant Commissioner also served in the commissioner's office.

In 1948 a major reorganization in British Columbia was effected; the administrative region of British Columbia was created with headquarters at Vancouver. The office of Indian Commissioner for British Columbia was retained while that of the

RG 10, C.II.2
Affaires indiennes
Bureau du commissaire aux Affaires indiennes (Colombie-Britannique)

Dès 1876, les affaires indiennes de la Colombie-Britannique étaient administrées, tout comme dans l'Est, au moyen d'un réseau d'agences dirigés par un surintendant général. En février 1910, le bureau du surintendant a été fermé et les agents ont été chargés de traiter tous les dossiers en passant par l'administration centrale, à Ottawa. La même année, un système d'inspection a été instauré et trois inspecteurs d'agences d'Indiens ont été nommés pour les agences du Sud-Est, du Sud-Ouest et du Nord. Ces personnes, qui étaient respectivement à Vernon, à Victoria et à Vancouver, étaient responsables d'inspecter et de superviser les agences, les bandes indiennes et les réserves.

En 1917, W.E. Ditchburn, qui avait été inspecteur pour le Sud-Ouest, a été promu au poste d'inspecteur en chef pour la Colombie-Britannique et son ancien poste a été, semble-t-il, aboli. L'année suivante, le bureau d'inspection du Nord est, lui aussi, devenu inutile.

Le 1er avril 1923, Ditchburn est entré en fonction dans le nouveau poste de commissaire aux affaires indiennes pour la Colombie-Britannique. Après sa mort, en 1932, le poste est cependant demeuré vacant. Il a été aboli en 1935, puis rétabli en 1936. Entre 1929 et 1937, le bureau du commissaire comptait également un commissaire adjoint.

En 1948 a eu lieu une importante réorganisation de la Colombie-Britannique. La région administrative de la Colombie-Britannique a été créée et son administration

Inspector of Indian Agencies for the southeast (which unlike its northern and southwestern counterparts had not been abolished in 1917-1918) was reclassified Regional Supervisor of Indian Agencies.

Not all records within RG 10, series C.II.2 have been microfilmed in the present filming project. Access to certain records within the series is currently restricted under the terms of the *Access to Information Act* or the *Privacy Act* and such records have not been filmed. Please consult the National Archives of Canada concerning access to these restricted records.

centrale a été installée à Vancouver. Le bureau du commissaire aux affaires indiennes de la Colombie-Britannique a été conservé alors que le bureau d'inspection du Sud-Est (qui n'avait pas été aboli en 1917-1918, comme cela avait été le cas pour les bureaux d'inspection du Nord et du Sud-Ouest) a été reclassifié pour devenir celui du superviseur régional des agences qui concernent les Indiens.

Certains documents de la série C.II.2 du RG10 n'ont pas été inclus dans le projet actuel de microfilmage. L'accès à certains documents de cette série est actuellement limité en vertu de la *Loi sur l'accès à l'information* ou de la *Loi sur la protection des renseignements personnels*; la série complète n'a donc pas été microfilmée. Prière de communiquer avec les Archives nationales du Canada à propos de l'accès à ces documents à diffusion restreinte.

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OFFICE OF THE INDIAN COMMISSIONER FOR B.C., VICTORIA | BUREAU DU COMMISSAIRE AUX AFFAIRES INDIENNES B.C., VICTORIA

FILE/DOSSIER	TITLE/TITRE	DATES
	RG 10, C-II-2, VOLUME 11297	
*[Restricted Not filmed	Indian Commissioner for British Columbia - Law Enforcement - Correspondence re various cases including Indians in various agencies	1910-1943
	Indian Commissioner for British Columbia - Law Enforcement - Correspondence re infractions under the Game Act (including trapline disputes) (Maps)	1928-1930
*[Restricted Not filmed	Indian Commissioner for British Columbia - Law Enforcement - Correspondence re sale of liquor to Indians, including Rex vs Mason and Rex vs Enders	1943,1946
	Indian Commissioner for British Columbia - Law Enforcement - Correspondence and evidence re charges against A.H. Lomas, Indian Agent of Cowichan Agency for embezzlement of funds from timber dues	1930-1932
	Inspector of Indian Agencies - Law Enforcement - Okanagan - Depositions and correspondence re 1906 murder of Johnny Nichols (Cabbage)	1910
	Indian Commissioner for British Columbia - Law Enforcement - Kwawkewlth Agency - Correspondence re potlach (including poice reports)	1929-1939

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RG 10, C-II-2, VOLUME 11297

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INDIAN AFFAIRS
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1-8-2

112/1/31365.

October 7, 1933.

Dear Sir:

With reference to your letter No.C-6-233, dated August 17th, last, reporting on the conviction of Kitwancool Indians under the B.C. Game Act, I beg to say I am returning herewith the correspondence which you submitted for my perusal.

I took the matter up with Inspector Pragnell who was at Prince Rupert, who in turn conferred with Mr. Martin and had correspondence with Mr. Van Dyk. Inspector Pragnell has sent me some details of his investigation, the paramount suggestion being that if you will consult the maps supplied to your office and to the office of the Provincial Police at Hazelton by the Game Department it will be noted that there is considerable territory open for registration of Indian traplines in the vicinity of the Cranberry River where the Kitwancool Indians claim to have trapping rights. Mr. Martin states that the Indian Agent is in a better position to interview the Indians and ascertain their requirements than are the officials of the Game Branch.

If under the foregoing circumstances trapping lines can be thus obtained it would seem to be advisable that you give these Indians such advice as will lead them to register suitable lines, thereby eliminating the necessity for trespassing upon lines which have already been alienated under licenses by the Provincial Government.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

G. C. Mortimer, Esq.,
Indian Agent,
Hazelton, B.C.

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INDIAN AFFAIRS
AFFAIRES INDIENNES
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112/1/31365.

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Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

Encl
P/AC

G. C. Mortimer, Esq.,
Indian Agent,
Hazelton, B.C.

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DEPARTMENT OF INDIAN AFFAIRS

OFFICE OF

INSPECTOR OF INDIAN AGENCIES

BRITISH COLUMBIA

P.O. BOX 752
KAMLOOPS, B.C.

October 3rd., 1933.

St-G-1650

Dear Mr. Perry:-

I am at last able to answer your 112-1-30822 of the 29th of August. You will readily understand I was not able to answer before, as, first, I could not catch Martin after receipt of your letter, he having just left, and I had to take the matter up with Inspector Van Dyk, and secondly, immediately on my return I had all my time occupied with the Kamloops Fall Fair, which, thank goodness, is now over.

I enclose, for your information, a written communication addressed to Inspector Van Dyk, and signed by Game Warden Martin, in which he makes explanation. You will see that he states that he did suggest to the Indians registration of alternate traplines, which he states they refused.

Secondly, he gives the information of the date of registration of John McCabe as being December 15th,1930, and that part of the trapline covers private property,the remainder being adjoining territory. He also states that the trapline application and sketch were furnished to Mr. Indian Agent Mortimer.

Later on, he attempts to explain that part of the paragraph of his original report on page 2, of April 26th, to which you took exception, and to which I also took very strong exception when I stated that I could not see the equity of the statement that "by that time they will have some pelts that should be confiscated and will cover the expense of the investigation of this complaint". I stated that I did not see any reason why,if justice was to be served, where consideration as to whether they had pelts or not should enter into the case.

You will notice that in this Crime Report of the 13th of September, he states," Then again there would no doubt have been resistance, which would have resulted in casualties", whereas, if you refer to his report of April 26th, in the paragraph dealing with the same matter, he says."I experienced no difficulty with the Indians who would have been willing to submit to arrest and accompany me if the travelling conditions had been better." This so-called explanation is a direct contradiction. He also tries to explain the matter of confiscation of fur referred to as "not unusual". I did not contend that it was unusual, but my

Chas. C. Perry, Esq.,
Asst. Commissioner for B.C.,
VICTORIA, B.C.

COMMISSIONER'S OFFICE
OCT 6 1933
VICTORIA, B. C.

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contention referred to his statement in the latter part of the letter where he states that by that time they would have some pelts for confiscation.

Finally, regarding the suggestion of finding some traplines available for the Indians, although he has been in that part of the country, Martin makes no suggestion of his own. He merely shifts it on to the shoulders of the Agent, suggesting that he look up the maps. My contention is that Mr. Martin should show what is reasonably good territory to the Indian Agent, Mr. Mortimer, who can then take a blanket trapline covering that area until such time as the Indians of Kitwancool have enough sense to register on their own, and I would suggest that Mr. Mortimer be instructed to do this with Mr. Martin, in order to save further encroachment, even though the Indians, at the time, flatly refuse to do so themselves.

I also return herewith the file upon the matter forwarded by you.

Yours truly,

G S Pragnell

(Geo. S. Pragnell)
Inspector of Indian Agencies.

GSP/S.

INDIAN AFFAIRS
AFFAIRES INDIENNES

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DIVISION: "D"

DISTRICT: Prince Rupert

DETACHMENT: Prince Rupert

THE GOVERNMENT OF THE PROVINCE OF BRITISH COLUMBIA

FILE No.

DATE: September 13th, 1933.

GAME DEPARTMENT.

Unorganized Territory.

PR or PCR.

April 27
May 17
August 21
1933.

C R I M E R E P O R T

REX vs DERRICK, John, DERRICK, Johnnie R., DERRICK, Walter, HARRIS, Matthew, DANIELS, George, SMITH, Frank Jimmy, Kitwancool, B. C.
Game Act, Section (2) of the Trap-line Regulations.

Reference your letter of September 12th, 1933, with which you enclosed copy of a letter received from Colonel Pragnell, Inspector of Indian Agencies, containg the comments of the Assistant Commissioner of Indian Affairs for British Columbia.

With reference to the question as to why I could not have suggested to the Indians the registration of an alternate trap-line if it were found that they were encroaching on the trap-line already registered in the name of Mr. John McCabe, this was suggested to the Indians and I pointed out to them on the map that there was a large area available for registration in that locality. The Indians informed me that they were not interested in trap-line registration, and stated that they did not recognize the Game Act or any other law, that they were not Treaty Indians, and did not even recognize the Indian Department or the Indian Agent.

H'QRS. REF.

For the information of the Indian Department, Mr. John McCabe's Application for Registration of a Trap-line is dated December 15th, 1930, and covers the NW quarter of Lot 1930 purchased by Mr. McCabe from the Provincial Government. The trap-line also covers additional adjoining territory. Copy of Mr. McCabe's Trap-line Application and sketch was furnished to Mr. Mortimer, Indian Agent at Hazelton.

DIV'L REF.

DIST. REF.

Disapproval is expressed in the above-mentioned letter at the manner in which this situation was handled. May I say that the Indians were given every consideration, and when prosecution was necessary they were dealt with very leniently. I would like to point out that the matter of the registered trap-line did not enter into the evidence in the prosecution . The information laid was for setting traps without first applying for Registration, and not being the holders of Registered Trap-lines covering the area on which the traps were set, contrary to the Trap-line Regulations, Section (2). I could have laid another information against these Indians under Section 16 of the Game Act - "Interference with a licensed trapper".

5A-3/33

DET. REF.

Regarding the paragraph of my report of April 27th quoted in the above-mentioned letter, I cannot see why this should cause any annoyance to anyone when the situation is viewed in the right light. These Indians were warned and ordered to pick up their traps and stop trapping until they were willing to comply with the provisions of the Game Act. This they refused, and openly declared their defiance of the provisions of the Game Act and all other laws of the country. I would have immediately arrested them if it had not been that the conditions of the country in that vicinity at that time made travel very difficult and would have been a hardship on all concerned. Then again there would no doubt have been resistance, which would have resulted in casualties. The matter of confiscation of fur referred to is not unusual - in fact in all cases of this kind the fur is seized and application made for confiscation when there is a conviction. As you will note in the Crime Reports of August 21st, 1933, it was shown in evidence that these Indians were in possession of a number of beaver pelts that were

COMMISSIONER'S OFFICE
OCT 6 1933
VICTORIA, B.C.

G.D. 19—5M-538-3330

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DIVISION: "D"

DISTRICT: Prince Rupert

DETACHMENT: Prince Rupert

THE GOVERNMENT OF THE PROVINCE OF BRITISH COLUMBIA

FILE No.

DATE: September 13th, 1933.

GAME DEPARTMENT.

PR or PCR.

not seized at the time, because it was my desire to deal with this situation in such a way as to show the Indians that we were not trying to persecute them, but trying to have them comply with the provisions of the Game Act for their own protection.

It is common knowledge throughout the country that the Kitwancool Indians do not recognize any law and they boast about it. They do not even recognize the provisions of the Indian Department regarding Indian Reserves. They can be considered as out of control as regards the provisions of the Game Act, and I consider it is time something was done in the matter.

It is requested that we suggest suitable trap-lines for these Indians to satisfy their reasonable requirements. If the Indian Agent at Hazelton will consult the maps supplied to his office and to the office of the Provincial Police at Hazelton by the Game Department, it will be noted that there is considerable territory open for registration in the vicinity of the Cranberry river where these Indians claim trapping rights.

H'QRS. REF. The Indian Agent is in a better position to interview the Indians and ascertain their requirements than we are.

I would respectfully suggest that the Indian Commissioner be asked to have some effort made on the part of the Indian Department to impress these Indians that they must comply with the Game Regulations of the Province for their own benefit.

DIV'L REF.

E. Martin,
Game Warden.

DIST. REF.

T. Van Dyk, Esq.,
O. C. "D" Game Division,
PRINCE GEORGE, B. C.

CR/33
"D" Division, Game Office, Prince George, B. C., September 26, 1933.

DET. REF.

FORWARDED: Further to our conversation at Prince Rupert re the m/n matter, I beg to ~~enclose~~ *hand you* copy of Game Warden Martin's report on the matter which to my mind fully explains the matter under review, which is self-explanatory.

TVD/JCS

T. Van Dyk,
Inspector Commanding,
"D" Game Division.

Colonel G. S. Pragnell,
Inspector Indian Agencies,
Kamloops, B.C.

G.D. 19—5M-533-3330

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COPY FOR INFORMATION OF COMMISSIONER C.C. PERRY.

October 3rd., 1933.

B-G-1651.

Dear Mr. Van Dyk:-

I have to thank you for yours of the 26th instant, forwarding a copy of Game Warden Martin's explanation regarding the Kitwancool business, copy of which I have forwarded to the Commissioner's office at Victoria.

I want to draw your attention to the fact that Mr. Martin, before writing, evidently does not look at his previous reports. In this report of September 13th, to you, he states in a paragraph at the bottom of the first page that "then again there would no doubt have been resistance, which would have resulted in casualties", whereas, if you look at his original report to you, dated April 26th, to which exception was taken by our Commissioner, he states that "I experienced no difficulty with the Indians who would have been willing to submit to arrest and accompany me, if travelling conditions had been better," This appears to be a direct contradiction. Further, I do not think very much of his explanation about the confiscation of fur, to which he refers as "not unusual". We were not contending that the confiscation of furs was unusual. Our contention was merely that in his first report, that of April 26th, which reads as though part of his reason for delay was on account of the condition of the roads, and not including in that report any idea of resistance, but includes the fact that by delay the Indians will have some pelts which will cover the expense of investigation.

However, personally, I do not wish to press contradictions of this sort in reports. All I am looking for is the protection of the Indian trappers, even against their own will, because this is the only practical way of looking at it. Game Warden Martin, in his last report, in answer to mine suggesting that he suggest suitable traplines, appears merely to pass the matter on to the Indian Agent at Hazelton, to consult his maps and the Indians. This is alright after the said Indians have at last learned their lesson, but if not, I have suggested to the Commissioner that Indian Agent Mortimer interview Game Warden Martin, and try and find out from him whether these Indians can trap in that vicinity, that is, where there is [redacted] trapping, and make application then and there to cover the vacant land. If, therefore, Mr. Martin would make the suggestion to Mr. Mortimer, as he,(Martin) knows the country, I would call that co-operation.

Yours truly,

(Geo. S. Pragnell)
Inspector of Indian Agencies.

T. Van Dyk, Esq.,
Inspector "B" Game Division,
PRINCE GEORGE, B.C.

GSP/S

COMMISSIONER'S OFFICE
OCT 6 1933
VICTORIA, B.C.

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COPY FOR INFORMATION OF ASST. COMMISSIONER C.C. PERRY.

October 3rd., 1933.

B-G-1652.

Dear Mr. Mortimer:-

Re Trapping.

I have just made my report to Assistant Commissioner Perry regarding the Kitwancool trapping troubles. Apart from the controversy as to who is right and who is wrong in the matter, I have made the suggestion both to Mr. Perry and to Inspector Van Dyk that, failing any information from the Indians of Kitwancool as to what they require, you and Game Warden Martin should get together, and he suggest to you where to make application to cover, as far as possible, the trapping ground of the Indians now used illegally under the Game Act.

This will prevent possible further encroachment and perhaps save further trouble with these Indians. Of course, it would be as well to interview the Indians first, and see if they will give you the information.

Re Babine Trapping.

Re the above Indians' trapping rights in the Skeena River, I paid a visit to the Game Inspector's office at Prince George, and also had an interview with Mr. Agent Moore upon the matter. I am informed by that office and by Mr. Moore that the matter is now settled and that the maps of the Game Warden at Telkwa should be corrected anyhow in so far as Chief Thomas' allotment is concerned, that is, the original allotment is now divided into three, Chief Thomas taking the eastern end of the allotment, and Mr. Harper Reed's Indians from Stikine the northern and central part, and for your Indians along the Babine.

However, to make sure, you had better press this matter with the Game Warden to a conclusion at Telkwa, and if he is still without information upon the matter, as stated by him to us from his own headquarters at Prince George, you had better write Prince George Office, and make sure that it is settled.

With kindest regards,

Yours very truly,

(Geo. S. Pragnell)
Inspector of Indian Agencies.

GSP/S.

G.C. Mortimer, Esq.,
Indian Agent,
HAZELTON, B.C.

COMMISSIONER'S OFFICE
OCT 6 1933
VICTORIA, B.C.

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112/1/30822.

August 29, 1933.

Dear Colonel Pragnell:

I would be much obliged if you will be good enough to peruse the enclosed letter of Agent Mortimer, dated August 17th, file C-6-233, with enclosed sheaf of correspondence regarding actions of the Game Department against certain Indians found trapping on the Cranberry River at the head of the Nass River, in which connection it has occurred to me that as you will be in Prince Rupert and in touch with Mr. Martin you would be able to ascertain from Mr. Martin why he could not have suggested to the Indians the registration of an alternate line if it were found that the Indians were encroaching upon the trapline already registered by Mr. McCabe, of Aiyansh. I think it would be a good idea to ascertain on what date Mr. McCabe registered his trapline and also whether or not the said trapline is located on his pre-emption or property acquired from the Provincial Government by purchase. If the trapline is on property held under indefeasible title by Mr. McCabe the estate right in the trapline would be his and you will be aware that the registration of a trapline by an Indian carries with it no estate right and where an Indian holds a trapline should the land become alienated by the Province the registered Indian would lose his trapline to the person acquiring the land and the Indian would therefore have to obtain a trapline outside the boundaries of that estate.

I am not wholly satisfied with the manner in which Mr. E. Martin, Game Warden, has handled the situation. I am particularly annoyed at his remarks on page 2 of his report to Mr. Van Dyk, dated April 26th, as follows:-

> "There is no doubt that these Indians will continue trapping in that locality until the close of the beaver season when they intend to go to Aiyansh for the celebration of May 24th. The trail to the Cranberry River by way of Kitwancool and Kitwanga Lake should be clear of snow about May 10th and I could go in that way using a horse and take them out, by that time they will have some pelts that should be confiscated and will cover the expense of the investigation of this complaint, if they have left the Cranberry River and returned to the Reserves I could serve the summons."

I consider the attitude of Mr. Martin in this matter to be arbitrary. It certainly does not look like co-operation in an effort to see the Indians established on suitable traplines and I am inclined to the view that Mr. Martin is far too arbitrary and that such attitude lies at the bottom of considerable of his trouble with Mr. Indian Agent H. Reed about whose traplines I wrote you under separate cover.

Kindly look carefully into this matter and see if the

Col. C. S. Pragnell,
Inspector of Indian Agencies,
C/o W. E. Collison, Esq.,
Indian Agent, Prince Rupert,

Provincial...

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Provincial Game authorities at Prince Rupert can suggest suitable traplines for the Indians who were convicted for trespass as it is clear that we must endeavor to do something to satisfy their reasonable requirements.

Kindly report on this matter in due course, returning the file which I have sent for your perusal, which will have to be returned in due course to Agent Mortimer.

Your obedient servant,

Encl
P/AC

C. C. Perry,
Asst. Indian Commissioner for B.C.

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> "There is no doubt that these Indians will continue trapping in that locality until the close of the beaver season when they intend to go to Aiyansh for the celebration of May 24th. The trail to the Cranberry River by way of Kitwancool and Kitwanga Lake should be clear of snow about May 10th and I could go in that way using a horse and take them out, by that time they will have some pelts that should be confiscated and will cover the expense of the investigation of this complaint, if they have left the Cranberry River and returned to the Reserves I could serve the summons."

I consider the attitude of Mr. Martin in this matter to be arbitrary. It certainly does not look like co-operation in an effort to see the Indians established on suitable traplines and I am inclined to the view that Mr. Martin is far too arbitrary and that such attitude lies at the bottom of considerable of his trouble with Mr. Indian Agent H. Reed about whose traplines I wrote you under separate cover.

Kindly look carefully into this matter and see if the

Col. G. S. Pragnell,
Inspector of Indian Agencies,
C/o E. E. Collison, Esq.,
Indian Agent, Prince Rupert, Provincial...

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Provincial Game authorities at Prince Rupert can suggest suitable traplines for the Indians who were convicted for trespass as it is clear that we must endeavor to do something to satisfy their reasonable requirements.

Kindly report on this matter in due course, returning the file which I have sent for your perusal, which will have to be returned in due course to Agent Mortimer.

Your obedient servant,

Encl
P/AC

C. C. Perry,
Asst. Indian Commissioner for B.C.

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INDIAN AFFAIRS
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112/1/30822.

August 29, 1933.

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Department of Indian Affairs
Canada

BABINE AGENCY

Office of Indian Agent.

Hazelton, B.C.

August 17th, 1933.

Sir,- re - Conviction of Kitwancool Indians under Game Act.

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In dealing with the matter of registration, the Kitwancool Indians have been advised on many occasions to register their traplines. After the various meetings I have attended in Kitwancool, a few have taken out registrations. Others, including those convicted in this case, stated they reported their traplines to the late Indian Agent, Mr. Hyde. They were further advised that they could register with Mr. Indian Agent Collison, in whose area the Cranberry River is located, if they so desired.

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Per same mail I am writing Game Warden Martin asking for information of this area and when registration was granted.

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Will you kindly return the correspondence at your convenience, and oblige?

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Indian Agent.

C. C. Perry, Esq.,
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Victoria, B.C.

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(C O P Y)

BABINE AGENCY

Department of Indian Affairs
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(C O P Y)

C-6-233.

Depar( )nt of Indian Affairs
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Office of Indian Agent.

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(C O P Y)

C-6-233.

BABINE AGENCY

Department of Indian Affairs
Canada

Office of Indian Agent.

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C. C. Perry, Esq.,
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COMMISSIONER'S OFFICE
OCT 6 1933
VICTORIA, B. C.

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BABINE AGENCY

DEPARTMENT OF INDIAN AFFAIRS
CANADA

C-6-233.
OFFICE OF
INDIAN AGENT

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Encls.

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G.C. Mortimer

G.C.Mortimer, Indian Agent

C. C. Perry, Esq.,
Assistant Indian Commissioner for B.C.,
Victoria, B. C.

COMMISSIONER'S OFFICE
AUG 22 1933
VICTORIA, B. C.

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Address all communications to:
THE PROVINCIAL GAME WARDEN
British Columbia Provincial Police
(Game Branch)
Victoria, B.C.

GAME BRANCH
VICTORIA

In reply quote File No.....

Your File No 112/1/10970

SUBJECT:

Feb. 23, 1928.

1-8-2

W.E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
P.O. Box 666,
Victoria, B. C.

Appeal case
Rex vs.Luke Fowler.

Dear Sir:

I am in receipt of your letter dated 20th inst. and note your remarks in respect to the n/n prosecution. As soon as a final Crime Report is received on this case I will write the Honorable the Attorney-General recommending that the fine imposed against Luke Fowler be remitted, and I will advise you further herein at a later date.

Yours truly,

J.H. McMullin
Provincial Game Warden.

FRB/AI

COMMISSIONER'S OFFICE
FEB 24 1928
VICTORIA, B. C.

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AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

112/1/10970.

February 20, 1928.

Dear Sir:- Re-Appeal case Rex vs. Luke Fowler.

I beg to acknowledge receipt of your letter of the 17th instant with regard to the above mentioned case and note that the appeal has been allowed and the Indian fined the sum of $10.00.

In reply I beg to say in view of the fact that it appears to have been a common practice among traders to purchase from Indians and dispose of hides, heads, etc., of big game in the past, it is quite clear to my mind it was generally considered that Section 36 of the Game Act did not refer to hides, heads, etc., but applied more particularly to the carcass of the animals. The Indian, Luke Fowler, must certainly have been under this impression or he would not have sold the hide of the mountain goat to Stoynoff so openly and in view of this fact I would respectfully ask that you make a recommendation to the Attorney-General for the remission of the fine imposed upon the Indian.

The prosecution under question, and that which is proposed against Stoynoff the purchaser, will, no doubt, clear up the mistaken point with regard to the true intent of Section 36 of the Game Act, but if I might be permitted to make a suggestion I would say that a new paragraph should be inserted in Section 2--interpretation--going to show that the word "part" as referred to in Section 36, means hide or carcass. It might also be as well to add after the word "part" in Section 36, the following words in parenthesis "meaning hide, head or carcass".

WED/KL.

Yours obediently,

Col. J. H. McMullin,
Provincial Game Warden,
Parliament Buildings,
Victoria, B. C.

W. E. Ditchburn.
Indian Commissioner for B. C.

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National Archives of Canada
Archives nationales du Canada

112/1/10969.

February 20, 1928.

Your file T.21-2.

Dear Sir:- Re-Case of Luke Fowler.

I beg to acknowledge receipt of your letter of the 30th ultimo with further reference to the prosecution of the Indian named Luke Fowler for selling a goat hide to one James Stoynoff, in contravention of Section 36 of the Game Act, and in view of the preliminary case against this Indian being dismissed by Magistrate Grant, the Provincial Police instituted an appeal, the hearing of which was to take place on the 16th of the present month.

In view of the information contained in your letter, it appears to have been a common practice for fur buyers and others to purchase the hides of big game, and the circumstances of the situation were fully explained to the Superintendent of the Provincial Police by myself on the 10th instant stating that it appeared to be discriminating against the Indian and, therefore, I asked that the appeal should be withdrawn. It was also explained that in view of the reading of Section 36 of the Game Act, it was not surprising to know that traders and Indians appeared to be of the impression that it was not contrary to the law to dispose of the hides or heads of any big game, which was no doubt generally considered as applying to the carcass.

I am today in receipt of a letter from Superintendent McMullin in which he informs me that the appeal against Luke Fowler has been allowed and the accused fined $10.00. He also informs me that instructions have been issued that Stoynoff should also be prosecuted under the above mentioned section. He explained that the appeal in this case was taken in view of the fact that if the Indians and whitemen in the district in question, or in other parts of British Columbia, became aware of the decision of Magistrate Grant who dismissed the charge in the first instance, the Police Department would be handicapped to a great extent in stopping the slaughter of deer and mountain goat for their hides alone. Consequently, it is necessary in the interests of conserving these animals to appeal the decision of Magistrate Grant.

The Superintendent has, however, informed me that he will have no hesitation in recommending the remission of the fine imposed against the Indian Luke Fowler and I have this day addressed a further communication to him respectfully asking that he should make such a recommendation.

WED/KD.

Yours obediently,

E. Hyde, Esq.,
Indian Agent,
Hazelton, B. C.

W. E. Ditchburn.
Indian Commissioner for B. C.

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GAME BRANCH
VICTORIA

In reply quote File No.....

Your File No .....

SUBJECT:

Feb. 17, 1928.

COMMISSIONER'S OFFICE
FEB 20 1928
VICTORIA, B. C.

W.E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
P.O. Box 666,
Victoria, B. C.

Re: Appeal Case,
Rex vs. Luke Fowler.

Dear Sir:

With reference to S/Sgt. Butler's letter to you of the 11th inst. in connection with the m/n prosecution, I wish to state that I am advised that the Appeal in this case has been allowed and the accused was fined $10.00, and I further wish to state that instructions have been issued that Stoynoff should be prosecuted under Section 36 of the "Game Act".

The Appeal in the Case Rex vs. Luke Fowler (Indian) was taken in view of the fact that if the Indians and White men in the district in question and in fact in other portions of the Province became aware of the decision of Magistrate Grant who dismissed the charge in the first instance, then this Department would be handicapped to a great extent in stopping the slaughter of deer and mountain goat for their hides alone. Consequently it was necessary in the interests of conserving these animals to appeal the decision of Magistrate Grant.

As our Appeal has been upheld I may say that I would have no hesitation in recommending the remission of the fine imposed against the Indian Luke Fowler.

Yours truly,

J.H. McMullin

WRB/AM

J.H. McMullin,
Provincial Game Warden.

RG 10, C-II-2, vol. 11297
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Address all communications to :
THE PROVINCIAL GAME WARDEN
British Columbia Provincial Police
(Game Branch)
Victoria, B.C.

GAME BRANCH

VICTORIA

In reply quote File No. .....

Your File No. .....

SUBJECT :

Feb. 11, 1928.

COMMISSIONER'S OFFICE
FEB 13 1928
VICTORIA, B. C.

W.E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
P. O. Box 666,
Victoria, B. C.

Re: Appeal Case,
Rex vs.Luke Fowler.

Dear Sir:

I have your letter of the 10th inst. and note your remarks in regard to the m/n Appeal case.

With reference to Agent Hyde's letter, a copy of which you enclosed, I wish to point out that under Section 19 of our "Game Act" no Fur Trader can have in his possession the skins of wapiti or deer, and under Section 30, Subsection 7 provision is made for the collection of royalty on bear skins. I further wish to point out in respect to bear that under the Game Regulations in the Eastern District bear are allowed to be sold during a certain period of the year, namely Sept. 1st,1927, to June 30th, 1928, both dates inclusive. There is, however, no provision under the Game Regulations of the Game Act allowing the sale of mountain goat or any portions thereof.

As I informed you over the telephone yesterday I will bring this matter to the attention of the Provincial Game Warden on Monday next when I believe he will have returned to Victoria. At the present time he is absent from Headquarters. As soon as I have taken this matter up with the Provincial Game Warden I will write you further herein.

I might state in closing that the matter of prosecuting Stoynoff for buying this goat skin is under consideration at the present time.

Yours truly,

F.R. Butler

FRB/AM

F.R. Butler,
N.C.O. i/c, Game Branch.

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112/10911.

February 10, 1928.

Dear Mr. Butler:- Re-Appeal Case against Luke Fowler.

Pursuant to our conversation over the telephone, I am herewith enclosing a copy of a letter from Mr. Indian Agent Hyde, of Hazelton, dated the 30th ultimo. This reached my office on the 6th instant but I have only returned to Victoria this morning after being on the mainland since Sunday.

I would particularly draw your attention to that part of Agent Hyde's letter in which he stated that it has been a common practice throughout the district in which he lives for fur buyers and store-keepers to purchase the hides of big game and display the same for sale. These hides no doubt have been obtained from Indian hunters and I am assuming that the Indian Agent's statements are truthful in this regard. It is believed that the Indian hunters and the store-keepers felt that they were not contravening Section 36 of the Game Act in selling or purchasing hides such as above described, for, in reading Section 36 above referred to, while it stated that it is illegal to buy or sell any any or any part of any big game or game bird, the context of the Section would lead one to believe that it has reference more to the carcass than to the hide.

In view of the above I would respectfully ask that the case against Luke Fowler which is to be heard at the Appeal Court on the 16th instant at Prince Rupert should be dropped and if this is done I will undertake to immediately notify Mr. Indian Agent Hyde and any of our other Agents in whose districts big game are taken that it is illegal to dispose of any such hides.

Furthermore, this, I think, being the first case of its kind it does appear to me that an Indian should not be the first one to be prosecuted. If the selling of this hide was illegal it was, therefore, illegal for the man Stoynoff to purchase the same and he would be equally as guilty as the Indian. Why Stoynoff was not prosecuted at the time it is difficult for me to understand, for, as the situation is at present it would appear to be discriminating against the Indian.

I trust you will take this matter up with Superintendent McMullin at once in order that he may give serious and sympathetic consideration to my plea that the present case should be dropped.

WED/KD.
Enclosure:-

Yours obediently,

W. E. Ditchburn.
Indian Commissioner for B. C.

F. R. Butler, Esq.,
Secretary, Game Branch,
Parliament Buildings,
Victoria, B. C.

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INDIAN AGENT'S OFFICE.

BABINE INDIAN A GENCY.

Hazelton, B.C.

File T.21-2.

January 30th, 1928.

Re Case of Luke Fowler, Indian.

Dear Sir:-

This confirms my telegram dated 28th instant with reference to the case of Luke Fowler, an Indian of this Agency, who was charged with selling part of big game (a goat hide) to one James Stoynoff, an alien, who during the War was warned to moderate his views by loyal citizens. Stoynoff is a Sec. foreman on the C.N.Rys. at Dorren, B.C. He is in possession of a trappers licence which might be a means of protecting him if found in possession of fur-bearing animals. Now I want to tell you that it is impossible for a foreman on the C.N.Rys. to follow any other occupation than his own, as, no doubt, you a aware that to follow a trap line, set and collect furs this take a considerable time. It is my opinion that the licence is used to cover Stoynoff, the police are suspicious of this man's actions and I am at a loss to know why they have not taken proceedings against him for buying big game, instead of a poor ignorant Indian as Luke Fowler is. Stoynoff has been in the furbuying business for many years, at Burns Lake I know he was active, before I came to Hazelton. I have made inquiries and have failed to find out if he is a naturalized British subject.

I consider this a very important case, as far as the Indians are concerned, which may affect the Indians of British Columbia. According to the local authorities big game means the hides of Moose, Bear, Deer, Goat, Sheep and Game Birds. I have been a resident in these parts since 1908; have been Honorary Game Warden and can testify, if necessary, that store keepers, merchants, fur buyers have purchased such hides as mentioned, and the police have known of such, at the time. I have seen goat hides in the local stores which have been purchased from some Indian. Overmore, I have myself purchased such hides for friends in Vancouver, Victoria, Ottawa, Montreal and other places. Today I can go into a local store and see bear hides which have been either bought or bartered from the Indians. Sec.36 states "No person shall buy, sell or barter, etc., etc. Why did the authorities prosecute the poor Indian and take the purchasers statement and use same against the Indian? The white man ought to have been the one to be prosecuted, if the case justified same.

Enclosed herewith please find copies of the above subject. You will note in the Copy of Appeal there is no mention that Luke Fowler is an Indian or in the first charge. If the case is proceeded with Fowler has no funds therefore, unable to engage counsel for his defence, of course I always attend such cases if in connection with my Indians.

Your obedient servant,

W.E.Ditchburn, Esq.,
Indian Commissioner,
Victoria, B.C.

(Sgd.) E. Hyde,

Indian Agent.

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RG 10, C-II-2, vol. 11297

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INDIAN AGENT'S OFFICE
BABINE INDIAN AGENCY

HAZELTON, B.C.

COMMISSIONER'S OFFICE
FEB 6 1928
VICTORIA, B. C.

IN YOUR REPLY REFER TO
No. T.21-2
ALSO
TO DATE OF THIS LETTER

January 30th 19 28

Re. Case of Luke Fowler, Indian.

Dear *Sir*,—

This confirms my telegram dated 28th instant with reference to the case of Luke Fowler, an Indian of this Agency, who was charged with selling part of big game (a goat hide) to one James Stoynoff, an alien, who during the War was warned to moderate his views by loyal citizens. Stoynoff is a Sec. foreman on the C.N.Rys. at Dorrren, B.C., he is in possession of a trappers licence which might be a means of protecting him if found in possession of fur-bearing animals. Now I want to tell you that it is impossible for a foreman on the C.N.Rys. to follow any other occupation than his own, as, no doubt, you are aware that to follow a trap line, set and collect furs this takes a considerable time. It is my opinion that the licence is used to cover Stoynoff, the police are suspicous of this man's actions and I am at a loss to know why they have not taken proceedings against him for buying big game, instead of a poor ignorant Indian as Luke Fowler is. Stoynoff has been in the furbuying business for many years, at Burns Lake I know he was active, before I came to Hazelton. I have made inquiries and have failed to find out if he is a naturalized British Subject.

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Your obedient Servant,

E. Hyde

Indian Agent.

W.E.Ditchburn, Esq.,
Indian Commissioner

VICTORIA, B.C.

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Copy.

IN THE COUNTY COURT OF PRINCE RUPERT HOLDEN AT SMITHERS

Canada

Province of British Columbia

County of PrinceRupertt

IN THE MATTER OF AN ORDEE MADE BY WILLIAM GRANT, A JUSTICE OF THE PEACE IN AND FOR THE COUNTY OF PRINCE RUPERT AT THE TOWN OF HAZEL/TON, IN THE COUNTY OF PRINCE RUPERT, PROVINCE OF BRITISH COLUMBIA, ON THE L4TH DAY OF JANUARY A.D. 1928, WHEREBY THE SAID WILLIAM GRANT DISMISSED A CHARGE AGAINST ONE LUKE FOWLER FOR THAT HE, THE SAID LUKE FOWLER AT DOREEN, IN THE COUNTY OF PRINCE RUPERT, ON THE 15TH DAY OF DECEMBER A.D.1927, UNLAW/FULLY DID SELL TO ONE JAMES STOYNOFF, A PART OF A BIG GAME ANIMAL, TO WIT; A GOAT HIDE, CONTRARY TO SECTION 36, SUB-SECTION 1, OF THE "GAME ACT"

BETWEEN:

. HIS MAJESTY, THE KING, Acting on the information of George Albert Wyman,

Informant
(Appellant)

-and-

LUKE FOWLER, Defendant
(Respondent)

TAKE NOTICE that the Informant(Appellant) His Majesty the King, acting on the information of George Albert Wyman, of the town of Hazelton, in the County of Prince Rupert, in the Province of British Columbia, intends to appeal and does hereby appeal to the County Court of Prince Rupert, holden at Smithers, at a Court to be holden on Thursday, the 16th day of February, A.D.1928, at the hour of 10,30 o'clock in the forenoon, or so soon thereafter as counsel can be heard, said Sittings being of the said Court to be holden more than fourteen days after the making of the Order hereinafter mentioned,- said appeal being from an Order of William Grant, a Justice of the Peace in and for the County of Prince Rupert, at the town of Hazelton, in the County of Prince Rupert, Province of British Columbia, dated and made the 14th day of January, A.D.1928, whereby it was ordered that the following charge against the said Luke Fowler be dismissed,-said charge being that he, the said Luke Fowler, at Doreen, in the County of Prince Rupert, Province of British Columbia, on the 15th day of December, A.D.1927, unlawfully did sell to one James Stoynoff, a part of a big game animal, to wit, a goat hide, contrary to Section 36, Sub-Section One, of the "Game Act of British Columbia", being Chapter 98 of the Revised Statutes of British Columbia.1924.

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AND FURTHER TAKE NOTICE that this appeal is on the following amongst other grounds:

1. That the Order made was against the evidence and the weight of evidence.

2. That the said Justice of the Peace erred in finding that the goat hide in question was not any part of any big game.

3. That the said Order was contrary to law.

AND FURTHER TAKE NOTICE that the said Informant (Appellant) considers himself aggrieved by the said Order.

Dated at Prince Rupert, B.C., this 28th day of January, A.D. 1928.

Signed Patmore & Fulton
Solicitors for the Appellant.

To; William Grant, Esquire,
A Justice of the Peace,
Hazelton, B.C.

And to: Luke Fowler, Respondent.

W.G./

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REX VS Luke Fowler 36 69

1928
Jany. 14th. 2 P.M. (G.A.Wyman Prosecuting
(Sect. / Chap. 98 Game Act

Information filed

Summons issued to accused to appear in Court

Mr. Hyde Indian Agent representing the Accused, who pleads NOT GUILTY.

Statement by Mr. Wyman prosecuting

Mr. Hyde objected to use correspondene in the case.

Objections sustained.

Written statement by James Stoynoff and witnessed by G.A.Wyman put in as Exhibit #1

Statement about case.

Statement by Mr. Hyde defending the Accused Luke Fowler

Case dismissed, Burden of proof on Stoynoff

Does not consider Luke Fowler Guilty

(Signed) Wm. Grant J.P.

I hereby certify that the above is a true copy of the Records in the above entitled action.

Done and dated at Hazelton in the Province of British Columbia, this 28th. day of January A.D. 1928) Wm Grant J.P.

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INSURANCE
FIRE AI[illegible]IFE

CONFIDENTIAL MATTERS
GIVEN ATTENTION

Wm. Grant's Agency

JUSTICE OF THE PEACE
NOTARY PUBLIC

Rex VS Luke Fowler an Indian of
Hazelton in the Babine Agency — Chap.98 Game Act

In dismissing this case against Luke Fowler, my judgement was based on the fact that Luke Fowler a well known Indian of Hazelton Reserve in the Babine Agency is entitled to privileges allowed Indians for several centuries by the British Government followed by the Dominion and Provincial Governments.

The record in the case is very short for the reason that there were no witnesses. Luke Fowler stated that he exchanged the goat skin for food that he required in the Doreen District.

This Indian did not sell any of the meat, used the meat for his own use, which I consider he has RIGHTS in that matter
All controersies arising with Indians recognize and encourage a generous treatment towards the ABORIGINES

There is no evidence of wholesale slaughter of wild game in this case.

Hazelton, B.C.
Jany. 28th. 1928

Respectfully submitted
Wm Grant
J.P.

Goat shot on trapline which is some thirty-five miles E air line from the mountains from Doreen. The meat was used for himself and boy, the hide is prime G.F.H.

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112/1/10866.

January 30, 1928.

Re--Rex vs. Luke Fowler Case.

Dear Sir:-

I beg to acknowledge receipt of your telegram of the 28th informing me that you have received information that it was the intention of the Provincial Police to appeal against the magistrate of the lower Court who dismissed this case some time ago.

In reply I beg to say that I do not know whether you telegraphed me with the object in view of having counsel appointed by this Department to defend the case, but I may say that if this is so, the Department does not employ counsel in matters of this kind.

I am not sure whether the Appeal Court judge would allow you to defend the Indian, but, if so, I think it would be advisable that you should do so, otherwise the Attorney-General's Department should see that the accused is properly represented by counsel.

Your obedient servant,

W.E.Ditchburn.
Indian Commissioner for B.C.

WED/HM.

E.Hyde, Esq.,
Indian Agent,
Hazelton, B.C.

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Form 6128, replacing Form 1-TW

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Night Letter	N L

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HAZELTON BC JAN 28 1928

W E DITCHBURN

INDIAN COMMISSIONER VICTORIA BC

RE LETTER JAN 18TH REX VS LUKE FOWLER CASE IS GOING TO BE APPEALED BY PROVINCIAL POLICE ACCORDING TO INFORMATION RECEIVED TODAY

E HYDE

122P

COMMISSIONER'S OFFICE
JAN 30 1928
VICTORIA, B.C.

USE OUR DIRECT ALL-CANADA SERVICE TO VANCOUVER, VICTORIA AND BRITISH COLUMBIA POINTS

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112/1/10807.

January 24, 1928.

Dear Sir:-

I beg to acknowledge receipt of your letter of the 18th instant having reference to the prosecution by the Provincial Police against Luke Fowler, an Indian, for the disposing of big game, being a goat, and your defending this Indian at the trial.

In reply I beg to say that your actions in defending the Indian in the case above referred to are approved.

Your obedient servant,

W.E.Ditchburn.
Indian Commissioner for B.C.

WED/HM.

E.Hyde, Esq.,
Indian Agent,
Hazelton, B.C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

COMMISSIONER'S OFFICE
JAN 23 1928
VICTORIA, B. C.

Hazelton, B.C.

January 18th 1928

Dear Mr.Ditchburn:

I am writing for your personal opinion of a case I will relate.

On Saturday afternoon, 14th inst., I attended the local police court where I acted for the defense of Luke Fowler, an Indian of Hazelton who was charged under Sec.36(page 147)Chapter 98 of the B.C.Provincial Statutes with selling part of big game, to which I plead (for the Indian)Not Guilty.

Whilst this Indian was out on his trapline he shot a goat and dressed the hide which was in the prime. Fowler returned to Dorreen from his trap line about the 15th December, hungry and cold, he offered one James Stoynoff, section foreman, C.N.Rys. at Dorreen the hide for two meals for himself and two for his boy, the police claim that Stoynoff gave Fowler $2.00 but gave it back for the meals.

It appeared that Stoynoff asked permission to ship the hide out of the Province and when the police heard that he had obtained from an Indian the Prince Rupert office gave instructions to have the Indian prosecuted for selling big game. My interpretation of the act is that it is illegal to sell, give or barter flesh of big game, its certain a eating house would not serve up goat hide for dinner. I pointed this out to His Worship and the case was dismissed, the Justice remarking that as Stoynoff had no license to trade in furs he was the person who should have been prosecuted.

Dorreen is N.of 53 and in unorganised Territory.

Thanking you for any advice on these matters.

Your obedient Servant,

E. Hyde

Indian Agent.

W.E.Ditchburn, Esq.,
Indian Commissioner
Victoria, B.C.

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T2I-2

BABINE AGENCY

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Hazelton.B.C.
March 27th 1930

1-8-2

Re Charge under the Game Act
Against one Stephen Morgan (Indian)
of the Kitsegukla Band
Skeena Crossing B.C.

Sir,-

I beg to acknowledge receipt of your letter No II2/I/I7076 dated March 18th 1930, dealing with the above matter. On making enquiries I find that the Fur was not seized on a Indian Reserve.

Stephen Morgan at present is away on his Trapline, and when he returns I will advise him to be guided by his legal adviser.

Would you kindly return letters forwarded for your perusal.

Your Obedient Servant

G.C. Mortimer

W.E. Ditchburn Esq
Indian Commissioner for B.C.
Victoria.B.C.

G.C. Mortimer
Indian Agent

COMMISSIONERS OFFICE
VICTORIA, B.C.
APR 1 1930

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112/1/17076.

March 18, 1930.

Sir,-

I beg to acknowledge receipt of your letter File T21-2, dated March 11th instant, with enclosures relating to the seizure of furs belonging to Stephen Morgan, Indian, by the Provincial Government.

In this correspondence it is noted that it is not stated whether or not the seizure of the furs took place on an Indian reserve and I would like to be advised on this point.

In view of the fact that the Indian has engaged legal representation, it is apparent that the best thing for Morgan to do is to be guided by his counsels' advice and accept from the Provincial Government the settlement which they have decided upon, particularly so as it appears the furs were taken out of season and the Indian was convicted in a court of competent jurisdiction, in which case no doubt the solicitors would have advised their client if any feasible recourse to law for the recovery of the full value of the furs, had presented itself. It is noted that Morgan's solicitors have advised that the Attorney-General has refused to allow the Government to be sued, and consequently have further advised their client to accept what they can get from the Provincial Government.

Your obedient servant,

W.E.Ditchburn.
Indian Commissioner for B.C.

P/HM.

G.C.Mortimer, Esq.,
Indian Agent,
Hazelton, B.C.

RG 10, C-11-2, vol. 11297
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T2I-2 Babine Agency

Hazelton.B.C.
March 11th 1930

Re Charge under the Game Act
against one Stephen Morgan (Indian)
of the Kitsegukla Band
Skeena Crossing B.C.

Sir,-

I am enclosing herewith a letter received from Williams Manson & Gonzales, Barristers of Prince Rupert. Apparently this Firm defended a Indian,Stephen Morgan of the Kitsegukla Band,Skeena Crossing B.C.in a case under the Game Act,last May 1929. The letter no doubt explains there side of the matter, but the Indian is not satisfied with the Firms actions .

I am further enclosing three letters, two from Williams Manson & Gonzales to Stephen Morgan,and one from Morgan to myself.

I would like your advice as to what proceedure I should take in assisting Stephen Morgan in effecting a settlement with Williams Manson & Gonzales.

Your Obedient Servant
G.C. Mortimer
Indian Agent

W.E. Ditchburn Esq
Indian Commissioner for B.C.
Victoria B.C.

COMMISSIONER'S OFFICE
MAR 17 1930
VICTORIA, B. C.

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G C Monbonon Esq
Indian Agent
Hazelton B.C.

Kitwanga B.C.
Feb 2/20

Dear Sir

I have the answer of my last letter of which you told me last to give my authority to my Lawyer Gonzales of Prince Rupert.

now I realy don't know what to more next as this letter I received now is no need to me.

so please upon my not guilty try and help me as you in a position in my behave and will esteem your kindness.

as I honour the Law and have live up to it.

Try and write the Government

Hope you in success

yours truly

Stephen Morgan

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Archives nationales du Canada

ALEX M. MANSON, B.A., K.C. W. E. WILLIAMS, B.A., LL.B., K.C.
MILTON GONZALES

S. W. TAYLOR T. W. BROWN

PHONES 14 AND 15

PLEASE REFER TO FILE NO.

CABLE ADDRESS "WILMAN"
CODES { WESTERN UNION
A.B.C. 5TH EDITION

P.O. BOX 1585

Williams, Manson & Gonzales

BARRISTERS, SOLICITORS, NOTARIES

Prince Rupert, B.C.

VANCOUVER OFFICE:
311 ROGERS BLDG.
VANCOUVER, B.C.

February 3rd. 1930.

Stephen Morgan, Esq.,
Kitwangar, B.C.

Dear Sir:-

We beg to acknowledge receipt of your recent letter and wish to report that we have been negotiating for some time with the Government to receive an indemnity for the furs wrongfully taken from you. As we have already tried to explain that we are practically at the mercy of the Government as the law provides no form of action to recover the money direct from the Government when they have sold the furs and received the money themselves. What we could do is to sue the Constable who took the furs in the hope that the Government would reimburse him. The writer will be in Victoria in a week's time and will try to hurry along the proper Governmental Department. It is just possible that although we had the confiscation order set aside we may never get back the actual money unless the Government is willing to do the fair thing. At the present time, as you know, the Government of this Province is heavily in debt and is not willing to pay out money unless it is actually forced to.

Yours truly,

WILLIAMS: MANSON & GONZALES:

By: *T.W. Brown*

TWB/D

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ALEX M. MANSON, B.A., K.C. W. E. WILLIAMS, B.A., LL.B., K.C.
MILTON GONZALES

S. W. TAYLOR T. W. BROWN

PHONES 14 AND 15

PLEASE REFER TO FILE NO.

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CODES { WESTERN UNION
A.B.C. 5TH EDITION

P.O. BOX 1585

Williams, Manson & Gonzales

BARRISTERS, SOLICITORS, NOTARIES

Prince Rupert, B.C.

VANCOUVER OFFICE:
311 ROGERS BLDG.
VANCOUVER, B.C.

February 22nd. 1930.

Stephen Morgan, Esq.,
Kitwangar, B.C.

Dear Sir:- re- Confiscation of your furs.

The writer was in Victoria last week and spent some time with the Government Officials in connection with trying to find out the situation in regard to yours furs. They are willing to settle the matter and pay up but they will not pay over the amount they themselves received for the furs which they now tell us was $325.97 less 5% commission on sale. This price seems very low but they apparently can prove that it was all they could get for them in open market. Among other low prices received it would interest you to know that they received $1.00 for your lynx which you swore was worth $70.00. They said that this was a cull.

We have already spent over $150.00 ourselves in this matter and the money coming back seems very little indeed, but we think it would be better to accept their offer and take that amount of money rather than to waste any further time on it as the Government absolutely refuses to pay more for the furs than they received and we are doubtful if we could force them to pay more if we sued in the Courts. We have already told you that you cannot collect from them your own expenses at the trial or our expenses as there is no provision in the law to allow for this.

Yours truly,

WILLIAMS: MANSON & GONZALES:

By: *T. W. Brown*

TWB/D

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ALEX M. MANSON, B.A., K.C. W. E. WILLIAMS, B.A., LL.B., K.C.
MILTON GONZALES
S. W. TAYLOR T. W. BROWN

PHONES 14 AND 15

PLEASE REFER TO FILE No.

CABLE ADDRESS "WILMAN"
CODES { WESTERN UNION
A.B.C. 5TH EDITION

P.O. BOX 1585

VANCOUVER OFFICE:
311 ROGERS BLDG.
VANCOUVER, B. C.

Williams, Manson & Gonzales

BARRISTERS, SOLICITORS, NOTARIES

Prince Rupert, B.C.

March 5th., 1930.

G. C. Mortimer, Esq.,
Indian Agent,
Hazelton, B. C.

Dear Sir:- re- Stephen Morgan and Confiscation of furs:

Last May Mr. Gonzales of this firm went to Terrace to defend Stephen Morgan and another Indian by the name of Jacob Morgan on charges of having furs out of season. He succeeded in having the charge dismissed as against Morgan, but Stephen Morgan was convicted and his furs, which he intimated at the time were worth some $600.00, were confiscated. We went into the matter very thoroughly and decided that it could only be won on a technical point, as Stephen Morgan was clearly guilty of an infringement of the Act, whether innocently or not, we do not know.

We accordingly took the matter up on Certiorari proceedings and had the Confiscation Order quashed. In an Affidavit in support of these Certiorari proceedings Morgan swore his furs were worth $1278.00. At the time Certiorari proceedings had been taken the furs had already been sold, by the Government, and although the Confiscation Order is quashed there is no way of making the Government refund what Morgan considers the actual value of the furs was, for the subject can not sue the Crown except with the permission of the Attorney-General, and the Attorney-General has intimated that he would not give such permission. We may also say, for your own information, that Certiorari proceedings could not have been taken sooner, as if the furs had not been disposed of at the time the application to the Court was made they could have been sent back to Terrace and confiscated in the proper manner.

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One of the Ministers of the Provincial Cabinet has taken an interest in the matter and has reported to us, after some investigation that the Government sold the furs at $325.00 through an auctioneer, and that they paid a 5% commission to him. We have also been told, on good authority, that the Government would consent to return the money they actually got for the furs. We find that the pelt of one Lynx which Morgan swore was worth $70.00 brought only $1.00 at the sale, as it was considered a cull. While Mr. Morgan swore to values undoubtedly too high, we do not think the Government got as much as they should have out of these furs, but there is no way to compel them to give us anything. We think that it would be wise to take what we can get out of it before they change their mind.

We have already written to Morgan on this point, but thought it would be wise to write to you in case he consults you as he undoubtedly expected a great deal more out of the furs. In his last letter to us he gave us authority to settle for whatever price we could get out of the Government, and stated he must also have $200.00 for his own expenses. This,of course, would be impossible to get from the Government. For our own part, in addition to our time, including two days at Terrace, a day in Court here, two days in Vancouver and two days seeing officials in Victoria, we have actually spent in the neighborhood of $200.00 cash in this case. If Mr. Morgan consults you, we should be obliged to you if you would tell him what you think is best to do in the matter, as we have gone into it thoroughly and believe there is no way of getting any more out of it than a slight amount over $300., which you can see would leave very little for Mr. Morgan even if our fee is merely nominal. We may say that Mr. Morgan has already given us $100. on account of the work we have done.

Yours truly,

WILLIAMS: MANSON & GONZALES,

By T. W. Brown

TWB/B

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112/1/23821.

January 25, 1932.

Sir:

Acknowledging receipt of your letter dated January 18th, instant, file T-3-375,with regard to the fines recently imposed upon Indians Jacob and Wallace Morgan, I beg to send you herewith copy of a communication addressed to the Attorney-General of British Columbia, in which are recited numerous matters which it is likely will be augmented by material in your own agency files. This letter will be self-explanatory, I shall await the reply of Hon. Mr. Pooley and write you later on the matter.

In the meantime, in view of the prosecution of the Morgans in May 1929, it is not understood why an application for registration in the Indians' behalf was not made earlier than October 1st, 1930, in view of the instructions sent to the Indian Agents and of your own knowledge of the system in vogue in the Province for registration. As this question will in all probability be asked, it is desired that you make explanation of this situation. Of course, I am aware that you were not appointed to the Agency until the end of the year 1929, but it is felt that as the trap-line situation was discussed with you and you were making frequent visits to the reserves you should have been able to see, as a result of the May 1929 prosecutions that this matter should have been carefully looked into. It is noted that in your letter to this office of March 27th, 1930, in connection with the confiscation of Morgan's furs, you say "Stephen Morgan at present is away on his trap-line."

Apparently he did not have any registered trap-line at that time and there seems to have been plenty of time between May 1929 and March 27th 1930, to have seen Morgans and have discussed with them the question of their trapping in connection with their trial at Terrace.

It is hoped that you will make every effort to see that where any Indian trapping grounds are used, unregistered, by Indians in your Agency, applications are prepared immediately so as to prevent a recurrence of the problems such as are incidental to the Morgan case now being considered.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner.
for W. E. Ditchburn,
Indian Commissioner for B.C.

P/AC
EBCL.

G. C. Mortimer, Esq.,
Indian Agent,
Hazelton, B.C.

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BABINE AGENCY

DEPARTMENT OF INDIAN AFFAIRS
CANADA

COMMISSIONER'S OFFICE
JAN 22 1932
VICTORIA, B. C.

T-3-375.

OFFICE OF
INDIAN AGENT
Hazelton, B.C.
January 18th, 1932.

Sir,-

re - Jacob and Wallace Morgan, Kitwanga Reserve;
Infraction of Game Act.

On January 13th 1932 I proceeded to Terrace to attend the Provincial Police Court on behalf of the two above mentioned Indians who had been charged with trapping on the registered trapline of a whiteman, named Oscar Olander. The case came up before Mr. Kenney, Stipendiary Magistrate of Terrace.

Evidence was given on behalf of the Morgan brothers by the father, Stephen Morgan, who is the Indian Chief of the Kitsegukla Reserve. It seems that the Morgan family had trapped on the trapline referred to for over 30 years. In 1926, when registration of traplines was first brought out by the Province of B.C., Chief Morgan and his family went to the Provincial Constable, then stationed at Terrace but now deceased, and asked to have their trapline registered. The Constable informed them that he would take the matter up with Indian Agent Hyde at Hazelton. Apparently nothing was done regarding the registration in the names of these Indians but the trapline was registered in the name of Oscar Olander instead, December 1926. However, the Indians, believing that they were registered, continued trapping on the same trapline - this being known to Olander - until late in December 1931 when the present action was brought forward against them. Apparently these Indians have about six cabins on this trapline and over 300 traps.

I spoke on behalf of these Indians fully explaining the situation to the Magistrate. However, they were each fined $10.00 and $14.40 costs or one month in jail. As these Indians have big families to support I appealed to the Magistrate to give them two weeks in which to raise the fines and costs. This was done.

Dealing with the matter from the Agency point of view I may state that on my tours through the various reserves one of the main subjects with which I have dealt was that of the registration of traplines and with which I am experiencing great difficulty.

On my questioning the Morgan family regarding their trapline they informed me that they were under the impression that they had been registered. On my examination of the records in this office at that time, September 1930, I found that they were not registered and notified the Morgans accordingly. They immediately submitted an application for registration of their trapline together with a sketch map which were forwarded to Game Warden Muirhead. These were returned with a covering letter stating that the trapline in question, excepting a small portion, was registered in the name of Oscar Olander in December 1926. I am enclosing herewith the application of the Morgan family together with the Game Warden's reply and would ask that these be returned to this office at your convenience. On receiving this reply from the Game Warden I notified the Morgans and informed them to lift all their traps until such time as this matter could be properly settled. Apparently the Indians were doing this when the charge was laid against them.

May I be permitted to say that the depriving of the Morgan

W. E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
Victoria, B. C.

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of the
Morgan family of this trapline has absolutely removed all sources of living. There are three brothers in this family besides their father and all are married and have large families.

I may further say that Constable McKenney of the Provincial Police, stationed at Terrace, who had nothing whatsoever to do with the conditions aforesaid mentioned, rendered me every assistance at the trial and felt, although he could not openly say so, that the trapline in question should never have been registered in the name of a whiteman. I must say that the sympathies of the Constable had a strong leaning toward the Indians.

In conclusion I would like to say that the Morgan family, although belonging to the Babine Agency, have hunted on the trapline in question which trapline is in the territorial limits of the Skeena Agency.

Anything you can do in this matter on behalf of the Morgan family will be greatly appreciated.

Your obedient servant,

G. C. Mortimer,
Indian Agent.

GCM/SM.

Encls.

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YOUR FILE No. 21-2.266

THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

QUOTE FILE No. TL/27M/30.

OFFICE OF
GAME WARDEN

Telkwa, B.C.

December 15th, 1930.

SUBJECT:
TRAP LINE
REGISTRATION

MORGAN, Jacob & Co.,
Kitwanga,

G.C.Mortimer, Esq.,
Indian Agent,
Hazelton, B.C.

Dear Sir:-

With reference to yours of October the 8th,1930,re the m/n, I beg to advise that I sent a sketch of this trap-line to the Constable i/c B.C. P.Police Detachment at Terrace,B.C. to be passed on by him. I am today in receipt of his reply which in part is as follows:

" I beg to advise that all the territory marked on your sketch, with the exception of Mosquito Creek, is registered in this District, is registered in the name of Oscar Olander since December 27th, 1926."

Could you perhaps get in touch with Jacob Morgan and see what he has to say to this.

The m/n application is returned herewith.

Yours truly,

C.D.Muirhead, Game Warden,
i/c Telkwa Detachment.

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Full Name of Applicant.	Latitude.	Longitude.
J[illegible]b Morgan & Family	54-30	129
(Surname.) (To be filled in by Constable.)	(To be filled in by Constable.)	

PROVINCE OF BRITISH COLUMBIA.—"GAME ACT."

APPLICATION FOR REGISTRATION OF A TRAP-LINE.

To the Provincial Game Warden, Victoria, B.C.:

Application is hereby made, in quadruplicate, for the registration of a trap-line as described hereunder and as shown on accompanying sketch:—

Name of applicant Jacob Morgan & Family P.O. address Kitwanga.B.C.

Nationality Indian Fisherman Occupation Fisherman & Trapper

No. of Special Firearms Licence Length of residence in B.C. Born

No. of years applicant has trapped line 60 years Length of trap-line 80 miles

Particulars as to blazes or signs on trap-line Well blazeed with trails 8 Cabins

Geographical description of trap-line Commences 7 miles north of Killum Lake then 8 miles up t
to Sant Lake and little Ceder River thence back to Ceder River then North
East for 40 miles toMosquito Creek taking in the North Fork of Mosquito Creek
length of Trap-line 80 Miles

Tentative or permanent registration Permanent

(To be filled in by Constable only.)

Dated this 1st day of October 1930, 192..., at Hazelton.B.C., B.C.

Signature of applicant Jacob Morgan

NOTE.—Sketch of trap-line must accompany this application.

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No. of years applicant has trapped line 60 years Length of trap-line 80 miles

Particulars as to blazes or signs on trap-line Well blazed with trails 8 Cabins

Geographical description of trap-line Commences 7 miles north of Killum Lake then 8 miles up t
te Sant Lake and little Ceder River thence back to Ceder River then North
East for 40 miles to Mesquite Creek taking in the North Fork of Mesquite Creek
length of Trap-line 80 Miles

Tentative or permanent registration Permanent

(To be filled in by Constable only.)

Dated this 1st day of October 1930, 192, at Hazelton.B.C., B.C.

Signature of applicant Jacob Morgan

NOTE.—Sketch of trap-line must accompany this application.

(For Divisional Headquarters.)

[OVER.

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Full Name of Applicant.	Latitude.	Longitude.
Jacob Morgan & Family	54-30	129
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(For District Headquarters.)

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Full Name of Applicant. (Surname.)	Latitude. (To be filled in by Constable.)	Longitude. (To be filled in by Constable.)
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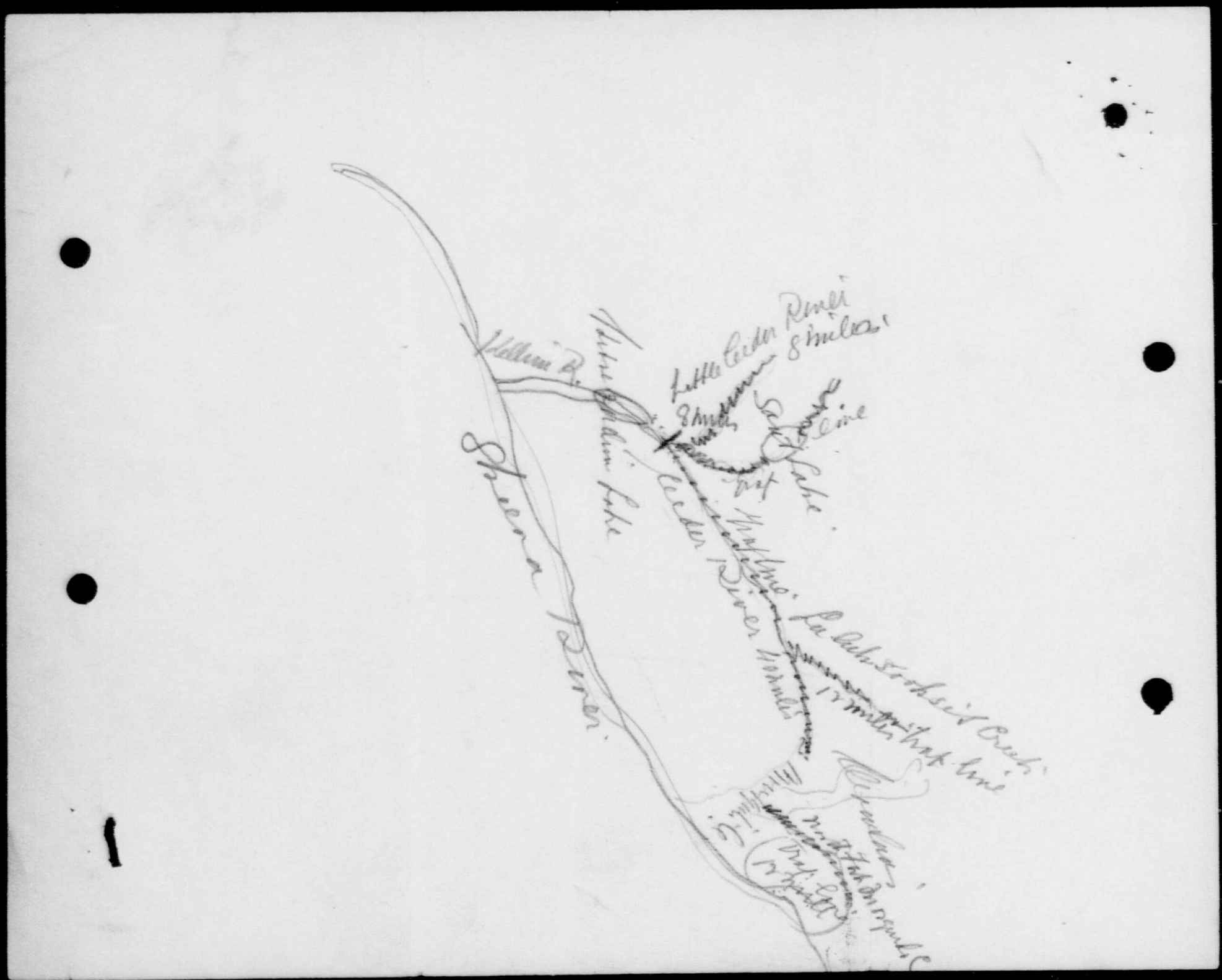
(For Constable i/c Detachment.)

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112/1/23810.

January 23, 1932.

Dear Sir:

May I ask you to be good enough to peruse the enclosed copy of a letter which has been received at this office from our Indian Agent at Hazelton which will be self-explanatory, the same relating to fines imposed upon Indians Jacob and Wallace Morgan by Magistrate Kenny of Terrace, B.C., for alleged infractions of the British Columbia Game Act.

Accompanying this letter is a copy of a letter dated January 27th, 1927, received at this office from the Provincial Game Warden, J.H. McMullin, Esq., which will show that at that time this Department was negotiating with the Provincial Game Authorities with a view to having maps supplied to the several Indian Agents for the purpose of registering Indian traplines, correspondence having this in view having been exchanged in the period between September 3rd, 1926, and the above-mentioned date. A brief resume of this correspondence is as follows:-

Sept. 3,1926 - Provincial Game Warden asks for names and addresses of all Indian Agents so that they may be furnished with forms of application for Indian trap-lines and full instructions.

Oct. 1, 1926 - Indian Commissioner requests Provincial Game Warden for maps for the purpose above mentioned.

Oct. 2, 1926 - Provincial Game Warden asked for information showing territorial boundaries of each Indian Agency.

Oct. 9, 1926 - Indian Commissioner furnishes Provincial Game Warden with Provincial map showing each Agency defined by lined boundaries.

Oct. 13,1926 - Provincial Game Warden informs Indian Commissioner maps being prepared for use of Indian Agents in applying for trap-line registrations.

SPECIAL NOTE:-
Dec. 1926 - The Morgan Indian trap-line which had been trapped for 30 years by Indians given to white man Oscar Olander according to Indian Agent.

Hon. R. H. Pooley,
Attorney-General,
Parliament Buildings,
Victoria, B.C.

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1927
January 27th - The provincial Game Warden advises Indian Commissioner that he expects maps will be ready shortly and tentative line certificates will be issued for one year so as to adjust any disputes. See copy of this important letter sent herewith.

From the foregoing it will be seen that the family trapping grounds of the Indians were registered in favor of white man Oscar Olander during the progress of the negotiations for registration of the Indian trap-lines on approved maps then in course of preparation by your Provincial Authorities.

For your further perusal, I also beg to enclose copy of a letter received from Mr. Indian Agent Hyde of Hazelton, Babine Agency, dated December 16th, 1927, which also will be self-explanatory and will indicate the difficulty which was attending Indian trap-line registrations in the Babine district.

Furs were found in possession of the Indians Morgan in May, 1929, which were confiscated by the Provincial Police and were sold by the Provincial Government. A settlement was made later with Morgan by the Provincial Government, after the Honourable Attorney-General had refused to allow the Provincial Government to be sued for recovery of furs confiscated. The circumstances, which your files will disclose, were such as to create anxiety with respect to the Morgan family.

The present cases in which fines have been imposed upon these Indians for illegally trapping upon the grounds held to be registered in the name of Oscar Olander, do not help to establish satisfaction that the Indians have received the consideration due them and this suggestion is offered with due respect and with a desire if possible of having the case reviewed carefully, not only with the object of having the imposed fines remitted to the Indians but also with a view to the most sympathetic consideration being given to the matter of adjusting the trap-line registrations in equal justice to the present license holder as to the Indian family involved.

It is respectfully submitted that by virtue of the fact that the Morgan family trap-line covers a length of eighty miles and appears sufficiently large to admit of action being taken under subsection "i" of Section 41 of the "Act for the Protection of certain Animals and Birds" chapter 98.B.C.; also in consideration of the facts as recited in this communication: the circumstances are such as to make quite justifiable an application for an Order-in-Council qualifying the limits of the area to be trapped by the white man Oscar Olander, so that an application of the Indian can be made to replace the one submitted on October 1st, 1930, through the office of the Indian Agent, copy of which is sent herewith, and which was refused on the following grounds:-

> "All territory marked on your sketch with the exception of Mosquito Creek, is registered in this District (Telkwa) in the name of Oscar Olander."

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It would be preferable and I believe justifiable also, if the line now registered by Mr. Olander, should be held to have been issued erroneously and cancelled in favor of Jacob Morgan and family in view of the granting of the line to the former during the negotiations for Indian registrations which course the letter of the Provincial Game Warden dated January 27th, 1927, and previous correspondence cited herein, was designed to avoid.

The remittance of the fines would also be considered an act of justice in the circumstances.

I shall thank you to kindly advise me in due course of your decision.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner.
for W. E. Ditchburn,
Indian Commissioner for B.C.

P/AC
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BABINE AGENCY

T-3-375.

Office of Indian Agent.

Hazelton, B.C.
January 18th, 1932.

Sir,-

re - Jacob and Wallace Morgan, Kitwanga Reserve;
Infraction of Game Act.

On January 13th 1932 I proceeded to Terrace to attend the Provincial Police Court on behalf of the two above mentioned Indians who had been charged with trapping on the registered trapline of a whiteman, named Oscar Olander. The case came up before Mr. Kenney, Stipendiary Magistrate of Terrace.

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Dealing with the matter from the Agency point of view I may state that on my tours through the various reserves one of the main subjects with which I have dealt was that of the registration of traplines and with which I am experiencing great difficulty.

On my questioning the Morgan family regarding their trapline they informed me that they were under the impression that they had been registered. On my examination of the records in this office at that time, September 1930, I found that they were not registered and notified the Morgans accordingly. They immediately submitted an application for registration of their trapline together with a sketch map which were forwarded to Game Warden Muirhead. These were returned with a covering letter stating that the trapline in question, excepting a small portion, was registered in the name of Oscar Olander in December 1926. I am enclosing herewith the application of the Morgan family together with the Game Warden's reply and would ask that these be returned to this office at your convenience. On receiving

W. E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
Victoria, B.C.

this....

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this reply from the Game Warden I notified the Morgans and informed them to lift all their traps until such time as this matter could be properly settled. Apparently the Indians were doing this when the charge was laid against them.

May I be permitted to say that the depriving of the Morgan family of this trapline has absolutely removed all sources of living. There are three brothers in this family besides their father and all are married and have large families.

I may further say that Constable McKenney of the Provincial Police, stationed at Terrace, who had nothing whatsoever to do with the conditions aforesaid mentioned, rendered me every assistance at the trial and felt, although he could not openly say so, that the trapline in question should never have been registered in the name of a whiteman. I must say that the sympathies of the Constable had a strong leaning toward the Indians.

In conclusion I would like to say that the Morgan family, although belonging to the Babine Agency, have hunted on the trapline in question which trapline is in the territorial limits of the Skeena Agency.

Anything you can do in this matter on behalf of the Morgan family will be greatly appreciated.

Your obedient servant,

"G. C. Mortimer"

Indian Agent.

GCM/SM.

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(C O P Y)

112/10265
Nov.1/27

Office of Indian Agent
Hazelton, B.C.
December 16th 1927

Re:Registration of Trap/lines.

Dear Sir:

In reply to your communication dated Nov. 1st 1927, having reference to the progress made with regard to filing applications for the registration of Indian trap lines in this Agency.

I beg to advise you that with the exception of a those Indians having interest in the claims of the Allied Tribes Association, the registration of trapping areas is satisfactory. With the co-operation of the local police and the officers located at other points throughout this District, many disputes are being settled, and in this way the registration is made in the name of the head of the family.

Most of the disputes are among the Indians, really family disputes caused by the death of the Indian who terms himself "boss of the trap-line." When a dispute arises I appoint a time and call together the very old Indians and Chiefs, with their knowledge majority of cases are amicably adjusted. Several of the Kitwancool Indians have registered.

I have found that a number of Indians have come to me for registration and then gone to the Provincial police and tried to register another trap-line.

Every care is taken to have the applicant give and fully describe the Geographical points of his claim.

Your obedient Servant,

"E. Hyde"

Indian Agent.

W. E. Ditchburn, Esq.,
Indian Commissioner,
VICTORIA, B.C.

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(COPY)

GAME BRANCH
VICTORIA

Jan. 27, 1927.

W.E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
P.O. Box 666,
Victoria, B.C.

Registration of Trap-lines.

Dear Sir:

With reference to your conversation with Staff-Sergeant Butler on the m/n matter, Game Wardens and Provincial Constables are taking applications for the registration of trap-lines. Where disputes arise they are settled by these officers or by reference to this office. When satisfied that a trapper's claim to a trap-line is in order we issue a trapping licence for that line, which is renewable yearly.

I expect that maps will be available shortly and we then propose to issue tentative registration certificates in cases where we are sure there are no conflicting claims.

I anticipate a certain amount of trouble in some parts of the country owing to the trap-line regulations having been misunderstood by some Indian Agents, with the result that certain Indians have failed to register their lines. I have no doubt, however, that we will be able to settle these disputes to the satisfaction of all concerned, dealing with them as they arise.

The Department considers that it will be unwise to issue any tentative registration certificates until all applications have been received in this office.

Yours truly,

"J. H. McMullin"

Provincial Game Warden.

FRB/AM

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(C O P Y)

Full name of Applicant	Latitude	Longitude
Jacob Morgan & Family	54-30	129

Province of British Columbia - "Game Act."

APPLICATION FOR REGISTRATION OF A TRAP-LINE

To the Provincial Game Warden, Victoria, B.C.:

Application is hereby made, in quadruplicate, for the registration of a trap-line as described hereunder and as shown on accompanying sketch:-

Name of applicant..Jacob Morgan & family P.O.....Kitwanga.B.C.....

Nationality.....Indian Fisherman..... Occupation..Fisherman & trapper.

No. of Special Firearms Licence..... Length of residence in B.C...Born.

No. of years applicant has trapped line.....60 years..... Length of trap-line...80 miles..

Particulars as to blazes or signs on trap-line.....Well blazed with trails 8 cabins.

Geographical description of trap-line.....Commences 7 miles north of Killum Lake then 8 miles up to Sant Lake and little Ceder River thence back to Ceder River then north East for 40 miles to Mosquito Creek taking in the North Fork of Mosquito Creek length of Trap-line 80 Miles

Tentative or permanent registration.....Permanent.....

Dated this....1st....day of ..October...1930, at....Hazelton,B.C.....

Signature of applicant....."Jacob Morgan".....

Note.- Sketch of trap-line must accompany this application.

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112/1/23810.

January 23, 1932.

Dear Sir:

May I ask you to be good enough to peruse the enclosed copy of a letter which has been received at this office from our Indian Agent at Hazelton which will be self-explanatory, the same relating to fines imposed upon Indians Jacob and Wallace Morgan by Magistrate Kenny of Terrace, B.C., for alleged infractions of the British Columbia Game Act.

Accompanying this letter is a copy of a letter dated January 27th, 1927, received at this office from the Provincial Game Warden, J.H. McMullin, Esq., which will show that at that time this Department was negotiating with the Provincial Game Authorities with a view to having maps supplied to the several Indian Agents for the purpose of registering Indian traplines, correspondence having this in view having been exchanged in the period between September 3rd, 1926, and the above-mentioned date. A brief resume of this correspondence is as follows:-

Sept. 3,1926 - Provincial Game Warden asks for names and addresses of all Indian Agents so that they may be furnished with forms of application for Indian trap-lines and full instructions.

Oct. 1, 1926 - Indian Commissioner requests Provincial Game Warden for maps for the purpose above mentioned.

Oct. 2, 1926 - Provincial Game Warden asked for information showing territorial boundaries of each Indian Agency.

Oct. 9, 1926 - Indian Commissioner furnishes Provincial Game Warden with Provincial map showing each Agency defined by lined boundaries.

Oct. 13,1926 - Provincial Game Warden informs Indian Commissioner maps being prepared for use of Indian Agents in applying for trap-line registrations.

SPECIAL NOTE:-
Dec. 1926 - The Morgan Indian trap-line which had been trapped for 30 years by Indians given to white man Oscar Olander according to Indian Agent.

Hon. R. H. Pooley,
Attorney-General,
Parliament Buildings,
Victoria, B.C.

The....

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Archives nationales du Canada

1927
January 27th - The provincial Game Warden advises Indian Commissioner that he expects maps will be ready shortly and tentative line certificates will be issued for one year so as to adjust any disputes. See copy of this important letter sent herewith.

From the foregoing it will be seen that the family trapping grounds of the Indians were registered in favor of white man Oscar Olander during the progress of the negotiations for registration of the Indian trap-lines on approved maps then in course of preparation by your Provincial Authorities.

For your further perusal, I also beg to enclose copy of a letter received from Mr. Indian Agent Hyde of Hazelton, Babine Agency, dated December 16th, 1927, which also will be self-explanatory and will indicate the difficulty which was attending Indian trap-line registrations in the Babine district.

Furs were found in possession of the Indians Morgan in May, 1929, which were confiscated by the Provincial Police and were sold by the Provincial Government. A settlement was made later with Morgan by the Provincial Government, after the Honourable Attorney-General had refused to allow the Provincial Government to be sued for recovery of furs confiscated. The circumstances, which your files will disclose, were such as to create anxiety with respect to the Morgan family.

The present cases in which fines have been imposed upon these Indians for illegally trapping upon the grounds held to be registered in the name of Oscar Olander, do not help to establish satisfaction that the Indians have received the consideration due them and this suggestion is offered with due respect and with a desire if possible of having the case reviewed carefully, not only with the object of having the imposed fines remitted to the Indians but also with a view to the most sympathetic consideration being given to the matter of adjusting the trap-line registrations in equal justice to the present license holder as to the Indian family involved.

It is respectfully submitted that by virtue of the fact that the Morgan family trap-line covers a length of eighty miles and appears sufficiently large to admit of action being taken under subsection "i" of Section 41 of the "Act for the Protection of certain Animals and Birds" chapter 98.R.C.; also in consideration of the facts as recited in this communication: the circumstances are such as to make quite justifiable an application for an Order-in-Council qualifying the limits of the area to be trapped by the white man Oscar Olander, so that an application of the Indian can be made to replace the one submitted on October 1st, 1930, through the office of the Indian Agent, copy of which is sent herewith, and which was refused on the following grounds:-

> "All territory marked on your sketch with the exception of Mosquito Creek, is registered in this District (Telkwa) in the name of Oscar Olander."

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It would be preferable and I believe justifiable also, if the line now registered by Mr. Clander, should be held to have been issued erroneously and cancelled in favor of Jacob Morgan and family in view of the granting of the line to the former during the negotiations for Indian registrations which course the letter of the Provincial Game Warden dated January 27th, 1927, and previous correspondence cited herein, was designed to avoid.

The remittance of the fines would also be considered an act of justice in the circumstances.

I shall thank you to kindly advise me in due course of your decision.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner.
for W. E. Ditchburn,
Indian Commissioner for B.C.

P/AC
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(C O P Y)

BABINE AGENCY

T-3-375.

Office of Indian Agent.

Hazelton, B.C.
January 18th, 1932.

Sir,-

re - Jacob and Wallace Morgan, Kitwanga Reserve;
Infraction of Game Act.

On January 13th 1932 I proceeded to Terrace to attend the Provincial Police Court on behalf of the two above mentioned Indians who had been charged with trapping on the registered trapline of a whiteman, named Oscar Olander. The case came up before Mr. Kenney, Stipendiary Magistrate of Terrace.

Evidence was given on behalf of the Morgan brothers by the father, Stephen Morgan, who is the Indian Chief of the Kitsegukla Reserve. It seems that the Morgan family had trapped on the trapline referred to for over 30 years. In 1926, when registration of traplines was first brought out by the Province of B.C., Chief Morgan and his family went to the Provincial Constable, then stationed at Terrace but now deceased, and asked to have their trapline registered. The Constable informed them that he would take the matter up with Indian Agent Ryde at Hazelton. Apparently nothing was done regarding the registration in the names of these Indians but the trapline was registered in the name of Oscar Olander instead, December 1926. However, the Indians, believing that they were registered, continued trapping on the same trapline - this being known to Olander - until late in December 1931 when the present action was brought forward against them. Apparently these Indians have about six cabins on this trapline and over 300 traps.

I spoke on behalf of these Indians fully explaining the situation to the Magistrate. However, they were each fined $10.00 and $14.40 costs or one month in jail. As these Indians have big families to support I appealed to the Magistrate to give them two weeks in which to raise the fines and costs. This was done.

Dealing with the matter from the Agency point of view I may state that on my tours through the various reserves one of the main subjects with which I have dealt was that of the registration of traplines and with which I am experiencing great difficulty.

On my questioning the Morgan family regarding their trapline they informed me that they were under the impression that they had been registered. On my examination of the records in this office at that time, September 1930, I found that they were not registered and notified the Morgans accordingly. They immediately submitted an application for registration of their trapline together with a sketch map which were forwarded to Game Warden Muirhead. These were returned with a covering letter stating that the trapline in question, excepting a small portion, was registered in the name of Oscar Olander in December 1926. I am enclosing herewith the application of the Morgan family together with the Game Warden's reply and would ask that these be returned to this office at your convenience. On receiving

W. E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
Victoria, B.C.

this....

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this reply from the Game Warden I notified the Morgans and informed them to lift all their traps until such time as this matter could be properly settled. Apparently the Indians were doing this when the charge was laid against them.

May I be permitted to say that the depriving of the Morgan family of this trapline has absolutely removed all sources of living. There are three brothers in this family besides their father and all are married and have large families.

I may further say that Constable McKenney of the Provincial Police, stationed at Terrace, who had nothing whatsoever to do with the conditions aforesaid mentioned, rendered me every assistance at the trial and felt, although he could not openly say so, that the trapline in question should never have been registered in the name of a whiteman. I must say that the sympathies of the Constable had a strong leaning toward the Indians.

In conclusion I would like to say that the Morgan family, although belonging to the Babine Agency, have hunted on the trapline in question which trapline is in the territorial limits of the Skeena Agency.

Anything you can do in this matter on behalf of the Morgan family will be greatly appreciated.

Your obedient servant,

"O. C. Mortimer"

Indian Agent.

OCM/SM.

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(COPY)

112/10265
Nov.1/27

Office of Indian Agent
Hazelton, B.C.
December 16th 1927

Re:Registration of Trap/lines.

Dear Sir:

In reply to your communication dated Nov. 1st 1927, having reference to the progress made with regard to filing applications for the registration of Indian trap lines in this Agency.

I beg to advise you that with the exception of a those Indians having interest in the claims of the Allied Tribes Association, the registration of trapping areas is satisfactory. With the co-operation of the local police and the officers located at other points throughout this District, many disputes are being settled, and in this way the registration is made in the name of the head of the family.

Most of the disputes are among the Indians, really family disputes caused by the death of the Indian who terms himself "boss of the trap-line." When a dispute arises I appoint a time and call together the very old Indians and Chiefs, with their knowledge majority of cases are amicably adjusted. Several of the Kitwancool Indians have registered.

I have found that a number of Indians have come to me for registration and then gone to the Provincial police and tried to register another trap-line.

Every care is taken to have the applicant give and fully describe the Geographical points of his claim.

Your obedient Servant,

"E. Hyde"

Indian Agent.

W. E. Ditchburn, Esq.,
Indian Commissioner,
VICTORIA, B.C.

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(C O P Y)

GAME BRANCH
VICTORIA

Jan. 27, 1927.

W.S. Ditchburn, Esq.,
Indian Commissioner for B.C.,
P.O. Box 666,
Victoria, B.C.

Dear Sir:

Registration of trap-lines.

With reference to your conversation with Staff-Sergeant Butler on the m/n matter, Game Wardens and Provincial Constables are taking applications for the registration of trap-lines. Where disputes arise they are settled by these officers or by reference to this office. When satisfied that a trapper's claim to a trap-line is in order we issue a trapping license for that line, which is renewable yearly.

I expect that maps will be available shortly and we then propose to issue tentative registration certificates in cases where we are sure there are no conflicting claims.

I anticipate a certain amount of trouble in some parts of the country owing to the trap-lines registrations having been misunderstood by some Indian Agents, with the result that certain Indians have failed to register their lines. I have no doubt, however, that we will be able to settle these disputes to the satisfaction of all concerned, dealing with them as they arise.

The Department considers that it will be unwise to issue any tentative registration certificates until all applications have been received in this office.

Yours truly,

"J. H. McCullin"

Provincial Game Warden.

FRB/AM

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(COPY)

Full name of Applicant	Latitude	Longitude
Jacob Morgan & Family	54-30	129

Province of British Columbia - "Game Act."

APPLICATION FOR REGISTRATION OF A TRAP-LINE

To the Provincial Game Warden, Victoria, B.C.:

Application is hereby made, in quadruplicate, for the registration of a trap-line as described hereunder and as shown on accompanying sketch:-

Name of applicant..Jacob Morgan & family P.O.....Kitwanga.B.C.....

Nationality.....Indian Fisherman..... Occupation..Fisherman & trapper.

No. of Special Firearms licence..... Length of residence in B.C...Born.

No. of years applicant has trapped line.....60 years..... Length of trap-line...80 miles..

Particulars as to blazes or signs on trap-line.....Well blazed with trails & cabins.

Geographical description of trap-line.....Commences 7 miles north of Killum Lake then 8 miles up to Sant Lake and little Cedar River thence back to Cedar River then north East for 40 miles to Mosquito Creek taking in the North Fork of Mosquito Creek length of Trap-line 80 Miles

Tentative or permanent registration.....Permanent.....

Dated this....1st....day of ..October...1930, at....Hazelton,B.C.....

Signature of applicant....."Jacob Morgan".....

Note.- Sketch of trap-line must accompany this application.

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112/1/23810.

January 23, 1932.

Dear Sir:

May I ask you to be good enough to peruse the enclosed copy of a letter which has been received at this office from our Indian Agent at Hazelton which will be self-explanatory, the same relating to fines imposed upon Indians Jacob and Wallace Morgan by Magistrate Kenny of Terrace, B.C., for alleged infractions of the British Columbia Game Act.

Accompanying this letter is a copy of a letter dated January 27th, 1927, received at this office from the Provincial Game Warden, J.H. McMullin, Esq., which will show that at that time this Department was negotiating with the Provincial Game Authorities with a view to having maps supplied to the several Indian Agents for the purpose of registering Indian traplines, correspondence having this in view having been exchanged in the period between September 3rd, 1926, and the above-mentioned date. A brief rezume of this correspondence is as follows:-

Sept. 3,1926 - Provincial Game Warden asks for names and addresses of all Indian Agents so that they may be furnished with forms of application for Indian trap-lines and full instructions.

Oct. 1, 1926 - Indian Commissioner requests Provincial Game Warden for maps for the purpose above mentioned.

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Oct. 9, 1926 - Indian Commissioner furnishes Provincial Game Warden with Provincial map showing each Agency defined by lined boundaries.

Oct. 13,1926 - Provincial Game Warden informs Indian Commissioner maps being prepared for use of Indian Agents in applying for trap-line registrations.

SPECIAL NOTE:-

Dec. 1926 - The Morgan Indian trap-line which had been trapped for 30 years by Indians given to white man Oscar Olander according to Indian Agent.

Hon. E. H. Pooley,
Attorney-General,
Parliament Buildings,
Victoria, B.C.

The....

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1927
January 27th - The provincial Game Warden advises Indian Commissioner that he expects maps will be ready shortly and tentative line certificates will be issued for one year so as to adjust any disputes. See copy of this important letter sent herewith.

From the foregoing it will be seen that the family trapping grounds of the Indians were registered in favor of white man Oscar Olander during the progress of the negotiations for registration of the Indian trap-lines on approved maps then in course of preparation by your Provincial Authorities.

For your further perusal, I also beg to enclose copy of a letter received from Mr. Indian Agent Hyde of Hazelton, Babine Agency, dated December 16th, 1927, which also will be self-explanatory and will indicate the difficulty which was attending Indian trap-line registrations in the Babine district.

Furs were found in possession of the Indians Morgan in May, 1929, which were confiscated by the Provincial Police and were sold by the Provincial Government. A settlement was made later with Morgan by the Provincial Government, after the Honourable Attorney-General had refused to allow the Provincial Government to be sued for recovery of furs confiscated. The circumstances, which your files will disclose, were such as to create anxiety with respect to the Morgan family.

The present cases in which fines have been imposed upon these Indians for illegally trapping upon the grounds held to be registered in the name of Oscar Olander, do not help to establish satisfaction that the Indians have received the consideration due them and this suggestion is offered with due respect and with a desire if possible of having the case reviewed carefully, not only with the object of having the imposed fines remitted to the Indians but also with a view to the most sympathetic consideration being given to the matter of adjusting the trap-line registrations in equal justice to the present license holder as to the Indian family involved.

It is respectfully submitted that by virtue of the fact that the Morgan family trap-line covers a length of eighty miles and appears sufficiently large to admit of action being taken under subsection "i" of Section 41 of the "Act for the Protection of certain Animals and Birds" chapter 98.R.C.; also in consideration of the facts as recited in this communication: the circumstances are such as to make quite justifiable an application for an Order-in-Council qualifying the limits of the area to be trapped by the white man Oscar Olander, so that an application of the Indian can be made to replace the one submitted on October 1st, 1930, through the office of the Indian Agent, copy of which is sent herewith, and which was refused on the following grounds:-

"All territory marked on your sketch with the exception of Mosquito Creek, is registered in this District (Telkwa) in the name of Oscar Olander."

It.....

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It would be preferable and I believe justifiable also, if the line now registered by Mr. Olandier, should be held to have been issued erroneously and cancelled in favor of Jacob Morgan and family in view of the granting of the line to the former during the negotiations for Indian registrations which course the letter of the Provincial Game Warden dated January 27th, 1927, and previous correspondence cited herein, was designed to avoid.

The remittance of the fines would also be considered an act of justice in the circumstances.

I shall thank you to kindly advise me in due course of your decision.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner.
for W. E. Ditchburn,
Indian Commissioner for B.C.

P/AC
ENCL

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BABINE AGENCY

T-3-375.

Office of Indian Agent.

Hazelton, B.C.
January 18th, 1932.

Sir,-

re - Jacob and Wallace Morgan, Kitwanga Reserve;
Infraction of Game Act.

On January 13th 1932 I proceeded to Terrace to attend the Provincial Police Court on behalf of the two above mentioned Indians who had been charged with trapping on the registered trapline of a whiteman, named Oscar Olander. The case came up before Mr. Kenney, Stipendiary Magistrate of Terrace.

Evidence was given on behalf of the Morgan brothers by the father, Stephen Morgan, who is the Indian Chief of the Kitsegukla Reserve. It seems that the Morgan family had trapped on the trapline referred to for over 30 years. In 1926, when registration of traplines was first brought out by the Province of B.C., Chief Morgan and his family went to the Provincial Constable, then stationed at Terrace but now deceased, and asked to have their trapline registered. The Constable informed them that he would take the matter up with Indian Agent Hyde at Hazelton. Apparently nothing was done regarding the registration in the names of these Indians but the trapline was registered in the name of Oscar Olander instead, December 1926. However, the Indians, believing that they were registered, continued trapping on the same trapline - this being known to Olander - until late in December 1931 when the present action was brought forward against them. Apparently these Indians have about six cabins on this trapline and over 300 traps.

I spoke on behalf of these Indians fully explaining the situation to the Magistrate. However, they were each fined $10.00 and $14.40 costs or one month in jail. As these Indians have big families to support I appealed to the Magistrate to give them two weeks in which to raise the fines and costs. This was done.

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On my questioning the Morgan family regarding their trapline they informed me that they were under the impression that they had been registered. On my examination of the records in this office at that time, September 1930, I found that they were not registered and notified the Morgans accordingly. They immediately submitted an application for registration of their trapline together with a sketch map which were forwarded to Game Warden Muirhead. These were returned with a covering letter stating that the trapline in question, excepting a small portion, was registered in the name of Oscar Olander in December 1926. I am enclosing herewith the application of the Morgan family together with the Game Warden's reply and would ask that these be returned to this office at your convenience. On receiving

W. E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
Victoria, B.C.

this....

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May I be permitted to say that the depriving of the Morgan family of this trapline has absolutely removed all sources of living. There are three brothers in this family besides their father and all are married and have large families.

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In conclusion I would like to say that the Morgan family, although belonging to the Babine Agency, have hunted on the trapline in question which trapline is in the territorial limits of the Skeena Agency.

Anything you can do in this matter on behalf of the Morgan family will be greatly appreciated.

Your obedient servant,

"C. C. Mortimer"

Indian Agent.

CCM/SM.

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112/10265
Nov.1/27

Office of Indian Agent
Hazelton, B.C.
December 16th 1927

Re:Registration of Trap/lines.

Dear Sir:

In reply to your communication dated Nov. 1st 1927, having reference to the progress made with regard to filing applications for the registration of Indian trap lines in this Agency.

I beg to advise you that with the exception of a those Indians having interest in the claims of the Allied Tribes Association, the registration of trapping areas is satisfactory. With the co-operation of the local police and the officers located at other points throughout this District, many disputes are being settled, and in this way the registration is made in the name of the head of the family.

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Every care is taken to have the applicant give and fully describe the Geographical points of his claim.

Your obedient Servant,

"E. Hyde"

Indian Agent.

W. E. Ditchburn, Esq.,
Indian Commissioner,
VICTORIA, B.C.

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(C O P Y)

GAME BRANCH
VICTORIA

Jan. 27, 1927.

W.E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
P.O. Box 666,
Victoria, B.C.

Registration of Trap-lines.

Dear Sir:

With reference to your conversation with Staff-Sergeant Butler on the a/n matter, Game Wardens and Provincial Constables are taking applications for the registration of trap-lines. Where disputes arise they are settled by these officers or by reference to this office. When satisfied that a trapper's claim to a trap-line is in order we issue a trapping license for that line, which is renewable yearly.

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The Department considers that it will be unwise to issue any tentative registration certificates until all applications have been received in this office.

Yours truly,

"J. H. McMullin"

Provincial Game Warden.

FRB/AM

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AFFAIRES INDIENNES

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(COPY)

Full name of Applicant	Latitude	Longitude
Jacob Morgan & Family	54-30	129

Province of British Columbia - "Game Act."

APPLICATION FOR REGISTRATION OF A TRAP-LINE

To the Provincial Game Warden, Victoria, B.C.:

Application is hereby made, in quadruplicate, for the registration of a trap-line as described hereunder and as shown on accompanying sketch:-

Name of applicant..Jacob Morgan & family P.O.....Kitwanga.B.C.....

Nationality.....Indian Fisherman..... Occupation..Fisherman & trapper.

No. of Special Firearms licence..... Length of residence in B.C...Born.

No. of years applicant has trapped line.....60 years..... Length of trap-line...80 miles..

Particulars as to blazes or signs on trap-line.....Well Blazed with trails & cabins.

Geographical description of trap-line.....Commences 7 miles north of Killum Lake then 8 miles up to Sant Lake and little Cedar River thence back to Cedar River then north East for 40 miles to Mosquito Creek taking in the North Fork of Mosquito Creek length of Trap-line 80 Miles

Tentative or permanent registration.....Permanent.....

Dated this....1st....day of ..October...1930, at....Hazelton,B.C.....

Signature of applicant....."Jacob Morgan".....

Note.- Sketch of trap-line must accompany this application.

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AFFAIRES INDIENNES

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Archives nationales du Canada

112/1/23810.

January 23, 1932.

Dear Sir:

May I ask you to be good enough to peruse the enclosed copy of a letter which has been received at this office from our Indian Agent at Hazelton which will be self-explanatory, the same relating to fines imposed upon Indians Jacob and Wallace Morgan by Magistrate Kenny of Terrace, B.C., for alleged infractions of the British Columbia Game Act.

Accompanying this letter is a copy of a letter dated January 27th, 1927, received at this office from the Provincial Game Warden, J.H. McMullin, Esq., which will show that at that time this Department was negotiating with the Provincial Game Authorities with a view to having maps supplied to the several Indian Agents for the purpose of registering Indian traplines, correspondence having this in view having been exchanged in the period between September 3rd, 1926, and the above-mentioned date. A brief resume of this correspondence is as follows:-

Sept. 3,1926 - Provincial Game Warden asks for names and addresses of all Indian Agents so that they may be furnished with forms of application for Indian trap-lines and full instructions.

Oct. 1, 1926 - Indian Commissioner requests Provincial Game Warden for maps for the purpose above mentioned.

Oct. 2, 1926 - Provincial Game Warden asked for information showing territorial boundaries of each Indian Agency.

Oct. 9, 1926 - Indian Commissioner furnishes Provincial Game Warden with Provincial map showing each Agency defined by lined boundaries.

Oct. 13,1926 - Provincial Game Warden informs Indian Commissioner maps being prepared for use of Indian Agents in applying for trap-line registrations.

SPECIAL NOTE:-
Dec. 1926 - The Morgan Indian trap-line which had been trapped for 30 years by Indians given to white man Oscar Olander according to Indian Agent.

Hon. R. H. Pooley,
Attorney-General,
Parliament Buildings,
Victoria, B.C.

The....

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1927
January 27th - The provincial Game Warden advises Indian Commissioner that he expects maps will be ready shortly and tentative line certificates will be issued for one year so as to adjust any disputes. See copy of this important letter sent herewith.

From the foregoing it will be seen that the family trapping grounds of the Indians were registered in favor of white man Oscar Olander during the progress of the negotiations for registration of the Indian trap-lines on approved maps then in course of preparation by your Provincial Authorities.

For your further perusal, I also beg to enclose copy of a letter received from Mr. Indian Agent Hyde of Hazelton, Babine Agency, dated December 16th, 1927, which also will be self-explanatory and will indicate the difficulty which was attending Indian trap-line registrations in the Babine district.

Furs were found in possession of the Indians Morgan in May, 1929, which were confiscated by the Provincial Police and were sold by the Provincial Government. A settlement was made later with Morgan by the Provincial Government, after the Honourable Attorney-General had refused to allow the Provincial Government to be sued for recovery of furs confiscated. The circumstances, which your files will disclose, were such as to create anxiety with respect to the Morgan family.

The present cases in which fines have been imposed upon these Indians for illegally trapping upon the grounds held to be registered in the name of Oscar Olander, do not help to establish satisfaction that the Indians have received the consideration due them and this suggestion is offered with due respect and with a desire if possible of having the case reviewed carefully, not only with the object of having the imposed fines remitted to the Indians but also with a view to the most sympathetic consideration being given to the matter of adjusting the trap-line registrations in equal justice to the present license holder as to the Indian family involved.

It is respectfully submitted that by virtue of the fact that the Morgan family trap-line covers a length of eighty miles and appears sufficiently large to admit of action being taken under subsection "i" of Section 41 of the "Act for the Protection of certain Animals and Birds" chapter 98.B.C.; also in consideration of the facts as recited in this communication: the circumstances are such as to make quite justifiable an application for an Order-in-Council qualifying the limits of the area to be trapped by the white man Oscar Olander, so that an application of the Indian can be made to replace the one submitted on October 1st, 1930, through the office of the Indian Agent, copy of which is sent herewith, and which was refused on the following grounds:-

> "All territory marked on your sketch with the exception of Mosquito Creek, is registered in this District (Telkwa) in the name of Oscar Olander."

It.....

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INDIAN AFFAIRS
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It would be preferable and I believe justifiable also, if the line now registered by Mr. Olander, should be held to have been issued erroneously and cancelled in favor of Jacob Morgan and family in view of the granting of the line to the former during the negotiations for Indian registrations which course the letter of the Provincial Game Warden dated January 27th, 1927, and previous correspondence cited herein, was designed to avoid.

The remittance of the fines would also be considered an act of justice in the circumstances.

I shall thank you to kindly advise me in due course of your decision.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner.
for W. E. Ditchburn,
Indian Commissioner for B.C.

P/AC
ENCL

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I

BABINE AGENCY

T-3-375.

Office of Indian Agent.

Hazelton, B.C.
January 18th, 1932.

Sir,-

re - Jacob and Wallace Morgan, Kitwangu Reserve;
Infraction of Game Act.

On January 13th 1932 I proceeded to Terrace to attend the Provincial Police Court on behalf of the two above mentioned Indians who had been charged with trapping on the registered trapline of a whiteman, named Oscar Olander. The case came up before Mr. Kenney, Stipendiary Magistrate of Terrace.

Evidence was given on behalf of the Morgan brothers by the father, Stephen Morgan, who is the Indian Chief of the Kitsegukla Reserve. It seems that the Morgan family had trapped on the trapline referred to for over 30 years. In 1926, when registration of traplines was first brought out by the Province of B.C., Chief Morgan and his family went to the Provincial Constable, then stationed at Terrace but now deceased, and asked to have their traplins registered. The Constable informed them that he would take the matter up with Indian Agent Hyde at Hazelton. Apparently nothing was done regarding the registration in the names of these Indians but the trapline was registered in the name of Oscar Olander instead, December 1926. However, the Indians, believing that they were registered, continued trapping on the same trapline - this being known to Olander - until late in December 1931 when the present action was brought forward against them. Apparently these Indians have about six cabins on this trapline and over 300 traps.

I spoke on behalf of these Indians fully explaining the situation to the Magistrate. However, they were each fined $10.00 and $14.40 costs or one month in jail. As these Indians have big families to support I appealed to the Magistrate to give them two weeks in which to raise the fines and costs. This was done.

Dealing with the matter from the Agency point of view I may state that on my tours through the various reserves one of the main subjects with which I have dealt was that of the registration of traplines and with which I am experiencing great difficulty.

On my questioning the Morgan family regarding their traplins they informed me that they were under the impression that they had been registered. On my examination of the records in this office at that time, September 1930, I found that they were not registered and notified the Morgans accordingly. They immediately submitted an application for registration of their trapline together with a sketch map which were forwarded to Game Warden Muirhead. These were returned with a covering letter stating that the trapline in question, excepting a small portion, was registered in the name of Oscar Olander in December 1926. I am enclosing herewith the application of the Morgan family together with the Game Warden's reply and would ask that these be returned to this office at your convenience. On receiving

W. E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
Victoria, B.C.

this....

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this reply from the Game Warden I notified the Morgans and informed them to lift all their traps until such time as this matter could be properly settled. Apparently the Indians were doing this when the charge was laid against them.

May I be permitted to say that the depriving of the Morgan family of this trapline has absolutely removed all sources of living. There are three brothers in this family besides their father and all are married and have large families.

I may further say that Constable McKenney of the Provincial Police, stationed at Terrace, who had nothing whatsoever to do with the conditions aforesaid mentioned, rendered me every assistance at the trial and felt, although he could not openly say so, that the trapline in question should never have been registered in the name of a whiteman. I must say that the sympathies of the Constable had a strong leaning toward the Indians.

In conclusion I would like to say that the Morgan family, although belonging to the Babine Agency, have hunted on the trapline in question which trapline is in the territorial limits of the Skeena Agency.

Anything you can do in this matter on behalf of the Morgan family will be greatly appreciated.

Your obedient servant,

"O. C. Mortimer"

Indian Agent.

OCM/SM.

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(COPY)

112/10265
Nov.1/27

Office of Indian Agent
Hazelton, B.C.
December 16th 1927

Re:Registration of Trap/lines.

Dear Sir:

In reply to your communication dated Nov. 1st 1927, having reference to the progress made with regard to filing applications for the registration of Indian trap lines in this Agency.

I beg to advise you that with the exception of a those Indians having interest in the claims of the Allied Tribes Association, the registration of trapping areas is satisfactory. With the co-operation of the local police and the officers located at other points throughout this District, many disputes are being settled, and in this way the registration is made in the name of the head of the family.

Most of the disputes are among the Indians, really family disputes caused by the death of the Indian who terms himself "boss of the trap-line." When a dispute arises I appoint a time and call together the very old Indians and Chiefs, with their knowledge majority of cases are amicably adjusted. Several of the Kitwancool Indians have registered.

I have found that a number of Indians have come to me for registration and then gone to the Provincial police and tried to register another trap-line.

Every care is taken to have the applicant give and fully describe the Geographical points of his claim.

Your obedient Servant,

"E. Hyde"

Indian Agent.

W. E. Ditchburn, Esq.,
Indian Commissioner,
VICTORIA, B.C.

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(COPY)

GAME BRANCH
VICTORIA

Jan. 27, 1927.

W.E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
P.O. Box 666,
Victoria, B.C.

Registration of Trap-lines.

Dear Sir:

With reference to your conversation with Staff-Sergeant Butler on the m/n matter, Game Wardens and Provincial Constables are taking applications for the registration of trap-lines. Where disputes arise they are settled by these officers or by reference to this office. When satisfied that a trapper's claim to a trap-line is in order we issue a trapping licence for that line, which is renewable yearly.

I expect that maps will be available shortly and we then propose to issue tentative registration certificates in cases where we are sure there are no conflicting claims.

I anticipate a certain amount of trouble in some parts of the country owing to the trap-line regulations having been misunderstood by some Indian Agents, with the result that certain Indians have failed to register their lines. I have no doubt, however, that we will be able to settle these disputes to the satisfaction of all concerned, dealing with them as they arise.

The Department considers that it will be unwise to issue any tentative registration certificates until all applications have been received in this office.

Yours truly,

"J. H. McMullin"

Provincial Game Warden.

FRB/AM

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(COPY)

Full name of Applicant	Latitude	Longitude
Jacob Morgan & Family	54-30	129

Province of British Columbia - "Game Act."

APPLICATION FOR REGISTRATION OF A TRAP-LINE

To the Provincial Game Warden, Victoria, B.C.:

Application is hereby made, in quadruplicate, for the registration of a trap-line as described hereunder and as shown on accompanying sketch:-

Name of applicant..Jacob Morgan & family P.O.....Kitwanga.B.C.....

Nationality.....Indian Fisherman..... Occupation..Fisherman & trapper.

No. of Special Firearms License..... Length of residence in B.C...Born.

No. of years applicant has trapped line.....60 years..... Length of trap-line...80 miles..

Particulars as to blazes or signs on trap-line.....Well Blazed with trails & cabins.

Geographical description of trap-line.....Commences 7 miles north of Killum Lake then 8 miles up to Sant Lake and little Ceder River thence back to Ceder River then north East for 40 miles to Mosquito Creek taking in the North Fork of Mosquito Creek length of Trap-line 80 Miles

Tentative or permanent registration.....Permanent.....

Dated this....1st....day of ..October...1930, at....Hazelton,B.C.....

Signature of applicant....."Jacob Morgan".....

Note.- Sketch of trap-line must accompany this application.

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112/1/23010.

January 23, 1932.

Dear Sir:

May I ask you to be good enough to peruse the enclosed copy of a letter which has been received at this office from our Indian Agent at Hazelton which will be self-explanatory, the same relating to fines imposed upon Indians Jacob and Wallace Morgan by Magistrate Kenny of Terrace, B.C., for alleged infractions of the British Columbia Game Act.

Accompanying this letter is a copy of a letter dated January 27th, 1927, received at this office from the Provincial Game Warden, J.H. McMullin, Esq., which will show that at that time this Department was negotiating with the Provincial Game Authorities with a view to having maps supplied to the several Indian Agents for the purpose of registering Indian traplines, correspondence having this in view having been exchanged in the period between September 3rd, 1926, and the above-mentioned date. A brief resume of this correspondence is as follows:-

Sept. 3,1926 - Provincial Game Warden asks for names and addresses of all Indian Agents so that they may be furnished with forms of application for Indian trap-lines and full instructions.

Oct. 1, 1926 - Indian Commissioner requests Provincial Game Warden for maps for the purpose above mentioned.

Oct. 2, 1926 - Provincial Game Warden asked for information showing territorial boundaries of each Indian Agency.

Oct. 9, 1926 - Indian Commissioner furnishes Provincial Game Warden with Provincial map showing each Agency defined by lines boundaries.

Oct. 13,1926 - Provincial Game Warden informs Indian Commissioner maps being prepared for use of Indian Agents in applying for trap-line registrations.

SPECIAL NOTE:-
Dec. 1926 - The Morgan Indian trap-line which had been trapped for 30 years by Indians given to white man Oscar Olander according to Indian Agent.

Hon. R. H. Pooley,
Attorney-General,
Parliament Buildings,
Victoria, B.C.

The....

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1927
January 27th - The provincial Game Warden advises Indian Commissioner that he expects maps will be ready shortly and tentative line certificates will be issued for one year so as to adjust any disputes. See copy of this important letter sent herewith.

From the foregoing it will be seen that the family trapping grounds of the Indians were registered in favor of white man Oscar Olander during the progress of the negotiations for registration of the Indian trap-lines on approved maps then in course of preparation by your Provincial Authorities.

For your further perusal, I also beg to enclose copy of a letter received from Mr. Indian Agent Hyde of Hazelton, Babine Agency, dated December 16th, 1927, which also will be self-explanatory and will indicate the difficulty which was attending Indian trap-line registrations in the Babine district.

Furs were found in possession of the Indians Morgan in May, 1929, which were confiscated by the Provincial Police and were sold by the Provincial Government. A settlement was made later with Morgan by the Provincial Government, after the Honourable Attorney-General had refused to allow the Provincial Government to be sued for recovery of furs confiscated. The circumstances, which your files will disclose, were such as to create anxiety with respect to the Morgan family.

The present cases in which fines have been imposed upon these Indians for illegally trapping upon the grounds held to be registered in the name of Oscar Olander, do not help to establish satisfaction that the Indians have received the consideration due them and this suggestion is offered with due respect and with a desire if possible of having the case reviewed carefully, not only with the object of having the imposed fines remitted to the Indians but also with a view to the most sympathetic consideration being given to the matter of adjusting the trap-line registrations in equal justice to the present license holder as to the Indian family involved.

It is respectfully submitted that by virtue of the fact that the Morgan family trap-line covers a length of eighty miles and appears sufficiently large to admit of action being taken under subsection "i" of Section 41 of the "Act for the Protection of certain Animals and Birds" chapter 98.B.C.; also in consideration of the facts as recited in this communication: the circumstances are such as to make quite justifiable an application for an Order-in-Council qualifying the limits of the area to be trapped by the white man Oscar Olander, so that an application of the Indian can be made to replace the one submitted on October 1st, 1930, through the office of the Indian Agent, copy of which is sent herewith, and which was refused on the following grounds:-

> "All territory marked on your sketch with the exception of Mosquito Creek, is registered in this District (Telkwa) in the name of Oscar Olander."

It.....

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It would be preferable and I believe justifiable also, if the line now registered by Mr. Olander, should be held to have been issued erroneously and cancelled in favor of Jacob Morgan and family in view of the granting of the line to the former during the negotiations for Indian registrations which course the letter of the Provincial Game Warden dated January 27th, 1927, and previous correspondence cited herein, was designed to avoid.

The remittance of the fines would also be considered an act of justice in the circumstances.

I shall thank you to kindly advise me in due course of your decision.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner.
for W. E. Ditchburn,
Indian Commissioner for B.C.

P/AC
ENCL

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BABINE AGENCY

T-3-375.

Office of Indian Agent.

Hazelton, B.C.
January 18th, 1932.

Sir,-

re - Jacob and Wallace Morgan, Kitwanga Reserve;
Infraction of Game Act.

On January 13th 1932 I proceeded to Terrace to attend the Provincial Police Court on behalf of the two above mentioned Indians who had been charged with trapping on the registered trapline of a whiteman, named Oscar Olander. The case came up before Mr. Kenney, Stipendiary Magistrate of Terrace.

Evidence was given on behalf of the Morgan brothers by the father, Stephen Morgan, who is the Indian Chief of the Kitsegukla Reserve. It seems that the Morgan family had trapped on the trapline referred to for over 30 years. In 1926, when registration of traplines was first brought out by the Province of B.C., Chief Morgan and his family went to the Provincial Constable, then stationed at Terrace but now deceased, and asked to have their trapline registered. The Constable informed them that he would take the matter up with Indian Agent Hyde at Hazelton. Apparently nothing was done regarding the registration in the names of these Indians but the trapline was registered in the name of Oscar Olander instead, December 1926. However, the Indians, believing that they were registered, continued trapping on the same trapline - this being known to Olander - until late in December 1931 when the present action was brought forward against them. Apparently these Indians have about six cabins on this trapline and over 300 traps.

I spoke on behalf of these Indians fully explaining the situation to the Magistrate. However, they were each fined $10.00 and $14.40 costs or one month in jail. As these Indians have big families to support I appealed to the Magistrate to give them two weeks in which to raise the fines and costs. This was done.

Dealing with the matter from the Agency point of view I may state that on my tours through the various reserves one of the main subjects with which I have dealt was that of the registration of traplines and with which I am experiencing great difficulty.

On my questioning the Morgan family regarding their trapline they informed me that they were under the impression that they had been registered. On my examination of the records in this office at that time, September 1930, I found that they were not registered and notified the Morgans accordingly. They immediately submitted an application for registration of their trapline together with a sketch map which were forwarded to Game Warden Muirhead. These were returned with a covering letter stating that the trapline in question, excepting a small portion, was registered in the name of Oscar Olander in December 1926. I am enclosing herewith the application of the Morgan family together with the Game Warden's reply and would ask that these be returned to this office at your convenience. On receiving

W. E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
Victoria, B.C.

this....

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May I be permitted to say that the depriving of the Morgan family of this trapline has absolutely removed all sources of living. There are three brothers in this family besides their father and all are married and have large families.

I may further say that Constable McKenney of the Provincial Police, stationed at Terrace, who had nothing whatsoever to do with the conditions aforesaid mentioned, rendered me every assistance at the trial and felt, although he could not openly say so, that the trapline in question should never have been registered in the name of a whiteman. I must say that the sympathies of the Constable had a strong leaning toward the Indians.

In conclusion I would like to say that the Morgan family, although belonging to the Babine Agency, have hunted on the trapline in question which trapline is in the territorial limits of the Skeena Agency.

Anything you can do in this matter on behalf of the Morgan family will be greatly appreciated.

Your obedient servant,

"G. C. Mortimer"

Indian Agent.

GCM/SM.

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112/10265
Nov.1/27

Office of Indian Agent
Hazelton, B.C.
December 16th 1927

Re:Registration of Trap/lines.

Dear Sir:

In reply to your communication dated Nov. 1st 1927, having reference to the progress made with regard to filing applications for the registration of Indian trap lines in this Agency.

I beg to advise you that with the exception of a those Indians having interest in the claims of the Allied Tribes Association, the registration of trapping areas is satisfactory. With the co-operation of the local police and the officers located at other points throughout this District, many disputes are being settled, and in this way the registration is made in the name of the head of the family.

Most of the disputes are among the Indians, really family disputes caused by the death of the Indian who terms himself "boss of the trap-line." When a dispute arises I appoint a time and call together the very old Indians and Chiefs, with their knowledge majority of cases are amicably adjusted. Several of the Kitwancool Indians have registered.

I have found that a number of Indians have come to me for registration and then gone to the Provincial police and tried to register another trap-line.

Every care is taken to have the applicant give and fully describe the Geographical points of his claim.

Your obedient Servant,

"E. Hyde"

Indian Agent.

W. E. Ditchburn, Esq.,
Indian Commissioner,
VICTORIA, B.C.

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GAME BRANCH
VICTORIA

Jan. 27, 1927.

W.E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
P.O. Box 666,
Victoria, B.C.

Registration of Trap-lines.

Dear Sir:

With reference to your conversation with Staff-Sergeant Butler on the a/n matter, Game Wardens and Provincial Constables are taking applications for the registration of trap-lines. Where disputes arise they are settled by these officers or by reference to this office. When satisfied that a trapper's claim to a trap-line is in order we issue a trapping license for that line, which is renewable yearly.

I expect that maps will be available shortly and we then propose to issue tentative registration certificates in cases where we are sure there are no conflicting claims.

I anticipate a certain amount of trouble in some parts of the country owing to the trap-line regulations having been misunderstood by some Indian Agents, with the result that certain Indians have failed to register their lines. I have no doubt, however, that we will be able to settle these disputes to the satisfaction of all concerned, dealing with them as they arise.

The Department considers that it will be unwise to issue any tentative registration certificates until all applications have been received in this office.

Yours truly,

"J. H. McMullin"

Provincial Game Warden.

FRB/AM

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Archives nationales du Canada

(COPY)

GAME BRANCH
VICTORIA

Jan. 27, 1927.

W.E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
P.O. Box 666,
Victoria, B.C.

Registration of Trap-lines.

Dear Sir:

With reference to your conversation with Staff-Sergeant Butler on the m/n matter, Game Wardens and Provincial Constables are taking applications for the registration of trap-lines. Where disputes arise they are settled by these officers or by reference to this office. When satisfied that a trapper's claim to a trap-line is in order we issue a trapping licence for that line, which is renewable yearly.

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The Department considers that it will be unwise to issue any tentative registration certificates until all applications have been received in this office.

Yours truly,

"J. H. McMullin"

Provincial Game Warden.

FRB/AM

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(C O P Y)

Full name of Applicant	Latitude	Longitude
Jacob Morgan & Family	54-30	129

Province of British Columbia - "Game Act."

APPLICATION FOR REGISTRATION OF A TRAP-LINE

To the Provincial Game Warden, Victoria, B.C.:

Application is hereby made, in quadruplicate, for the registration of a trap-line as described hereunder and as shown on accompanying sketch:-

Name of applicant..Jacob Morgan & family P.O.....Kitwanga.B.C.....

Nationality.....Indian Fisherman..... Occupation..Fisherman & trapper.

No. of Special Firearms licence..... Length of residence in B.C...Born.

No. of years applicant has trapped line.....60 years..... Length of trap-line...80 miles..

Particulars as to blazes or signs on trap-line.....Well blazed with trails & cabins.

Geographical description of trap-line.....Commences 7 miles north of Killum Lake then 8 miles up to Sant Lake and little Ceder River thence back to Ceder River then north East for 40 miles to Mosquito Creek taking in the North Fork of Mosquito Creek length of Trap-line 80 Miles

Tentative or permanent registration.....Permanent.....

Dated this....1st....day of ..October...1930, at....Hazelton,B.C.....

Signature of applicant....."Jacob Morgan".....

Note.- Sketch of trap-line must accompany this application.

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

YOUR REPLY REFER TO
No. 420-3
ALSO TO THE DATE OF THIS LETTER
PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

1-8-2

DEPARTMENT OF INDIAN AFFAIRS
CANADA

Ottawa, 12th. October, 1932

Sir:

I have to acknowledge your 112/1/26531 of the 4th instant with reference to the report by Mr.G.C.Mortimer, Indian Agent at Hazelton, B.C., of a dispute between two Indians as to their alleged respective rights to exclusive trapping privileges within a certain described area.

The Department concurs in the views expressed in your letter of the 4th instant addressed to Mr.Mortimer, and has written to him, directing that your recommendations should be followed. He has been told to urge upon the Indians the understanding that ancient tribal customs cannot supersede the laws of the country, and the desirability of applying for registration of their trap lines, as only by so doing can they acquire any legal right to trap in a designated area.

Your obedient servant,

Secretary

C.C.Perry Esquire,
Assistant Indian Commissioner,
Victoria, B.C.

COMMISSIONER'S OFFICE
OCT 17 1932
VICTORIA, B. C.

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

YOUR REPLY REFER TO
420-3
No.....

ALSO TO THE DATE OF THIS LETTER

PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS
CANADA

October 5,1932.

Sir:-

Will you kindly let the department have a report and recommendation with reference to the trapline dispute between Amos Williams and Philip Johnson as contained in letter from Indian Agent Mortimer dated the 28th ultimo, copy of which was forwarded to you.

Your obedient servant,

A.F.MacKenzie.
Secretary.

G.C.Mortimer,Esq.,
Indian Agent,
Hazelton,B.C.

COMMISSIONER'S OFFICE
OCT 11 1932
VICTORIA, B. C.

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112/1/26531.

October 4, 1932.

Dear Sir:

Mr. Indian Agent Mortimer has supplied me with copies of his letter No.T-3-228, dated September 28th, 1932, and enclosures relating to a dispute over hunting and trapping territory now taking place between two Indians named Amos Williams and Phillip Johnson which involves their friends and descendants.

As it is likely that the Department may refer the matter to this office for report. I beg to transmit herewith copy of my reply to Agent Mortimer which will be self-explanatory.

My experince as Indian Agent in the North country for many years brought me into contact with scores of similar cases, and I am afraid it will take several years to break down the resistance of the Northern Indians to the statutes and regulations which challenge their own vaunted claims to right of possession and ownership of the country and its resources.

It is only by firm discouragement of these attempts at tribal intrigue and agitation by the substitution of clement but determined application of the regulations that govern the people of the country, both Indian and white, that will eventually teach the Indians the uselessness of opposing the Government and to see the advantages which follow in the train of registration and other legal procedure in pursuit of their means of subsistence and employment. The Department will be aware that the Indians in the vicinity of Kitwancool have, for the past quarter of a century, given the white people and the Government considerable concern. They have turned back prospectors, surveyors and land seekers, and have even flaunted the police and Indian Agents. These Indians quote the Scriptures and curse the man or woman who dares to question the validity of the ancient land-marks of their forefathers.

The issue now under consideration is not confined to the dispute between the families of Amos Williams and Phillip Johnson, but goes farther than this. It revives the question of the assumed aboriginal title which question has been settled insofar as the Department may be concerned by the adoption of the report of the joint Parliamentary-Senate Committee, and any attempt on the part of any Indian in British Columbia to resurrect the issue should be put down with a firm but tactful hand.

I may say that during the negotiations involved in the winding up of the work of the late Royal Commission by Commissioner Ditchburn, Reverend Peter Kelly was entrusted, with our Indian Committee to meet these Indians from Kitwanga and Kitwanthcool at the Indian office at Prince Rupert whilst I was Agent there. Mr. Kelly was obliged to direct them to the door and ask them to leave because they would not listen to his advice. They paced up and

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

down....

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down outside the Indian office for hours. Subsequently the Chief of the tribe was asked to appoint a new delegation and at length he was enabled to discuss reserve questions with them in a more satisfactory manner. Since that time a Mounted Police patrol has been established to control these Indians and we may yet find their services useful in that district.

Your obedient servant,

Encl.
P/AC

C. C. Perry,
Asst. Indian Commissioner for B.C.

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112/1/26530.

October 4, 1932.

Sir:

I beg to acknowledge receipt of copy of your letter of September 28th, addressed to the Department, in regard to a trapping and hunting ground dispute between Amos Williams and Phillip Johnson. As you ask for my personal opinion and advice in this matter, I am led to inquire if, when the dispute was supposed to have been settled in a friendly way by Mr. Hyde, the late Agent, any applications for registration of Indian trap-lines were submitted for registration to the Provincial Authorities by Mr. Hyde. It is desired also to know if Indian trap-lines in the area in dispute have ever been registered and if not, what reason can be given for this condition.

Insofar as I am aware the right of Indians to make allotment of areas for trapping and hunting has not been recognized by the Governments; nor is it officially recognized that Indians have any claim whatever to ownership of areas outside their recognized reserves unless obtained under Crown title.

Outside the Indian reserves, the Indians are subject, in British Columbia, to the Game laws of the Province in respect to hunting and trapping, even though the Indians of Kinwanthcool and other remote places have been slow to recognize this.

The sort of dispute now going on should, in my opinion, be discouraged by our officials, by refusing to recognize any fictitious claims made by the Indians and not supported by either Dominion or Provincial Statutes.

Of course, in connection with the registrations of Indian trap-lines, care should be taken to register the ground for individual Indians who are recognized as being most reasonably entitled to trap and hunt in the territory to be assigned to them. This is, admittedly, sometimes, as in the present case, difficult to determine. The B.C. Game Act covers, I think, most questions that would arise bearing upon the privileges of hunting and trapping; and, it should be pointed out that the Provincial Government has control of all game matters, whether in organized or unorganized districts, except that the Game Act does not apply to an Indian Reserve.

G. C. Mortimer, Esq.,
Indian Agent,
Hazelton, B.C.

In regard....

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In regard to trapping: The Indians may become "licensed trappers" subject to the Authorization of the B.C. Game Commissioner. But even the registration of a trap-line does not give any person or Indian a right to acquire any estate or title in any land or property within the area comprised in the trap-line. All registrations of trap-lines must have the approval of the B.C. Game Commissioner who also has power to cancel them upon proof to his satisfaction that trapping is not being regularly and effectively engaged in thereon during the open season for fur-bearing animals. The Lieut.-Governor in Council may also regulate matters relating to trap-lines.

In view of the foregoing, it is considered that the Indians should apply for the registration of their trap-lines and be shown by yourself as Indian Agent that it is futile for them to expend all their energy in the pursuit of something that is not feasibly obtainable. If they were to exert the same amount of energy in endeavoring to obtain something that is attainable, they would ultimately get farther and obtain greater satisfaction. They cannot expect the Governments of the country to change all their laws and regulations just to satisfy an isolated instance of tribal revenge that has no support either in law or in civilized perspective.

The sooner these Indians are convinced that the laws of the Governments take precedence in their relations to Indian tribal custom the better it will be for everybody.

It is further my opinion that the registration of Indian trap-lines in the area in dispute should be applied for by those Indians who have made the most practical use of the trap-lines over several recent years; and Indians who are inclined to make trouble such as several are known to be in and around Kitwanthcool and Kitwangar should be warned not to interfere in the operation of the laws of the Governments in the land where they live and move, otherwise they may get into difficulty with the authorities and suffer as a consequence, of which they have already had some experience.

The Indians will have the support and aid of the Department and its local officials only as long as they are inclined to obey the laws of the land which, as before stated, come before Indian tribal customs and usages.

Under the circumstances, I think that it is unnecessary to pay much attention to the conflicting statements of Indian contestants in this dispute who appear themselves not to remember much of the details which gave rise to this trouble, and appear only to be participating in their annual quarrelling and bickering as soon as they find themselves with little better use for the time on their hands, following their seasonal fishing. If they would get to work and forget these petty matters it would be better for them and for everyone else.

My advice is to bend every energy in securing registered trap-lines for these Indians with the least possible delay. Any so-called rights to hunting and trapping claimed by Indians, apart from those secured for them by registration or license as provided for in the British Columbia Game Act, cannot be recognized and the Indians should be so advised, subject of course to any directions that may be given you by the Department directly, in reply to your letter, for which it is desired that you should hold this letter in abeyance.

Your obedient servant,

P/AC

Asst. Indian Commissioner for B.C.

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BABINE AGENCY

DEPARTMENT OF INDIAN AFFAIRS
CANADA

T-3-228.

OFFICE OF
INDIAN AGENT

Hazelton, B.C.

September 28th, 1932.

The Original of this letter has been forwarded to the Department at Ottawa.

Sir,-

re - Trapline Dispute between Amos Williams and Philip Johnson.

I am enclosing herewith evidence carefully taken by an efficient interpreter in a hunting ground dispute between Amos Williams, an Indian Chief of the Kitwancool Band, and Philip Johnson, an Indian of the Hazelton Band.

I feel that the advice and counsel of the Department would assist me greatly in arriving at a satisfactory conclusion in the matter.

Previous disputes regarding this hunting ground with the late Agent, Mr. Hyde, had not been satisfactorily settled, no decision being given.

I feel that this is one of the most serious disputes I have encountered and, if I were to make a faulty decision, it might develope into serious consequences.

The dispute in question is of many years standing and therefore the advice of, and instructions from, the Department will be greatly appreciated.

Encls.

Your obedient servant,

COMMISSIONER'S OFFICE
OCT 3 1932
VICTORIA, B. C.

GCM/SM.

G. C. Mortimer,
Indian Agent.

C. C. Perry, Esq.,
Asst. Indian Commissioner for B.C.,
Victoria, B. C.

P.S. I should greatly appreciate your personal opinion and advice in this matter.

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HUNTING GROUND DISPUTE

between

AMOS WILLIAMS & PHILIP JOHNSON.

Hazelton, B.C. Sept. 24th, 1927.

Statement made to Mr. Indian Agent Hyde.

Amos Williams of Cedarvale objects to Philip Johnson of Hazelton going hunting on the Hunting Grounds some 50 miles up Kispiox River from Hazelton and about 20 miles from 1st Cabin (on Kispiox River).

James White is a witness:-
The grand-parents of Amos forfeited their hunting rights in favour of Philip Johnson's grand-parents on account of the murder of one of his grand-parents. Ma-lu committed the murder and he killed Ma-can-us-oh-you, grand-parent of Philip Johnson. Ma-lu agreed to hand over his Hunting Ground to Philips grand-parents. Kit-an-guelet (fish camp) is name of Hunting Ground and above Mul-an-gist is a river which runs into the Kispiox.
Philip Johnson hunted over this area for the last ten years, or his nephews, Austin Matthews and Abel Oakes.
The relatives of Amos have trapped some 15 miles N. of the H/G for many years and have sometimes trapped on Mul-an-gist Creek.
(Footnote:- Write to Amos; inform him that its Philip's intention to (trap over the area in the usual way. Settled in a friendly way.)

May 26th, 1932.

Present - Philip Johnson and his witnesses. (Only)

Statements made by witnesses at Indian Agent's Office.
Mrs. C. Cox acted as Interpreter.

Abel Oakes, who is a relative of Philip Johnson, speaks on behalf of Philip Johnson:-
He says that they are always having trouble with Amos Williams about this trapline. Amos Williams is right. This trapline did belong to his family years ago. Many years ago Philip Johnson's great grand-father was killed on this trapline over some dispute and therefore this trapline was given to the descendants as a peace offering. Moses Gwoim was the head of Philip Johnson's family at the time this trapline was given. Since the death of Moses Gwoim in 1912 Amos Williams has said that he (Amos) thinks the trapline should be returned to the original owners. According th Indian law a trapline given as a peace offering because of a killing stands for ever. He says that Amos Williams told him that the hunting ground had been held long enough by Moses Gwoim and his descendants and that it should be returned to his (Amos') people. This statement was made twice showing that the hunting ground was, at one time, given to Moses Gwoim's people. He told Amos that the dispute should come before thw Indian Agent, which suggestion was not agreed to by Amos Williams. Moses Gwoim said, before he died, that he could have killed one of the family of Amos Williams but he preferred to have the hunting ground. Moses Gwoim told his descendants that they must keep the hunting ground, and not take any life, so that it would always be in their possession.
The hunting ground is situated on the left bank of the Kispiox R River about 60 miles from Hazelton. The commencement is about one mile S.E. of the junction of the Ma-gan-gees Creek with the Kispiox River; thence up the entire length of the creek; thence Westerly to the Kispiox River, which point is about ten(10) miles from the commencement. Also on the right bank of the Kispiox River to a depth of about four (4) miles along the ten (10) length.

(On June 2nd, 1932 Amos stated that this report was not correct.)

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Hunting Ground dispute between AMOS WILLIAMS and PHILIP JOHNSON.

May 26 th, 1932.

SAMUEL JOHNSON, as witness:-
He says that he would rather have spoken in the presence of Amos Williams.
The story was told me by a relative who was there at the time of the shooting. The great grandfather was warned three times while on that hunting ground although the man claimed that he was entitled to part of the ground. After the third warning this man was shot. This happened when Samuel Johnson's father was a boy. The Kitwancool people, after the shooting, had to give over the hunting ground as a peace offering. The cause of the present dispute is that the shooting was done on the mountain and the Kitwancool people think that too much ground was given as a peace offering. Therefore Moses Gwoim and his descendants should not be entitled to the creek. But the whole hunting ground was the peace offering at that time. Philip Johnson is quite right in claiming the whole hunting ground as this is the Indian law on the spilling of blood. I went three winters with Moses Gwoim, who was like a brother, and Moses told me all about the shooting and the place where it was done. These people who have the hunting ground do not want any trouble and wish to have it finally settled by the Indian Agent so that everyone will know to whom it belongs. They say they are fully entitled to this hunting ground and that it cannot ever return to Amos williams and his people. This bad feeling has only come about this last few years with the younger people of Kitwancool.

(Amos Williams says that this report is not correct.)

JAMES WHITE, as witness:-
He says that when he was a boy his great grandmother told him the story of the shooting and said that the great grandfather - whose name was Gun-au-no-stim-olsk, meaning the frog down at the bottom - was quite entitled to go to the place where he was shot for he was not trespassing and had a right to be there. He knew who belonged to the hunting grounds all around. The story told was that the Kitwancool people were envious of the one who was shot as he had a good hunting ground. The hunting grounds of both the great grandfather and the Kitwancool people adjoined and, after the shooting, the Kitwancool people had to forfeit theirs, making one large hunting ground for Moses Gwoim. When the great grandfather was missing the Gwoim families, numbering over 100 people, went to the hunting ground and found the body. The Kitwancool people sent word not to take life but to take the hunting ground, which was done. Anything that is given to pay for a death is given for ever. So the Kitwancool people cannot ask for it back or any part of it.
He says that Moses Gwoim stayed at his home for about eighteen (18) months before his death and he told him that the hunting ground was his and must be kept in the family, and that a post should be placed at the commencement of the hunting ground, on the Kispiox River. Nees-la-ha-noos - the one who did the shooting - told Moses Gwoim that he would tell all his nephews about the shooting and the giving over to Moses of the hunting ground so that in the years to come no trouble would arise. Nees-la-ha-noos would sometimes visit Moses at his hunting ground and was very friendly. Now the younger generation want to set aside the gift and take it back.

(Amos Williams says that this report is also incorrect.)

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Hunting Ground dispute between AMOS WILLIAMS and PHILIP JOHNSON.

May 26th, 1932.

Charles Gwoim, who is the only son alive and was born on the hunting ground, witness:-
He says that he is 45 years of age and that he has been off and on this hunting ground for 35 years, sometimes living there both summer and winter. Moses Gwoim built a good house, camps, fish house, also roads up into the mountains and most that is there was made by Moses Gwoim and is kept in shape by his descendants. The Kitwancool people would often come over to Moses' house and camp for several days - always being most friendly and peaceful and knowing that the Hunting ground belonged to Moses. He says that he questioned his father, Moses, why it was that the Kitwancool people knew the hunting ground so well and he was told that they once owned it but gave it up to Moses on account of the killing of the great grandfather. On these occasions services would be held and everyone was most friendly. On one occasion, after the evening meal, Moses had mentioned the question Charles had asked and the story of the shooting had been told and that the hunting ground had been given as a peace offering. The Kitwancool people there said this was correct. Nees-la-ha-noos also told the story and confirmed all that had been said, saying that they liked to visit Moses in a friendly way.

(Amos Williams says that some of this report is correct but not all.)

HENRY ALUK; witness:-
He says that he is 60 years of age and that his hunting ground is next to that of Moses Gwoim's and that throughout the last 50 years he has seen, first Moses Gwoim then, without break, Philip Johnson, Abel Oakes, Charles Gwoim and other descendants of Moses Gwoim go each winter to their hunting ground.

(Amos Williams says this is not correct.)

ABEL OAKES:- says that they want this settled as soon as possible so that there will be no more trouble. If not settled he says there will be bad trouble. He says that Fred Good - a relative of Amos Williams - has written on trees to say that Philip Johnson and his party must not come next year (meaning 1932-1933) as they want this as their hunting ground.

June 2nd, 1932.

Present, Principals and Witnesses of both Parties.

Indian Agent's Office. Mrs. C. Cox, Interpreter.

AMOS WILLIAMS:- says that many years ago his grandfather came from Dum-lath-am (Hazelton) and went up the Kispiox River. The generation of to-day is entirely different from that of many years ago. Years ago they were always out looking for fish etc. They came to a canyon on the Kispiox River and discovered it was a good place to get fish. They built a house there, caught and dried fish. They were there alone. In those days when a fishing place was found they lived on it and they lived many years here. It was named Kit-an-guelth, meaning "The Place of Drying". I am now nearly 80 years of age and have no desire to make trouble with anyone. I am a peaceful man and all my life have remembered what God said - "Thou shalt not steal", "Thou shalt not murder or covet thy neighbours property". I consider myself a christian and I want to do what is right. I saw a strange fish-house being built and it was being built by the Johnson family. You have statements from the Johnson family that the trapline was given to them. I am the head of my family and I have never been told that story about the old people of his household. I was advised to show friendship to everyone

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Hunting Ground dispute between Amos WILLIAMS and PHILIP JOHNSON.

June 2nd, 1932.

AMOS WILLIAMS:- (Cont.)
friendship to everyone and help them. I do not like the statement about ransom, about being paid. That statement is wrong. I had no idea that these people, who belong to Kisgegas, should claim this hunting ground. Moses Gwoim had a hunting ground near Kisgegas, named Thath-win-skath. I would like them to go to their own hunting ground, same as at the beginning. I have a hunting ground above the fish-house and I lost a saw and five steel traps. I want these people stopped from going on this hunting ground as I want this creek for myself. I have trapped on that creek and on the mountains since I was a boy and I have never seen anyone trapping on that ground. I have seen the Johnson family pass there but they never stopped to talk. This was the only winter I did not go but I sent two nephews to the Ma-gan-gees Creek. My ancestors never told me about anyone being killed on the hunting ground. When Mr. Hyde was here he had a map given to him which was made by our family. Mr. Hyde put all the names of the people who know that the creek belongs to us:- Chief Simideeks, Saywa George and Wallace Laknitz of Kitwanga and William Dick of Kispiox. The people who have been with me on the hunting ground during the last ten years are Joe Bright and Ben Bright of Meanskinisht.

MATHIAS BRIGHT:- as witness:-
He says that his father's name was Ma-lu and he must have been the one who did the murder. When he was young his father told him that this was thier hunting ground. They lived at the canyon, even in the summer time, and dried fish there. His father and mother never told him about any trouble but his mother told him that the Gwoims were relatives which was the reason of the friendliness.

William Brown:- as witness:-
He states that Amos Williams did not tell a straight story. Hannah Jackson (who looks after him) can tell the story about the hunting ground. Years ago they were very friendly.

ADAM MAY:- as witness:-
He says that his hunting ground is along side the disputed hunting ground. I trap on the hunting ground of William Stevens. I have seen Philip Johnson hunting there and he is the one who should hunt there. The Gwoims owned a portion of the hunting ground but when the old man was killed they forfeited the hunting ground. Gwoim has a hunting house there and I saw him hunting. After his death I saw Philip Johnson hunt there and I saw him every winter on the disputed creek. I never saw Amos williams or his family hunting there. I have seen some of Amos williams' household there. They seemed to be trespassing as they did not want Philip Johnson to know.

(Amos williams says that this sounds like a made-up story. He has (50 traps there.)

(Philip Johnson says that he has 8 bear traps and many marten traps (on the creek. Also some are up on the hillsides.) He says that he (has a cabin on Ma-gan-gees Creek which was built in 1914 and is (beside the trail. He says that the Good Brothers did not trap (there until last year. He says that Matthew Austin commenced (trapping on the creek 18 years ago.)

DANIEL SKAWELL:- as witness:- states he is an old man. He remembers well the story of a Kitwancool Indian shooting a relation of Philip Johnson. The Kitwancool people gave the trapline to Moses Gwoim's uncle. This trapline included Ma-gan-gees Creek, where the beaver is. I have passed there many time and have seen Philip Johnson's family on the trapline which now belongs to Philip Johnson. The man who was murdered was a Kisgegas Indian. The trapline, includung the mountain and Ma-gan-gees Creek, was given as recompense for the killing.

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Hunting Ground dispute between AMOS WILLIAMS and PHILIP JOHNSON.

Court held on September 13th,1932 at the Indian Agent's Office in the morning and at the Kitanmax Hall (Indian) in the afternoon. Mrs. C. Cox. Interpreter.

FRED GOOD:- as witness:-
He says that he is a relation of Amos williams. When he was a very small boy his grandfather told him the story of this hunting ground, who said it belonged to him. It passed from one to another of our family. It was never told that the hunting ground had been given away. When I was a small boy my grandparents took me over this hunting ground and showed me the roads. My father has been dead 16 years and we did not go to the hunting ground unitl last winter, but Amos Williams and Douglas Marsden hunted there during the 16 years. I had been going to the hunting ground of my wife's people. I did not register the trapline.

RUFUS GOOD:- as witness:- says,
I went to the hunting ground with my mother in 1911, 1912 and 1913 and I did not hear of any hunting house until 1914 when I saw it that year. I travelled all over but saw nothing. The hunting ground belonged to my grandfather and it is our property. I was quite surprised to see a hunting house in 1914. Last winter I was told the hunting ground belonged to Philip Johnson by Abel Oakes. I would not go to another hunting ground and claim it if it did not belong to me. The hunting ground belonged to our grandfather and we in-herited same. I cannot understand why they did not see any of our relations on the trapline. Moses Gweim married a woman and lived up there. I am 35 years of age.

RICHARD DOUSE:- as witness:-
He says that it is not their intention to cause any trouble. Everything has been told to me and things have been misrepresented. The Kitwancool people wish to state the truth for we know the law does not want lies told. Everything was told him by his grandfather but no mention of this murder. No story has been told of any part of the Ma-gan-gees Creek being given as ransom. Old people all die and the young ones get the hunting grounds. We dont want trouble to come into the family; we only want what is our own. Even if there is only one left of the family that one can hold it. It is not right to mix two families and if anyone get hurt they will blame each other. Before Philip Johnson should have registered he should have brought in the whole tribe. He quite disapproves of the statements of Philip Johnson and his family. During the last ten years I have seen Lach-a-ness, who is the uncle of these boys, hunt there and some of the younger ones too. Amos williams and his sister went hunting there.

William Dick, witness:-
says that his father's sister married Ma-li and that he was the head of the hunting ground. His father and relatives went to this hunting ground before he was born and he and his sisters have been attached to the hunting ground for 18 years and he knows that it belongs to their family. He had seen notices, put up by Abel Oakes, telling not to hunt bear.

JOHN G. BROWN, witness:-
says that he cannot tell much about this dispute or the hunting ground as he does not go there. His own trapline is not so far up the Kispiox River. But he did hear that Kit-an-guelth belonged to Mali, Amos Williams family.

RICHARD MORRISON, witness:- says that the Ma-gan-gees Creek is alongside his trapline and he knows it. Ma-li was chief and head of household at Kitwancool and head of Ma-gan-gees Creek which was full of beaver. The creek belongs to the Kitwancool people and has done for many generations. He was told that the killing was done on the mountain at Leu-za-quit, meaning the "Dish-like spot".

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Hunting Ground dispute between AMOS WILLIAMS and PHILIP JOHNSON.

September 13th, 1932.

SAMUEL JOHNSON, witness:-
says that he spoke before in the spring and will endeavour to say the same. There is a great deal of trouble and talk going on. He says that the hunting ground belongs to the Kitwancool people and not to Abel Oakes and relatives at all. The ma-gan-gees Creek is the hunting ground and belongs to the Kitwancool people. He and his brother, William Dick, grew up on that hunting ground and he knows that this hunting ground belongs to the original owners without dispute. The Ma-gan-gees Creek does not belong to Abel Oakes and Company but the mountain may do so.

Question by Indian Agent:- Do you know Philip Johnson? A. Yes.
Do you know his family? A. Yes.
Have you seen Philip on this hunting ground?

Ans. It is not long since I saw Philip at the creek making camp and he was heading for mountain. I told them that they were not doing right by coming this way as there was another trail. Every year I have seen Kitwancool people there. Their fire has never been out at Kit-an-guelth.

Ques. Is the fish-house still there? A. No.
Is the bridge still there?

Ans. The butts are there and logs are put from butts to gravel bar in centre of the river.

He heard that a relative of Philip Johnson had been killed on the mountain but this must be four or five generations ago. The law says that a man must be seen killed but no one saw this done. He heard that the killing took place after the man had been warned two or three times. Philip Johnson has only right to mountain where the man was killed.
The statement made before was not entirely correct but this one is the truth.

ROBERT WILSON, witness:-
says that when he was a small boy he went with his father to this hunting ground and saw the Kitwancool people there. Then we came to another hunting house which belonged to Go-gault who was the father-in-law of Moses Gweim. Moses Gweim was there too but he trapped at the headwaters of Ma-gan-gees Creek and lived there all the time. Moses Gweim was a Kispiox Indian and when he was dying he told me not to let anyone take the traps away from the headwaters. He did not mention the creek, only the headwaters. I could not say that the creek belongs to Philip Johnson as I never saw him there but I did see the Kitwancool people there.

Question by Indian Agent:- Did you know Moses Gweim? Ans. Yes.
Did you know of the shooting?

Ans. The reason the hunting ground was given was on account of the killing but it was only the mountai that was given as a peace offering and it was considered a very valuable hunting ground.

William Stevens, witness:-
says that his hunting ground is next beyond that under dispute and was given to him by his mother. They had to pass by this hunting ground and, when a boy, he would see a very old man and then another old man, then Fred Good as a baby in arms, then Amos Williams and Douglas Marsden. When in camp the Kitwancool people would make a list of names of who were there and Amos Williams' name was always on the list. The list would be placed in a tree so that those who passed by could see. He says that after a while Philip Johnson came and lived in his house, and Charles Gweim showed Philip which way to go. The next year Philip, Abel and William Wale went and trouble started brewing between the two parties. But Ma-gan-gees Creek belongs to the Kitwancool people.

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Hunting Ground dispute between AMOS WILLIAMS and PHILIP JOHNSON.

September 13th, 1932.

Ques. asked Wm. Stevens by Indian Agent:- Have you seen Philip Johnsen on the Ma-gan-gees Creek? Ans. Yes.

Q. Why would there be trouble?
A. I prefer others to say as the story was only told to me. But I do not know why Philip Johnsen should claim the Ma-gan-gees Creek.
Q. Where is Moses Gweim's hunting ground?
A. It starts from a lake called Am-am-lu. Moses Gweim was there because the hunting ground belonged to his wife, and he only hunted at the head of the creek and had nothing to do with the creek as the Kitwancool people hunted there.

ALBERT WILLIAMS, witness:-
says that when he was a small boy he was with his father, Ma-le,on this hunting ground. The Kitwancool people came over the mountain and crossed over the Kispiox River by logs. They lived on the West side of the river and crossed over to the Ma-gan-gees Creek. After his fatherôs death Nees-la-ha-nees went there and then his uncle, on his father's side,and he went with both and they never saw any strangers. After the death of Nees-la-ha-nees, he and his brother with their Aunt came to see Mr. Lering before going to the huntingó ground. Mr. Lering did not give them any paper but told them to go to the hunting ground. He says that they came to see Mr. Lering because they knew that law had come to the Country and they wanted to make sure that they were doing right. They then went to the Ma-gan-gees Creek, which had been shown to them as their hunting ground by their father. They always tried to be friendly with everyone, even to strangers. Samuel Johnson and his brother came and they had a meal together.
They have been put to a lot of expense on account of this dipute which is not right as they have always kept inside the lines and marks made by their father on the hunting ground. This expense should be paid by those who have started the trouble.

HENRY ALUK, witness:-
sýas that he has seen all the Kitwancool people hunting there and he has seen the Gweims hunting there, but I dont know why. He has seen Moses Gweim go up Ma-gan-gees Creek catching marten.

Ques. By Indian Agent: Have you seen Philip Johnson on this hunting ground since the death of Moses Gweim?
Ans. Several years after Moses Gweim's death I saw Philip Johnson go on to Ma-gan-gee Creek.

DANIEL SKAWELL, witness:-
says that his hunting ground is up in the Stikine country and that he would pass this hunting ground,which is in dispute,on his way. When he was quite a young man, only just married, he would see Moses Gweim there putting out traps along the road. If the Kitwancool people belonged to Ma-gan-gees Creek why did they allow the Gweims to trap there? If they had told Gweims to get off that hunting ground they would have got off but they were allowed to hunt there. Kit-an-guelth belongs to the Kitwancool people but Ma-gan-gees Creek belongs to the Gweim family.

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Hunting Ground dispute between AMOS WILLIAMS and PHILIP JOHNSON.

September 13th, 1932.

CHIEF JAMES WHITE, witness:-
says that Ma-gan-gees Creek did belong to the Kitwancool people in the beginning, but when they shed blood on the hunting ground they released their holding on it and turned it over to the Gweims as a peace offering for the one they killed. The Gweims owned the mountain before and my father told me that it was on the mountain that their relative was killed by the Kitwancools. The Kitwancool people came from Kit-an-guelth - where they dried fish - and went up the mountain and they found a man hunting groundhogs and they killed him there on his own mountain. The Gweim families found the body of the murdered man and set off to kill one of the Kitwancool people but the latter decided to give the Ma-gan-gees Creek to the Gweims. That was the old Indian law, they paid ransom for a death. After the hunting ground was given there was peace between the two clans. No one can change this law and no one can take back, at a later date, what was given as a peace offering. For nearly two years before Moses Gweim died he lived with him (James White) and the story of the killing was told and also of the giving over of the hunting ground ~~ground~~ to the Gweims. Moses asked that no trouble be made but that the family would keep the hunting ground and he also told Philip Johnson that that he must keep the hunting ground and not cause any trouble or take revenge for the killing of years ago. The first people that lived there was the father of Henry Aluk's wife and when he died Moses Gweim took his place. Moses Gweim has built several fish-houses there and he (James) helped to build some of them. I know that this hunting ground belongs now to the Gweim family on account of the bloodshed of years ago. All those present who came from Kispiox know the name of the man that was killed but I have not heard anyone mention his name to-day.

Mrs. Nancy White (wife of James White), witness:-
says that her grandfather, Moses Gweim, stayed at her house for several months up to his death and that on his deathbed he told her again the whole story and asked that the hunting ground be held by the family. After Moses Gweim's death Ames Williams and Douglas Marsden came to her house - her husband, James, and her two daughters were there at the time - and Ames said "How much do "you want me to pay ransom? I will give you half of Ma-gan-gees "Creek." I said "I will go to Mr. Ryde and we will go to law about "it, now that all the old people are dead." Ames said "I have not "got a hunting ground but I will take half of Ma-gan-gees Creek "and you can take the other half." All the old people have died and it was all settled but Ames wants to cause trouble. Ames is pretending that he does not remember this. Moses Gweim, her grandfather, said "Hold the creek and do not kill anybody.

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Hunting Ground dispute between AMOS WILLIAMS and PHILIP JOHNSON.

September 13th, 1932.

MRS. GOOD, witness:-

says that she went to this hunting ground with her grandfather, Nees-la-ha-nees. Her grandfather never thought that anyone else would put in a claim to a hunting ground which had come down through many generations to them. Three times Moses Gweim was driven off the hunting ground but Gweim said that as he had married the mother of William Stevens he was entitled to hunt there and that was the reason why he lived there. Gweim would go and trespass and steal the beaver and they would then go to Mr. Loring and complain about Gweim. Mr. Loring said that they should take all of Gweim's traps so that he could not hunt and he would then have to come to Mr. Loring's court. Because Gweim was married to one of their people he was not molested. She looked after her grandfather, when he was sick, for eight years and she asked him if there was anything to tell her and he said there was nothing. Therefore, she says that these reports are not true. Kitwancool people own Kit-an-guelth and all the mountains around and they have legends about them. No one can put in a claim to their hunting ground as it belong to them, and her grandfather built two fish-houses. She would like the Indian Agent to ask if anyone saw the killing. If such had occurred there would have been a ransom feast given and no// one here can say that such a feast was given. She never heard of any killing and you can not believe all the stories. Lack-da-dack was given to William Stevens and no story was ever told except that of William Stevens. Her grandfather and three brothers hunted together. The Ma-gan-geec Creek still belongs to them.

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Hunting Ground dispute between AMOS WILLIAMS and PHILIP JOHNSON.

Copies of letters received in connection with this dispute.

P.O.Kitwanga, B.C. May 31st, 1932.

We have learned that a Court will be opened in the matter of Hunting Ground at Git-an-gwelque between Amos Williams vs. Abel Oaks. We wish to let you know that the Hunting Ground in question is absolutely the inheritance of our Fathers, so Mr. Amos Williams, one of our Fathers, is the successor of his Predecessors' Hunting Ground above named.

Kindly note that Mr. Abel Oaks has no right to trap or hunt on the above Hunting Ground because he is of different origin. It is wise therefore for him to keep away from any trouble.

Kindly warn him to quit and not to interfere any further, in the matter.

Kindly note that the Ground in question is generally known by all men that Amos Williams has the right upon the Ground.

We are yours truly,

(Signed) Mathias Bright and Albert Williams.

Undated.

My mother was married to Mali, a Kitwancool Chief and owner of Git-an-gwelk hunting ground. I was then only a boy, now I am an old man and know that the hunting ground known as Git-an-gwelk belongs to the Mali family.

(Signed) Wallace Laknitts.

Undated.

As a young woman I went with my husband and the Mali family to Git-an-gwelk and trapped there. This huntning ground was known as Mali's huntning ground and as far as I know no one was ever killed or murdered there.

(Signed) Martha Mulkun.

Undated.

The huntning ground known as Git-an-gwelk has always belonged to the Mali family.

It has never been forfeited for anything that I know of.

(Signed) Solomon Lalt.

E-1-1-0-0-0

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112/1/13264.

December 29, 1928.

Dear Sir;- Re-Trap-Line Dispute-Jean Batiste.

I beg to acknowledge receipt of your Report of the 20th instant in connection with the claim of Indian Batiste to the Trap-Line now held by Hugh McLean. This matter was again taken up with the Chief Game Warden and I am attaching a copy of his reply hereto.

I would recommend that you get in touch with Sergt.Van Dyk and ask for an opportunity to go into the matter with him.

AVH.

Yours truly,

Enclosure;-

W.E.Ditchburn.
Indian Commissioner for B.C.

E. Hyde, Esq.,
Indian Agent,
Hazelton, B.C.

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C O P Y.

British Columbia Provincial Police.
Game Branch.

Victoria,
December 28, 1928.

W.E.Ditchburn, Esq.,
Indian Commissioner for B.C.,
P.O.Box 666,
Victoria, B.C.

Dear Sir:

Re: Trap-line dispute.

I am in receipt of your letter dated the 26th inst. with enclosures mentioned therein relative to dispute between Indian Batiste and Hugh McLean.

In view of the contents of your letter and the enclosures mentioned I am writing the Officer Commanding "D" Difision, B.C.P.Police, Prince Rupert, B.C., instructing him to have Sergt. Van Dyk i/c Game Laws Enforcement Branch investigate and endeavor to settle this dispute at the earliest possible date. As soon as a Report is submitted by Sergt. Van Dyk on his investigation I will write you further therein

Yours truly,

J.H.McMullin.
Provincial Game Warden.

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Address all communications to:
THE PROVINCIAL GAME WARDEN
Br[redacted] Columbia Provincial Police
(Game Branch)
Victoria, B.C.

GAME BRANCH

VICTORIA

In reply quote File No.....

Your File No. 112/1/13243.

Dec. 28, 1928.

SUBJECT:

W.E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
P.O. Box 666,
Victoria, B. C.

Re: Trap-line Dispute.

Dear Sir:

I am in receipt of your letter dated 26th inst. with enclosures mentioned therein relative to dispute between Indian Batiste and Hugh McLean.

In view of the contents of your letter and the enclosures mentioned I am writing the Officer Commanding, "D" Division, B.C.P. Police, Prince Rupert, B.C., instructing him to have Sergt. Van Dyk, i/c Game Laws Enforcement Branch, investigate and endeavor to settle this dispute at the earliest possible date. As soon as a report is submitted by Sergt. Van Dyk on his investigation I will write you further herein.

Yours truly,

COMMISSIONER'S OFFICE
DEC 29 1928
VICTORIA, B. C.

The trap line dispute of the Batistes.

Wait Sergt. Van Dyk's report on this report and

FRB/AM

J.H. McMullin,
Provincial Game Warden.

INDIAN AFFAIRS
AFFAIRES INDIENNES

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112/1/13243.

December 26, 1928.

Dear Sir;-

With further reference to the Trap-Line dispute between Indian Baptiste and the white man Hugh McLean in the Telkwa area I beg to enclose herewith copies of a Report from Mr. Indian Agent Hyde, of Hazelton and of statements taken from several Indians who have lived and trapped for a great many years in the disputed area. You will note that Mr. Hyde's statement as to the nature of Jack McKendrick's employment differs from Constable Fairbairn's report which you enclosed with your letter of February 7, 1928, also Hugh McLean is stated to have been working in mines, tie camps etc. in the years Constable Fairbairn reports him as operating this Trap Line.

From the enclosed it would appear that Baptiste has a good claim to this territory as he and his forefathers appear to have been in the habit of trapping there for many years before the white man came, and that he had seen Constable Fairbairn about this trapping ground shortly after the Regulations regarding the registration of Trap Lines came into force.

I would therefore again draw this case to your attention in the hope that further consideration might be given to Baptiste's claim.

AVH.

Yours truly,

W.E.Ditchburn.
Indian Commissioner for B.C.

Enclosures;-

Col. J.H.McMullin,
Provincial Game Warden,
Victoria, B.C.

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C O P Y.

Indian Agent's Office.

Hazelton, B.C.
December 20, 1928.

Re-Trap Line Dispute-- Jean Batiste, Indian.

Dear Sir;-

After making extensive enquiries and taking statements from Indians not of the same Crest as Batiste and also from information gathered from Old Timers, it appears that when the Registration of Trap Lines first came out, Baptiste went to Constable Fairbairn to Register the Trap Line now in dispute and Constable Fairbairn told him he could not register that Trap Line but gave him the one marked Blue on the Map. It seems strange to me that part of this line, which is on the South of Canyon Creek, then goes in an Easterly direction crossing McLean's line several times. This is unusual for the Indians ar any other person as they would regard it as invading their territory. There is no doubt in my mind that Baptiste has trapped from McClure Lake, where his home has been for many years, to Dome Mountain. Arthur Charlie's Line is on the South of Baptiste's and Lame Michelle's is on the North of Baptiste's line. Accoràing to statements taken from the Indians themselves, Baptiste and his family have trapped that part of the country many years without interference from other Indians, prior to McLean. In the Report of the British Columbia Police it is noted on Page 1, that a white man Jack McKendrick is supposed to have trapped there during the year 1916-17 when I know for a fact that Jack McKendrick was killed overseas August 1916. 1910-11, Jack McKendrick returned from Babine where he had been Fishery Overseer and commenced work as a clerk for Broughton & McNeil, Aldemere and 1911-12 on his return in the fall he again was occupied for the winter in the same store. These are facte which I am personally aware of as I was a personal friend of this man. I cannot say from 1914-15 as I myself was overseas from here at the outbreak of war 1914 and did not return until the Fall of 1919. I have interviewed Mr. J. Bourgon,a rancher who resided near Mr. McKendrick and he states that he never knew Jack to do much trapping unless it may have been around his claim on what is known as McKendrick Mountain.

Mr. Fairbairn states in his Report that Baptiste made no objection to McLean until February 1927. Soon after the Registration of Trap Lines came into effect I was at Telkwa and Fairbairn called me into his office and pointed out that McLean and Baptiste were after the same line. He informed me that he had given Baptiste two places, one in the Hubert District and the other on the South side of CanyonCreek and crossing over towards Dome Mountain. He mentioned that it would be quite possible Hugh McLean would be giving this trap-line up sooner or later and that he would see that Baptiste got it. I think that Mr. Fairbairn was doing his best to please both the applicants and I was quite satisfied with this arrangement. Baptiste never came to me until after the Mounted Police reported the matter and when I saw Sergeant Service about the dispute,he said he would do his best for the Indian and I believe he has.

I know Mr. Hugh McLean and he is not what one would call amprofessional trapper. When things are good during the winter he usually works around Telkwa in the mines or the Logging Camps During the spring of 1923 he worked for the Guggunhem Mining Co. at Dome.

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at Dome Mountain and did not trap that spring. 1923-24 he worked at a Coal Mine. 1924-25 he is supposed to have worked for George Murray, Tie Contractor and A. Prudholme. 1925-26 during this winter he was employed on building a bridge for the Public Works Department at apoint on the Babine Trail, some twenty miles East of Hazelton, so from this you will see that Constable Fairbairn's Report as to dates is inacurate. I omitted to say that during the latter part of 1922 he was working for Jefferies and commenced with the Mining Company at Dome Mountain February 1923.

I enclose herewith statements taken from the following Indians of the Moricetown Band, Old Sam, Bill Nye, Baptiste, Arthur Charlie, Peter Pierre and Lame Michelle. The area in dispute has no connection whatever with the trapping grounds of the Babine Indians residing on Babine Lake.

Youe obedient servant,

E.Hyde.
Indian Agent.

W.E.Ditchburn, Esq.,
Indian Commissioner,
Victoria, B.C.

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( ) P Y.

November 28, 1928.

About three years age I was trapping on Baptiste's line at Dome Mountain. Fairbairn told me to quit, he said it was McLean's line. I left eighteen traps on the line and McLean bought them for $5.00. Fairbairn told me if I did not stay away he would make trouble for Me.

Peter Pierre,
Smithers, B.C.

I belong to Moricetown and know all about trapping, I trap up towards Canyon and Driftwood Creeks. This has belonged to our family many generations. I know Baptiste and know where he live on trap-line near Tyee Lake and he trap way up to Dome Mountain. Other side near Deep Creek is Arthur Charliewe, thats his place. Baptiste's place is in between my place and Arthur Charlie's place. Baptiste's father way back trapped there, then when he died Baptiste he take him. I am 65 years old and maybee Baptiste same.

Lame Michelle.

June 4/28.

Trap-Line Dispute.

I am an Indian and have lived on the land North of McClure Lake (Tyee Lake) for the past 45 years. Ever since I was a boy I trapped with my Grandfather from Tyee Lake to Dome Mountain where Hugh McLean is trapping now. When I hear all Indians have to see Policeman about trap-lines I go to Constable Fairbairn at Telkwa to register my trapping ground and Constable Fairbairn said to wait awhile, that was when Corpl. Brice, Mounted Police was here. Corpl. Brice told me see Fairbairn again. I did and he said bring all your traps in because Hugh McLean own that place now. I obeyed the law and I bring my traps in. He give me another trap-line right close by Hubert where the men cut ties and where I never catch any fur.

Fairbairn refused my application to register the line where McLean is now trapping and let McLean go and trap over it ever since and he has not registered it yet. Every year I ask Fairbairn for my trap-line.

Baptiste X His Mark.

E.Hyde,

Witness,
Corpl. Berger, R.C.M.P.

Barrett Lake, B.C.

Baptiste vs McLean Trap-Line.

My trap line is on South of Dome Mountain. I have trapped there since little boy with my sister. I am 33 years of age and since those days I always remember Baptiste traps from Tyee Lake to Dome Mountain, then this side Canyon Creek (South side) and meets me head of Deep Creek which is his South Boundry. I have never heard of Jack McKendrick trapping on Baptiste's place Jack had claim. I hear Jack and Bill Johnson trapped one year when aptiste and I did not go. We rested traps then because

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fur too cheap. (1912)

Arthur Charlie.

Teklwa Encampment

Telkwa, B.C.
May 26th. 1928.

Trap-Line dispute- Baptiste, Indian.

I belong to Hagwilget Indian Reserve and am about 80 years old and know most of the places where Indians trap. When I was small boy, before I was Baptized I remember the trapping and hunting grounds of Baptiste's Grandfather who was chief then. When he died Baptiste took place of his Grandfather. He is second Chief which gives him the hunting rights which started from Tyee Lake (McClures) then away over the hill which the white people call Croin Trail to Beaver dam towards Babine Lake. He never crossed Canyon Creek, the country North side of Canyon Creek, was the hunting ground of Peter Basil of Morlcetown, Canyon Creek boundry. Round Lake Tommy's people trapped from Round Lake Easterly towards Babine Lake. Arthur Charlie hunts from Summit Lake towards Dome Mountain now.

Batiste has hunted his place all his life, he is getting old now. He used to hunt over this place when small boy with his Grandfather.

Old Sam X his mark.

Bill Nye's Ranch
Bulkley Valley.

Baptiste vs Hugh McLean- Trap-Line Dispute.

I am Chief Moricetown Band and I have known Batiste since small boy. He go hunt with his Grandfather and pack blankets when small boy. He start his trap-line North side Tyee Lake (near Tyee David's place on Lake), then he go over trail to Dome Mountain and come back towards Deep Creek where Arthur Charlie's trap-line starts.

Canyon Creek Boundry on North side and Deep Creek boundry on South side Arthur Charlie's trapping ground.

Other side Canyon Creek to Driftwood Creek belong to Peter Basil.

I am old man and know all about the rights of the Indians of my Band. The trap-line which Hugh McLean was given by Constable belongs to Batiste, it was his Grandfather's.

Bill Johnson trapped once, stealing. Hugh McLean has trapped three years (1925-28) trap line now. I never know Jack McKendrick trap Dome Mountain, he had claim there.

Bill Nye X (his mark)

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INDIAN AGENT'S OFFICE

COMMISSIONER'S OFFICE
DEC 26 1928
VICTORIA, B. C.

Hazelton, B.C.,

December 20th. 1928

IN YOUR REPLY REFER TO
No. 112-1-10966
ALSO
TO DATE OF THIS LETTER

Re; Trap-line Dispute- Jean Batiste, Indian.

Dear *Sir*,—

After making extensive enquiries and taking statements from Indians not of the same Crest as Batiste and also from information gathered from Old Timers, it appears that when the Registration for trap-lines first came out Batiste went to Constable Fairbairn to register the trap-line now in dispute and Constable Fairbairn told him that he could not register that trap-line but gave him the one marked blue on the map. It seems strange to me that part of this ~~here~~ line which is on the South of Canyon Creek, then goes in an Easterly direction crossing McLean's line several times. This is unusual for the Indians or any other person as they would regard it as invading their territory. There is no doubt in my mind that Batiste has trapped from McClure Lake, where his home has been for many years, to Dome Mountain. Arthur Charlie's line is on the South of Batiste's and Lame Michelle's on the North of Batiste's line. According to statements taken from the Indians themselves, Batiste and his family have trapped that part of the country many years without interference from other Indians prior to McLean. In the report of the British Columbia Police it is noted on page 1, that a Whiteman, Jack McKendrick is supposed to have trapped there during the year 1916-17 when I know for a fact that Jack McKendrick was killed overseas August, 1916. 1910-11, Jack McKendrick returned from Babine where he had been Fishery Overseer and commenced work as a clerk for Broughton & McNiel, Aldemere and 1911-12 on his return in the Fall he again was occupied for the winter in the same store. These are facts which I am personally aware of, as I was a personal friend of this man. I cannot say from 1914-15 as I myself was overseas from here at the out-break of war 1914 and did not return until the Fall of 1919. I have interviewed Mr. J. Bourgon, a Rancher who resided near Mr. McKendrick and he states that he never knew Jack to do much trapping unless it may have been around his claim on what is known as McKendrick Mountain.

Mr. Fairbairn states in his report that Batiste made no objection to McLean until February 1927. Soon after the Registration of trap-lines came into effect I was at Telkwa and Fairbairn called me into his office and pointed out that McLean and Batiste were after the same line. He informed me that he had given Batiste two places, one in the Hubert District and the other on the South side of Canyon Creek and crossing over towards Dome Mountain. He mentioned that it was quite possible Hugh McLean would be giving this trap-line up sooner or later and that he would see that Batiste got it. I think Mr. Fairbairn was doing his best to please both the applicants and I was quite satisfied with this arrangement. Batiste never came to me until after the Mounted Police reported the matter and when I saw Sergeant Service about the dispute, he said he would do his best for the Indian and I believe he has.

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I know Mr. Hugh McLean and he is not what one would call a professional trapper. When things are good during the winter he usually works around Telkwa in the Mines or the Logging Camp. During the Spring of 1923 he worked for the Guggunhem Mining Company at Dome Mountain and did not trapthat Spring. 1923-24he worked at a Coal Mine; 1924-25 he is supposed to have worked for George Murray, Tie Contractor and A. Prudholme; 1925-26 during this winter he was employed on building a bridge for the Public Works Department at a point on the Babine Trail some twenty miles East of Hazelton, so from this you will see that Constable Fairbairn's report as to dates is inaccurate. I omitted to say that during the latter part of 1922 he was working for Jeffries and commenced with the Mining Company at Dome Mountain February 1923.

I enclose herewith statements taken from the following Indians of the Moricetown Band, Old Sam, Bill Nye, Batiste, Arthur Charlie, Peter Pierre and Lame Michelle. The area in dispute has no connection whatever with the trapping grounds of the Babine Indians residing on Babine Lake.

Your obedient servant,

E. Hyde

E. Hyde,
Indian Agent.

W.E. Ditchburn, Esq.,
Indian Commissioner,
Victoria,
B.C.

EH/EM

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COPY.

November 28th. 1928

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Peter Pierre,

SMITHERS,
B.C.

I belong to Moricetown and know all about trapping I trap up towards Canyon and Driftwood Creeks. This has belonged to our family many generation. I know Batiste and know where he live on trap-line near Tyee Lake and he trap way up to Dome Mountain. Otherside near Deep Creek is Arthur Charlie's, that's his place. Batiste's line is in between my place and Arthur Charlie's place. Batiste's father way back trapped there, then when he died, Batiste he take him. I am 65 years old and maybe Batiste same.

Lame Michelle.

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June 4/28

Trap-line Dispute.

I am an Indian and have lived on the land north of McClure Lake(Tyee Lake) for the past forty-five years. Ever-since I was a boy I trapped with my grandfather from Tyee Lake to Dome Mountain where Hugh McLean's trapping now. When I hear all Indians have to see Policeman about trap-line, I go to Constable Fairbairn at Telkwa to register my trapping grounds and Constable Fairbairn said wait awhile, that was when Corpl. Brice, Mounted Police was here. Corpl. Brice said told me see Fairbairn again. I did and he said bring all your traps in because Hugh McLean own that place now. I obeyed the law and I bring my traps in. He give me another trap-line right close by Hubert where the men cut ties and where I never catch any fur.

Fairbairn refused my application to register the line where McLean is now trapping and let McLean go and trap over it eversince and he has not registered it yet.Every year I ask Fairbairn for my trap-line.

Batiste
X (his mark)

E. Hyde,

Witness,

Corpl. Berger,
R.C.M.P.

Barrett Lake, B.C.

Batiste vs. McLean Trap-line.

My trap-line is on South of Dome Mountain. I have trapped there since little boy with my sister. I am 33 years of age and since those days I always remember that Batiste traps from Tyee Lake to Dome Mountain, then this side Canyon Creek (south side) and meets me head of Deep Creek which is his South boundry. I never heard of Jack McKendrick trapping on Batiste's place. Jack had claim. I hear Jack and Bill Johnson trapped one year when Batiste and I did not go. We rested traps then because fur too cheap.(1912)

ARTHUR CHARLIE.

000125

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Teklwa Encampment.

Telkwa, B.C.,
May 26th.1928

Trap-line Dispute - Batiste, Indian.

I belong to Hagwilget Indian Reserve and am about 80 years old and know most of the places where old Indians traps. When I was small boy, before I was baptized I remember the trapping and hunting grounds of Batiste's grandfather who was chief then. When he died Batiste took place of his grandfather. He is second chief which gives him the hunting rights which started from Tyee Lake(McClure) then away over the hill which the White people call Croin Trail to Beaver Dam towards Babine Lake. He never crossed Canyon Creek, the county North side of Canyon Creek was the hunting grounds of Peter Basil of Moricetown. Canyon Creek Boundry. Round Lake Tommy's people trapped from Round Lake Easterly towards Babine Lake. Arthur Charlie hunts from Summit Lake towards Dome Mountain now.

Batiste has hunted his place all his life, he is getting old now. He used to hunt over this place when a samll boy with his grandfather.

Old Sam
X (his mark)

Bill Nye's Ranch,
Bulkley Valley,

Batiste vs. Hugh McLean - Trap-line Dispute.

I am Chief Moricetown Band and I have known Batiste since small boy. He go hunt with his grandfather and pack blankets when small boy. He start his trap-line North side Tyee Lake(near Tyee David's place on Lake), then he go over trail to Dome Mountain and come back towards Deep Creek where Arthur Charlie's trap-line starts.

Canyon Creek Boundry on North side and Deep Creek Boundry on South side Arthur Charlie's trapping grounds.

Otherside Canyon Creek to Driftwood Creek belonged to Peter Basil of

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I am old man and know all about the rights of the Indians of my band. The trap-line which Hugh Kalean was given by Constable belongs to Batiste, it was his grandfather's.

Bill Johnson trapped once; stealing. Hugh Kalean has trapped three years(1925-28) trap-line now. I never know Jack Kolendrick trap Done Mountain, he had claim there.

Bill Nye
X (his mark)

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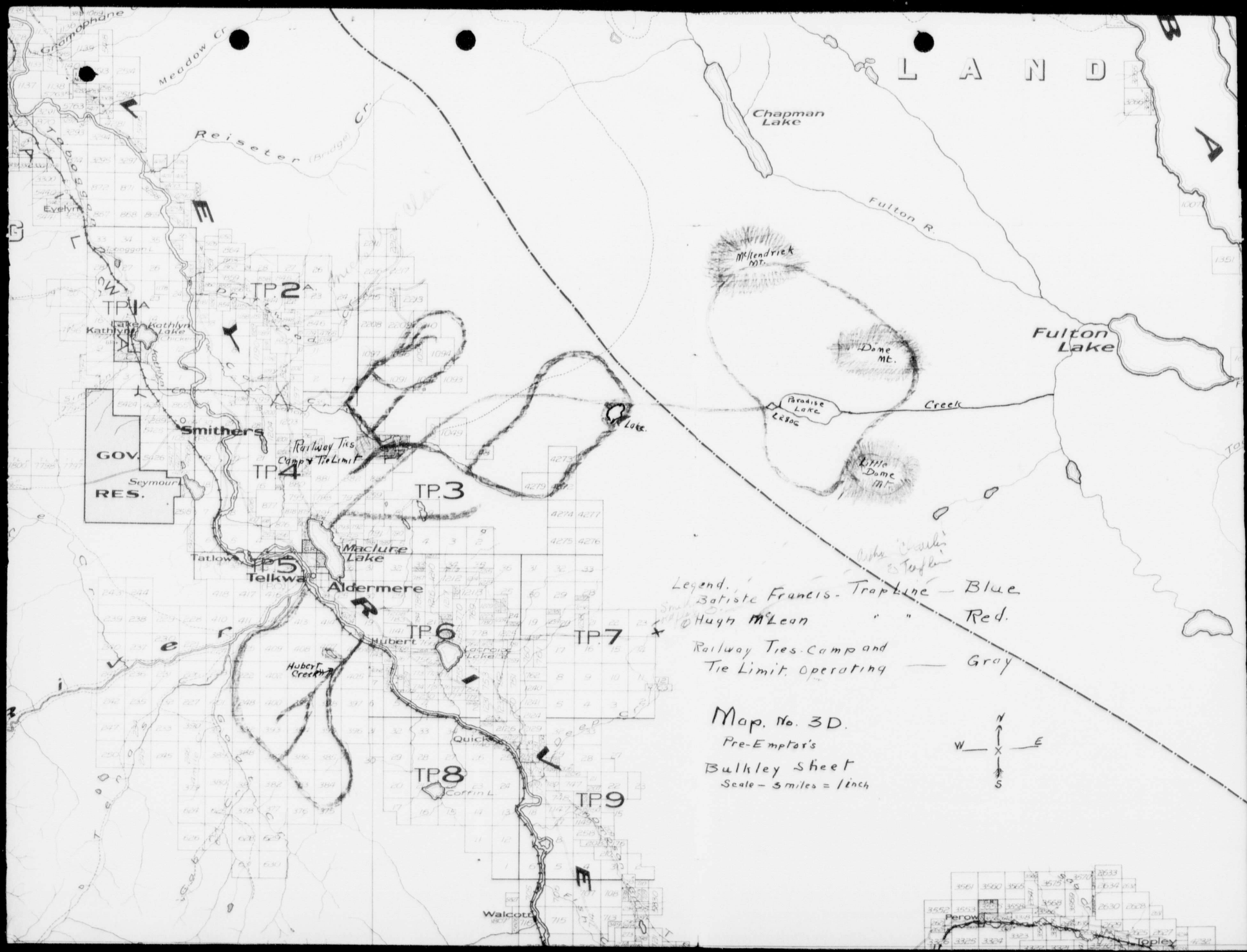
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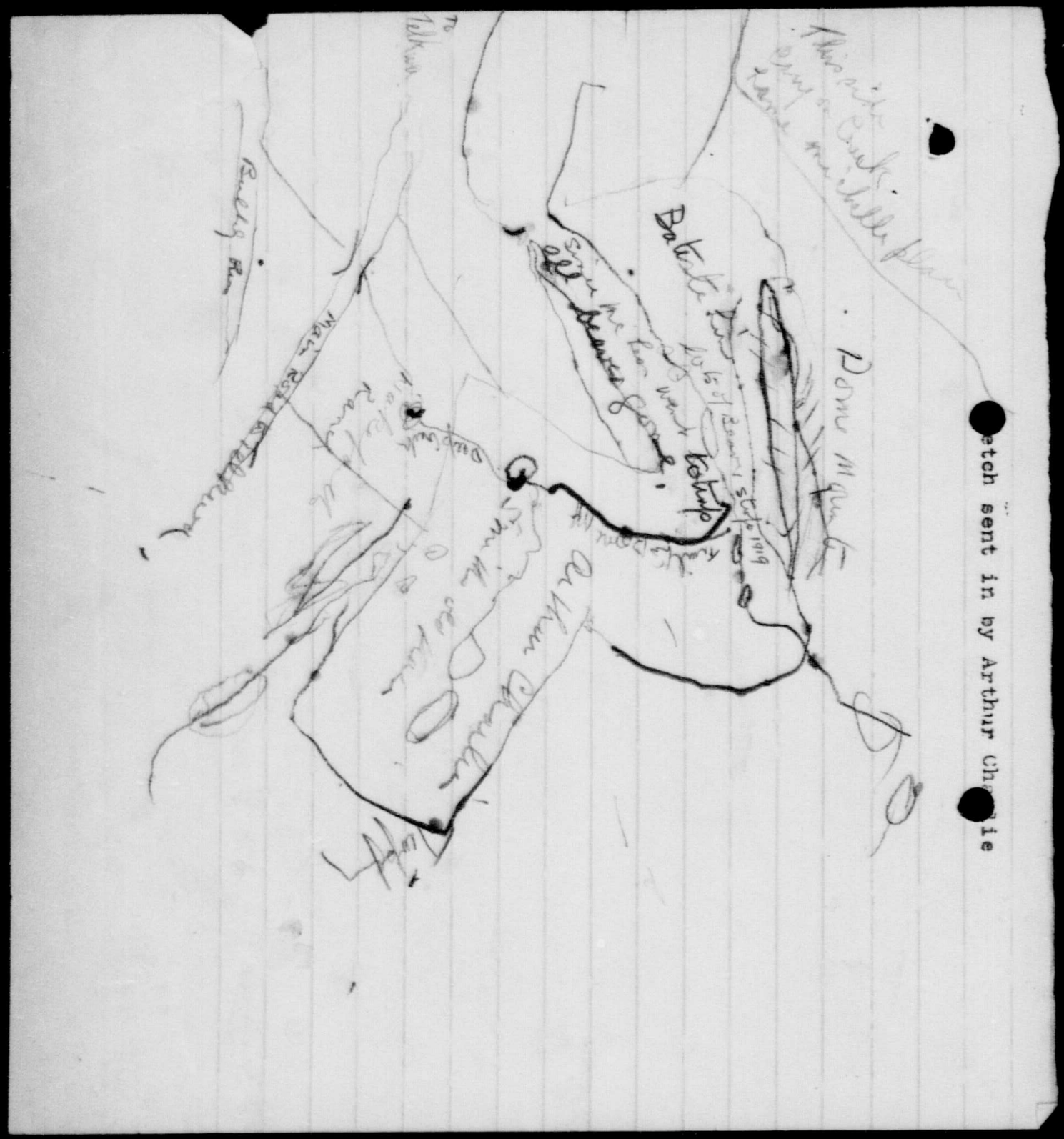
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REPEAT
REPETITION

INDIAN AFFAIRS
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Dome Mountain
Batchawana Bay
Batchawana Bay Indian Reserve No. 15
Batchawana Bay
Batchawana Bay
Batchawana Bay

112/1

DEPARTMENT OF INDIAN AFFAIRS
CANADA

COMMISSIONER'S OFFICE
MAR 19 1928
VICTORIA, B. C.

OFFICE OF
INDIAN AGENT

112/1/10966.

Hazelton, B.C.
March 13th/28.

Re-Trap line, Jean Batiste.

Dear Mr. Ditchburn

Mr. Hyde is out of hospital & has just heard from Corpl. Burger of the Mounted Police, Telkwa, that Batiste had requested him to let Mr. Hyde know that he could not get his witnesses together until May the 24th when the Indians of the Bulkley Valley assemble together on the occasion when Mr. Hyde usually makes it a point of being there to look into their family disputes or grievances.

As this is an important case

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

You may wonder at the long delay. My husband has asked me to write you in the event of Provincial officers making enquiries as to the seeming delay in collecting evidence on behalf of the Indian's claim.

I hope this very long winter has not been detrimental to your health.

Yours Sincerely,

Violet Myers.

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AFFAIRES INDIENNES

National Archives of Canada
Archives nationales du Canada

112/1/10966.

February 20, 1928.

Re--Trap Line dispute, Jean Batiste, Indian.

Dear Sir:-

I beg to acknowledge receipt of your letter of the 14th instant with further reference to the matter of a dispute over the registration of a trap line in favour of the Indian Jean Batiste, and in connection with the same I deem it important that you should have a copy of a report of Constable Fairbairn and Sergeant Service, of the Provincial Police, with regard to this disputed line, from which it will be observed that from the year 1910 up to the present it would appear that Batiste has not used this trap line. There are, however, the years 1917 to 1922, when the name of the claimant of this line is not known, but this may have been the time, when Jean Batiste was occupying the same.

Your obedient servant,

Enclosures:-

W.E.Ditchburn.
Indian Commissioner for B.C.

WED/HM.

E.Hyde, Esq.,
Indian Agent,
Hazelton, B.C.

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COPY. BRITISH COLUMBIA POLICE.

Date: Jan. 25, 1928.

R E P O R T.

RE: TRAP-LINE dispute between H. McLean and Batiste Francis.

In reply to the Superintendent's letters of January 10th and 13th, 1928, and copies of letters from the Indian Commissioner and report of Cpl. Berger, R.C.M.P., I beg to report as follows:-

Batiste Francis is an Indian; Hugh McLean is a white man.

The trap-line under dispute is situated North East of Telkwa, commencing at Maclure Lake, better known as Tyee Lake, and ending at a mountain known as Dome Mountain in the Babine Range, see sketch enclosed.

McLean first trapped on this trap-line in the spring of 1923, and with the exception of the season 1924-25, when he claims he rested the line, he has continued to trap on the same line.

On April 6th, 1927, H. McLean reported Batiste having cut out a trap line which ran along side of his, and, to avoid trouble with Batiste he moved his line over about three miles, but in the same area. The area in dispute has been trapped by white men as follows:-

1910-11 -	White man -	Old Timers say Jack McKendrick.
1911-12 -	" " -	" " " " "
1912-13 -	" " -	John Person & W.O. Johnson.
1913-14 -	" " -	" " " " "
1914-15 -	-	Not known.
1915-16 -	White men -	A. Chisholm & S. Young.
1916-17 -	" " -	Jack McKendrick.
1917-18 -	-	Not known.
1918-19 -	-	" "
1919-20 -	-	" "
1920-21 -	-	" "
1921-22 -	-	" "
1922-23 -	White man -	Hugh McLean.
1923-24 -	Rested -	Held by Hugh McLean.
1924-25 -	White man -	Hugh McLean.
1925-26 -	" " -	" "
1926-27 -	" " -	" "
1927-28 -	" " -	" "

Jack McKendrick went overseas with the C.E.F. and was killed. John Person and W.O. Johnson reside in this countr and a letter addressed to Telkwa will, no doubt, reveal the information given above. A. Chisholm resides in Smithers, and S. Young at Cedarvale. Regarding Jack McKendrick, before he went overseas and before trap-line registration was ever thought of there was a mountain in the area in dispute, which McKendrick trapped at that time, and which is known to this day as McKendrick Mountain. There are two trappers' cabins

in

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INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
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in the area, which were erected by John Person and W.O. Johnson in 1913-14.

Batiste Francis made his first objection to McLean having the area in February 1927, and the matter received attention from time to time, with a view to a settlement that would satisfy all concerned. I was unable to make a settlement; therefore it was necessary to make a decision; all information was collected, and on December 12, 1927, Sergt. Service patrolled to Telkwa and after going over documentary proof, thought it advisable to interview Cpl. Berger of the R.C.M.P., who had been interesting himself in behalf of Batiste, with a view to getting any proof that the R.C.M. Police might have regarding Batiste's claim to the area. I accompanied Sergt. Service to the R.C.M. Police office. On arrival we found Inspector Sandys-Wunsch and Cpl. Berger in the office. Sergt. Service told Berger that he was trying to settle the dispute and asked Berger to produce any evidence that he might have to prove Batiste's claim to the area. Berger produced no evidence whatsoever, but argued that because Batiste was an Indian he should have the area. Sergt. Service informed Berger in the presence of the Inspector, that it appeared that the line should be given to McLean. Berger appeared dissatisfied, and Sergt. Service offered to put the facts before Inspector Sandys-Wunsch and abide by any decision that he might make. Berger stated that all he wanted was a decision as there had been too much delay in the matter, but did nothing whatsoever to assist Sergt Service or myself to arrive at a satisfactory decision. Sergt. Service then decided as follows:-

That McLean should have the area he applied for except that he was not to trap Rats and Beaver at the East end of Paradise Lake, and it's outlet, where McLean's line crossed the outlet of this lake. Also that the East end of Paradise Lake and it's outlet should be registered in the name of Arthur Charlie, Indian, who from the information received, was entitled to the area according to Indian custom.

The reason that Batiste was not considered in the decision was that the area given to Arthur Charlie was Babine Indian territory; that Arthur Charlie's forefathers, who were Babine Indians had trapped in the vicinity and that there was no evidence whatsoever that Batiste Francis, who is a Hagwilget Indian had any rights North of the Babine Range of Mountains; also Batiste Francis has already applied for registration of two other trap-lines, and, to date there have been no disputes filed; also, so far as I am aware he is trapping both these areas, which are considered very good trapping ground, for all fur-bearing animals. His application for these areas which was dated February 13th, 1926, was signed by him in Indian writing - see attached sketch, which was made under his directions. One of these lines is situated North East of Telkwa, and commences at his farm Lot 882. His other line is South of Telkwa, taking in a large area between Hubert Creek and Goat Creek, and the Telkwa River. There is only one small tie camp on the line first mentioned, and there is'nt one on the other line, and there has been no timber cut in the area. Before Batiste applied for the area South of Telkwa, referred to above, Raymond Stanyer, a white man, applied for the same area, or a line within the area; when Batiste applied for

the

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the area Stanyer's application was refused, and he was told to leave the area which Batiste now holds.

In conclusion I would like to state, that I have had many trap-line disoutes between whites and Indians; in all cases the Indian gets the benefit of any doubt, and this is the first case where I have not been able to make a satisfactory settlement.

Dealing with the report of Cpl. Berger, R.C.M. Police:- Berger had only taken this matter up with me on one occasion and that was a few days previous to Dec. 12th, when Sergt Service patrolled to Telkwa; in the course of the conversation I requested Berger to produce any evidence he had to substantiate Batiste's claim to the area. Berger then informed me that his information was confidential. He refused to give me any information, and informed me that I had had a year to get the information and I should have been able to get it. I deny having told Berger that I would order McLean to get off the trap-line in the spring of 1927, or any other.

(Sgd) A. Fairbairn,
Constable #33, i/c Telkwa
Detachment.

The N.C.O. i/c
Hazelton Dist., Smithers, B. C.

Smithers, B. C.,
January 26th, 1928.

THE OFFICER COMMANDING,
"D" Division B. C. Police,
Prince Rupert, B. C.

Forwarded. With regard to the decision I made in this matter I think the facts as related by Constable Fairbairn will show that I made the best settlement possible under the circumstances; also, my decision is supported by the admission of Cpl. Berger that Batiste did not object to McLean trapping on the area in 1923-24; also Batiste made no objection to McLean having the area till the year 1927. In my opinion the reason Batiste did not object till the year 1927, is that he belongs to the old school of Indians who are always afraid that the white man is going to get the whole country, and he is afraid of the system of registration shutting out the Indian.

I do not understand why, if Cpl. Berger had confidential information to substantiate the claim of Batiste, he did not produce it when requested by both Fairbairn and myself; also, why did he wait till December 27th, 1927 to make his report.

After I had made my decision on Dec. 12th, 1927, I spoke to Mr. E. Hyde, Indian Agent in Smithers, and told him what I had done. He appeared to be satisfied with the settlement.

With regard to Constable Fairbairn's actions in this matter I would say that I have every reason to believe that he has done his duty without favor. The fact that he has been in this district about 15 years, is to his credit, and I am sure that Sergt. Van Dyke will support me when I say that he is one of the best Game Constables we have in the Division.

(Sgd) W. J. Service,
Sergt. N.C.O. i/c
District.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

112/1/10706.

COMMISSIONER'S OFFICE
FEB 20 1928
VICTORIA, B. C.

OFFICE OF
INDIAN AGENT

Hazelton, B.C.,

February 14th 1928

Re;Trap-line Dispute,Jean Batiste,Indian.

Dear Sir:

On the 16th January last,I wrote you saying that as soon as I could get in touch with certain Indians who might be in a position to prove Batiste's claim I would submit a full report. Since then I have tried to get in touch with the Indians. On the 6th instant I received a wire from the N.C.O.,R.C.M.P.,at Telkwa,saying that the Indians would be at Telkwa on the 9th instant. I left here on the 8th instant and on arrival at Telkwa found that the Indians had not arrived,I waited,and at last Batiste told me that he had sent a letter asking them to come in.

It is my opinion that these Indians are still away trapping,as is their usual custom at this period of the season. I then hired a conveyance to take me to Smithers to interview Constable Fairbairn,on arrival I found he had gone to Dorreen,no doubt,to get information in connection with the Luke Fowler case. I am writing to show how difficult it is sometimes to obtain evidence or direct statements. The train service here is uncertain and often days are wasted trying to get anywhere.

I have told Batiste that I do not intend to go to Telkwa unless the Indians are already there as it is a waste offtime and money;travelling is high in these parts.

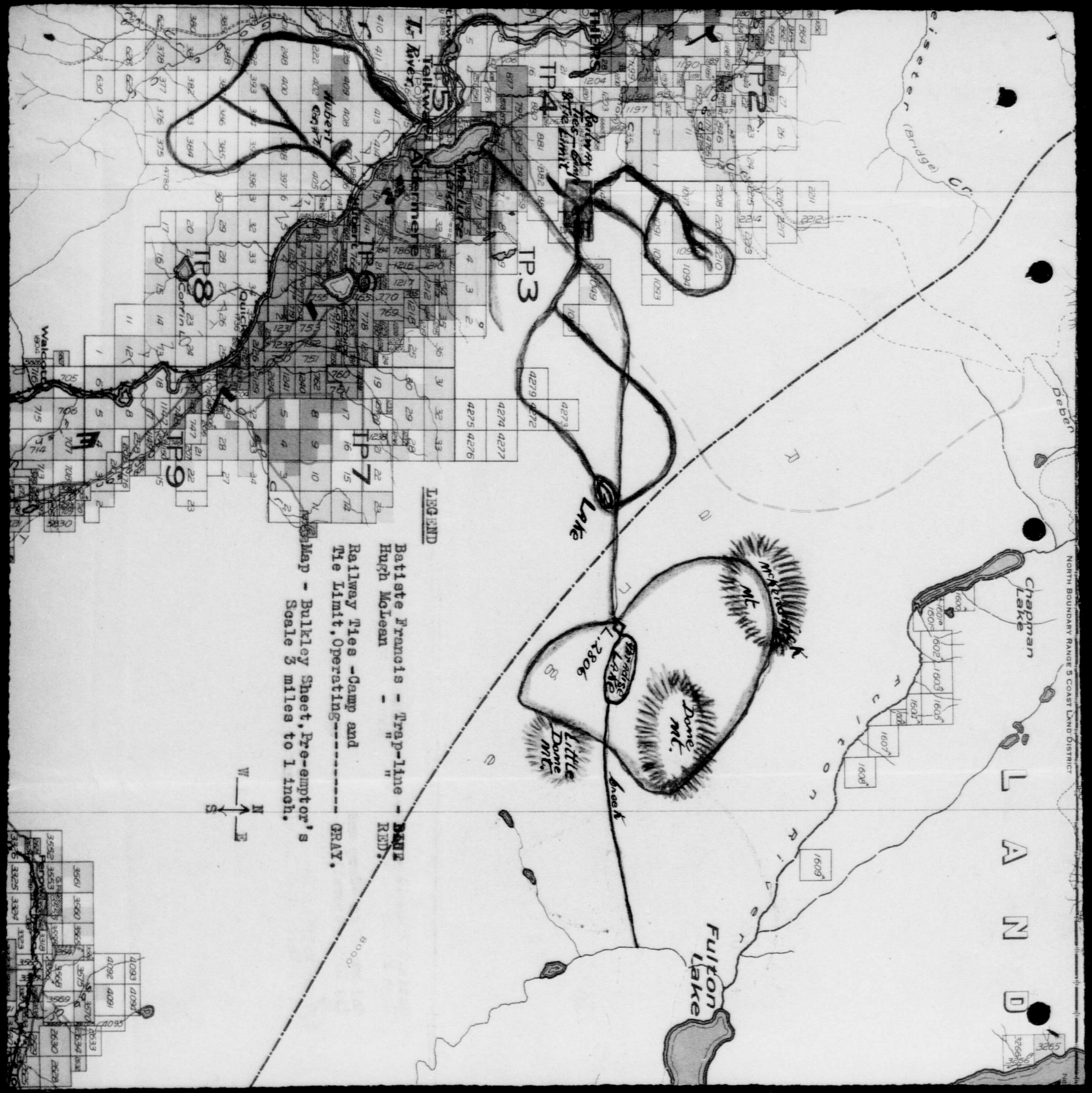
Your obedient Servant,

C. Hyde

Indian Agent.

W. E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
Victoria,B.C.

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REPEAT
REPETITION

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Archives nationales du Canada

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Address all communications to :
THE PROVINCIAL GAME WARDEN
British Columbia Provincial Police
(Game Branch)
Victoria, B.C.

In reply quote File No. .....

GAME BRANCH

VICTORIA

Your File No. 112/1/10712

Feb. 7, 1928.

COMMISSIONER'S OFFICE
FEB 8 1928
VICTORIA, B. C.

SUBJECT:

W.E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
P.O. Box 666,
Victoria, B. C.

Re: Trap-line Dispute.

Dear Sir:

With further reference to my letter of the 13th ultimo in regard to dispute between Batiste, Indian, and one Hugh McLean, covering trap-line in the Telkwa area, I am enclosing herewith for your information copy of a report dated 25th ultimo submitted by Const. Fairbairn, i/c Telkwa Detachment, on this dispute, and from which you will note that apparently Batiste has no right to the trap-line in question and that this Indian already holds two good trap-lines, and consequently I see no reason why there should be grounds for complaint in regard to the decision made by Sergt. Service and Const. Fairbairn.

I wish to also draw to your attention that portion of Sergt. Service's report to the effect that on Dec. 12th, 1927, he spoke to Mr. Indian Agent Hyde and told him what had been done in regard to the dispute between Batiste and McLean and that Mr. Indian Agent Hyde appeared to be satisfied with this settlement.

Yours truly,

J.H. McMullin,
Provincial Game Warden.

WRB/AM
Encl.

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AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

DIVISION: "D"

DISTRICT: Hazelton.

DETACHMENT: Telkwa.

FILE No.

DATE: Jan. 25, 1928.

PR or PCR.

NIL.

R E P O R T.

RE: TRAP-line Dispute between H. McLean and Batiste Francis.

In reply to the Superintendent's letters of January 10th and 13th, 1928, and copies of letters from the Indian Commissioner and report of Cpl. Berger, R.C.M.P., I beg to report as follows:-

Batiste Francis is an Indian; Hugh McLean is a white man.

The trap-line under dispute is situated North East of Telkwa, commencing at Maclure Lake, better known as Tyee Lake, and ending at a mountain known as Dome Mountain in the Babine Range, see sketch enclosed.

McLean first trapped on this trap-line in the spring of 1923, and with the exception of the season 1924-25, when he claims he rested the line, he has continued to trap on the same line.

H'QRS. REF.

10 - 1 - 28
15 - 1 - 28.

On April 6th, 1927, H.McLean reported Batiste having cut out a trap line which ran along side of his, and, to avoid trouble with Batiste he moved his line over about three miles, but in the same area. The area in dispute has been trapped by white men as follows:-

DIV'L REF.

TL - 8B. 28.

DIST. REF.

DET. REF.

1910-11 -	White man	- Old Timers say Jack McKendrick.
1911-12 -	"	- " " " " " .
1912-13 -	"	- John Person & W.O.Johnson.
1913-14 -	"	- " " " " " .
1914-15 -		- Not Known.
1915-16 -	White men	- A.Chisholm & S.Young.
1916-17 -	"	- Jack McKendrick.
1917-18 -		- Not Known.
1918-19 -		- " " .
1919-20 -		- " " .
1920-21 -		- " " .
1921-22 -		- " " .
1922-23 -	White man	- Hugh McLean.
1923-24 -	Rested	- Held by Hugh McLean.
1924-25 -	White man	- Hugh McLean.
1925-26 -	"	- " " .
1926-27 -	"	- " " .
1927-28 -	"	- " " .

Jack McKendrick went overseas with the C.E.F., and was killed. John Person and W.O.Johnson reside in this country and a letter addressed to Telkwa wil, no doubt, reveal the information given above. A.Chisholm resides in Smithers, and S.Young at Cedarvale. Regarding Jack McKendrick, before he went overseas and before trap-line registration was ever thought of there was a mountain in the area in dispute, which McKendrick trapped at that time, and which is known to this day as McKendrick Mountain. There are two trappers' cabins in the area, which were erected by John Person and W.O.Johnson in 1913-14.

Batiste Francis made his first objection to McLean having the area in February 1927, and the matter received attention from time to time, with a view to a settlement that would satisfy all concerned. I was unable to make a settlement; therefore it was necessary to make a decision; all information was collected, and on December 12th, 1927, Sergt. Service pat-

B.C.P. 19—40M-1126-6249

This report should show whether its subject matter relates to organized or unorganized territory. If organized, clearly state the particular Municipality concern[illegible]. Any report rendered under the "Government Liquor Act" should state the amount of expenses incurred in connection therewith.

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DIVISION:

DISTRICT:

DETACHMENT:

FILE No.

DATE:

(2).

PR or PCR.

MCLEAN AND BATISTE, trap-line dispute continued:-

rolled to Telkwa and after going over documentary proof, thought it advisable to interview Cpl. Berger of the R.C.M. Police, who had been interesting himself in behalf of Batiste, with a view to getting any proof that the R.C.M.Police might have regarding Batiste's claim to the area. I accompanied Sergt. Service to the R.C.M.Police office. On arrival we found Inspector Sandys-Wynch and Cpl. Berger in the office. Sergt. Service told Berger that he was trying to settle the dispute and asked Berger to produce any evidence that he might have to prove Batiste's claim to the area. Berger produced no evidence whatsoever, but argued that because Batiste was an Indian he should have the area. Sergt. Service informed Berger in the presence of the Inspector, that it appeared that the line should be given to McLean. Berger appeared dissatisfied, and Sergt. Service offered to put the facts before Inspector Sandys-Wynch and abide by any decision that he might make. Berger stated that all he wanted was a decision as there had been too much delay in the matter, but did nothing whatsoever to assist Sergt. Service or myself to arrive at a satisfactory decision. Sergt. Service then decided as follows:-

H'QRS. REF.

That McLean should have the area he applied for except that he was not to trap Rats and Beaver at the East end of Paradise Lake, and it's outlet, where McLean's line crossed the outlet of this lake. Also that the East end of Paradise Lake and it's outlet should be registered in the name of Arthur Charlie, Indian, who from the information received, was entitled to the area according to Indian custom.

DIV'L REF.

The reason that Batiste was not considered in the decision was that the area given to Arthur Charlie was Babine Indian territory; that Arthur Charlie's forefathers, who were Babine Indians had trapped in the vicinity and that there was no evidence whatsoever that Batiste Francis, who is a Hagwilget Indian had any rights North of the Babine Range of Mountains; also Batiste Francis has already applied for registration of two other trap-lines, and, to date there have been no disputes filed; also, so far as I am aware he is trapping both these areas, which are considered very good trapping ground, for all fur-bearing animals. His application for these areas which was dated February 13th, 1926, was signed by him in Indian writing - see attached sketch, which was made under his directions. One of these lines is situated North East of Telkwa, and commences at his farm Lot 882. His other line is south of Telkwa, taking in a large area between Hubert Creek and Goat Creek, and the Telkwa River. There is only one small tie camp on the line first mentioned, and there isn't one on the other line, and there has been no timber cut in the area. Before Batiste applied for the area South of Telkwa, referred to above, Raymond Stanyer, a white man, applied for the same area, or a line within the area; when Batiste applied for the area Stanyer's application was refused, and he was told to leave the area which Batiste now holds.

DIST. REF.

In conclusion I would like to state, that I have had many trap-line disputes between whites and Indians; in all cases the Indian gets the benefit of any doubt, and this is the first case where I have not been able to make a satisfactory settlement

DET. REF.

B.C.P. 19—40M-1126-6249

This report should show whether its subject matter relates to organized or unorganized territory. If organized, clearly state the particular Municipality concerned. Any report rendered under the "Government Liquor Act" should state the amount of expenses incurred in connection therewith.

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AFFAIRES INDIENNES

National Archives of Canada
Archives nationales du Canada

DIVISION:

DISTRICT:

DETACHMENT:

FILE No.

DATE:

(3).

PR or PCR.

MCLEAN AND BATISTE, trap-line dispute, continued:-

Dealing with the report of Cpl. Berger, R.C.M.Police;- Berger had only taken this matter up with me on one occasion and that was a few days previous to Dec. 12th, when Sergt. Service patrolled to Telkwa; in the course of the conversation I requested Berger to produce any evidence he had to substantiate Batiste's claim to the area. Berger then informed me that his information was confidential. He refused to give me any information, and informed me that I had had a year to get the information, and I should have been able to get it. I deny having told Berger that I would order McLean to get off the trap-line in the spring of 1927, or any other.

A. Fairbairn

A.Fairbairn, Constable #33.
i/c Telkwa Detachment.

H'QRS. REF.

The N.C.O. i/c
Hazelton Dist., Smithers, B.C.

Smithers, B. C.,
January 26th, 1928.

DIV'L REF.

THE OFFICER COMMANDING,
"D" Division B.C.Police,
Prince Rupert, B. C.

DIST. REF.

Forwarded. With regard to the decision I made in this matter I think the facts as related by Constable Fairbairn will show that I made the best settlement possible under the circumstances; also, my decision is supported by the admission of Cpl. Berger that Batiste did not object to McLean trapping on the area in 1923-24; also Batiste made no objection to McLean having the area till the year 1927. In my opinion the reason Batiste did not object till the year 1927, is that he belongs to the old school of Indians who are always afraid that the white man is going to get the whole country, and he is afraid of the system of registration shutting out the Indian.

DET. REF.

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With regard to Constable Fairbairn's actions in this matte I would like to say that I have every reason to believe that he has done his duty without favour. The fact that he has been in this district about 15 years, is to his credit, and I am sur that Sergt. Van Dyke will support me when I say that he is one of the best Game Constables we have in the Division.

W. J. Service

W.J.Service, Sergt.,
N.C.O. i/c District.

PROVINCIAL GAME WARDEN
RECEIVED
FEB 6 1928
VICTORIA, B. C.

FORWARDED TO SUPERINTENDENT
JAN 30 1928
W. Spiller Sp.
Inspector O/C. "D" Div.

B.C.P. 19—40M-1126-6249

This report should show whether its subject matter relates to organized or unorganized territory. If organized, clearly state the particular Municipality concerned. Any report rendered under the "Government Liquor Act" should state the amount of expenses incurred in connection therewith.

E-1-8-0-0

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INDIAN AFFAIRS
AFFAIRES INDIENNES

National Archives of Canada
Archives nationales du Canada

112/1/10808.

January 24, 1928.

Your File 420-3.

Dear Sir:-

I beg to acknowledge receipt of your letter of the 17th instant in connection with the complaint of Batiste, an Indian, near Telkwa, with regard to his trap line as contained in the report of Corporals Berger and Brice, of the R.C.M.P., dated the 27th ultimo.

In reply I beg to say that I was made aware of this complaint on receipt of the copies of the reports above referred to which came to hand on the 7th instant and I immediately took up the matter with Colonel McMullin, the Chief Game Warden of British Columbia, at the same time supplying him with a copy of the R.C.M.P.report. Colonel McMullin promised to have a full investigation made into the merits of the complaint. Indian Agent Hyde was also communicated with on the 7th instant instructing him to see that the Indian's right was fully protected. His reply, which reached this office yesterday, states that he, with Sergeant Service, of the British Columbia Police, have the matter in hand and as soon as some definite information is obtainable from one of the Indian chiefs who hunts and traps in the vicinity of the line under dispute is received, a full report will be made.

The Indian Batiste referred to is Jean Batiste, of the Hagwilget Band, Babine Agency, for whom the Department some years ago purchased eighty acres of Lot 882.

Your obedient servant,

W.E.Ditchburn.
Indian Commissioner for B.C.

WED/HM.

The Secretary,
Department of Indian Affairs,
Ottawa.

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INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

IN YOUR REPLY REFER TO
No. 420-3
ALSO TO THE DATE OF THIS LETTER
PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS
CANADA

January 17,1928.

Sir:-

I am enclosing herewith copies of correspondence in connection with complaint of Batiste, an Indian of Telkwa, B.C., with regard to trap lines, for your consideration and such action as you may deem advisable.

Will you please communicate with the Department in regard thereto.

Your obedient servant,

A.F.MacKenzie.
Acting Assistant Deputy and Secretary.

W.E.Ditchburn, Esq.,
Indian Commissioner,
Victoria,
B.C.,

COMMISSIONER'S OFFICE
JAN 24 1928
VICTORIA, B. C.

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INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

"E" Division

Coast Sub District
Telkwa Detachment
December 27,1927.

The Officer Commanding
R.C.M.Police,
Prince Rupert, B.C.

Sir :- Re Complaint of Batiste, Indian re Trap Line.

I have the honour to report as follows with reference to the above:

Batiste is an Indian living on a Special Reserve six miles East of Telkwa. He has been living in this district since childhood, farming a little and in the winter time trapping for a living.

When registration of trap lines came into force, Batiste applied for registration of his trap line which runs roughly speaking from his place to Dome Mountain East of there, only to find that one Hugh McLean (white) of Telkwa, had already applied for the same trap line. The local arbiter of these matters, Const. A.Fairbairn of the B.C.P. Police told Batiste to keep off the trap line as McLean was entitled to it on the ground that he, McLean, had trapped on it 1923-24. Since then McLean has trapped on this line and Batiste has kept away but under protest.

Batiste has lately informed me that he intends to write to Ottawa about the matter and for your information I beg to submit the following sidelights on the question.

From tje beginning of the dispute when Fairbairn told McLean to go ahead and trap on Batiste's line, Batiste has protested against it. In 1923-24 when McLean trapped there he did not protest, as he was not trapping himself that season, but when registration came on he objected to McLean registering his trap line as his own. Last winter McLean was again trapping on his line and Batiste informs me that he complained to Const. Jebson who was then in charge of this Detachment. In March of this year, shortly after I had taken over the Detachment from Const. Jebsen, Batiste complained to me about it and I took the matter up with Fairbairn. Fairbairn then told me that everything would be settled amicably as he intended to tell

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AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

McLean to get off the trap line in the spring. I believed him, wrongly, and told Batiste that things would be all right for the 1927-28 season.

Last fall McLean again went out on Batiste's line to trap and when I spoke to Fairbairn about it he told me that he was gathering evidence to show that McLean was entitled to trap there, that Batiste was not entitled to it and that he had approved of two other trap lines for Batiste. He also claimed that other Indians would not approve of Batiste getting this line.

Batiste, who is illiterate, denies having applied for any other trap line.
The ones "approved" by Fairbairn are located around Hubert and Canyon Creek, both in districts filled at present with tie makers and useless as trapping grounds. I have also interviewed numerous Indians but can find no evidence that any tribe would object to Batiste trapping on this line where he has trapped off and on since childhood. Instead, they one and all object to McLean trapping there.

A peculiar feature of this dispute is the fact that Fairbairn will not give a decision and actually register the line in McLean's name, yet McLean is trapping and thus acquiring priority under the Game Act while Batiste is kept off.

Sergt. Service of the B.C.P.P. of Smithers now has the thing in hand and is endeavouring to effect a compromise.

I do not know to what Department in Ottawa Batiste intends to make his complaint, but from the above it will be seen that his complaint is not a frivolous one, whatever the correct decision might be under the B.C.Game Act.

I have the honour to be Sir
Your obedient servant,
(Sgd) M.T.Berger Corpl.
In charge Telkwa Detachment.

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INDIAN AFFAIRS
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National Archives of Canada
Archives nationales du Canada

The O.C. "E" Division
Vancouver, B.C.

Sir:-

Forwarded. This is the point upon which the Indians of the Northern Interio of B.C. have a legitimate complaint. When in charge of Telkwa Detachment, Indian Batiste informed me of his troubles and I took the matter up with the local B.C.P.P., but as the question of registration of trap lines is a Provincial matter, we, as members of the R.C.M.P. are powerless to do anything or give advice.

When Major Furber, head of the B.C.Game Enforcement was in Telkwa a few years ago, I brought this very incident to his notice, and I ventured to express my opinion rather strongly on that occasion, in regard to the registration of trap lines by Indians. I pointed out to him that in this particular instance Indian Batiste had been in possession of this trap line long before any white man had come to the country, and that his fathers and forefathers had had it before him; that on account of his ignorance he had been too late to register, and that therefor the Province of B.C. had "taken away his inheritance" and had deprived him of his only means of livelihood. I furthermore pointed out to Major Burber that if this state of affairs were allowed to go on by the Province, that it would not be long before the Federal Government would have to feed and support many Indians in the Hazelton District, as trapping was their only means of livelihood.

In studying this sibject; it must be inderstood that as a general rule the Indians will conserve his trapping ground, whereas a white man will trap until nothing further is to be trapped and will them depart to another district and take up a new trapping ground, or, finding that the trapping is no good, he will go elsewhere. The powers that be either will not or can not understand the situation from the Indians point of view; they say, "He can get a trap line somewhere else", but they forget that this has probably been the Indian's trap line possibly for hundreds of years, and that his tribal laws and customs will not permot him to trap elsewhere.

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Copy of this report has been forwarded to the Indian Agent concerned.

(Sgd) Thos H.Brice. Corpl.
for Insp O.D.S.
Commanding Coast Sub District.

P.Rupert.
30.12-27

The Indian Commissioner for British Columbia.
Victoria, B.C.

Sir:-
Copy for your information and such action as you may deem necessary.

A.W.Duffus. Asst. Commissioner.
Commanding B.C.District.

Vancouver,
5.1.28.

The Commissioner,
Ottawa.

Sir:-
Forwarded for your information.

A.W.Duffus. Asst. Commissioner.
Commanding B.C.District.

Vancouver,
5.1.28.

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INDIAN AFFAIRS
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112.

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

112/1/10706.

COMMISSIONER'S OFFICE
JAN 23 1928
VICTORIA, B. C.

Hazelton, B.C.

January 16th 1928.

Dear Sir:

I beg to acknowledge the receipt of your communication dated the 7th instant concerning the report of Corpl.Berger, N.C.O., in charge of the R.C. M.P., at Telkwa, B.C., which has rererence to a trap-line which is claimed by Jean Batiste, residing on Lot 882 in the vicinity of Telkwa.

I beg to state that I have been in conversation with Sgt.W.Service, who is in charge of this District. Last month I met the Sgt.at Smithers and the trap line was then discussed, he is anxious to see the Indian satisfied in every way.

As soon as I can get in touch with Bill Nye, one of the Chiefs who has hunting and trapping areas in the vicinity of the one in dispute the matter will be thoroughly dealt with and a full report submitted to you. Most of the Indians are outmtrapping who are conversant with Batiste's claim.

Your obedient Servant,

E. Hyde

Indian Agent.

W.E.Ditchburn, Esq.,
Indian Commissioner
Victoria, B.C.

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INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

0001-151

Address all communications to :
THE PROVINCIAL GAME WARDEN
British Columbia Provincial Police
(Game Branch)
Victoria, B.C.

GAME BRANCH

VICTORIA

In reply quote File No. .....

Your File No. 112/1/10712

Jan. 13, 1928.

SUBJECT :

W.E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
P.O. Box 666,
Victoria, B. C.

COMMISSIONER'S OFFICE
JAN 14 1928
VICTORIA, B. C.

Re: Trap-line Dispute.

Dear Sir:

I have your further letter dated 11th inst. in which you enclose copies of reports of Corpl. Berger and Corpl. Brice of the R.C.M.P. in respect to dispute between Batiste, Indian, and one Hugh McLean, covering trap-line in the Telkwa area.

As stated in my letter to you of the 10th inst. I am having this matter immediately investigated and as soon as a report is received covering such investigation I will write you further herein.

Yours truly,

FRB/AM

J.H. McMullin,
Provincial Game Warden.

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INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

112/1/10712.

January 11, 1928.

Dear Sir:-

With reference to my letter of the 7th instant, I am herewith enclosing report of Corporals Berger and Corporal Brice, of the R.C.M.P.

I, of course, could not send this at the time of writing you until I had obtained the consent of the Officer Commanding the R.C.M.P.

Your obedient servant,

Enclosure:-

W.E.Ditchburn.
Indian Commissioner for B.C.

VED/HM.

J.H.McMullin, Esq.,
Provincial Game Warden,
Game Branch,
Parliament Buildings,
Victoria, B.C.

H 2 5 1 0 0 0 2

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INDIAN AFFAIRS
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Archives nationales du Canada

C O P Y.

:E: Division.

Coast Sub District
TELKWA Detachment
December 27th 1927.

The Officer Commanding
R.C.M.Police
Prince Rupert, B.C.

Sir:

H.Q.Ref.

28-134 T.1.

Coast S.D.

Telkwa
9/51-27.

Re: COMPLAINT OF BATISTE, INDIAN, RE: TRAP LINE.

I have the honour to report as follows with reference to the above:

BATTISTE is an Indian living on a Special Reserve six miles East of Telkwa. He has been living in this district since childhood, farming a little and in the winter time trapping for a living.

When registration of trap lines came into force, Batiste applied for registration of his trap line which runs roughly speaking from his place to Dome Mountain East of there, only to find that one HUGH McLEAN (white) of Telkwa, had already applied for the same trap line. The local arbiter of these matters, Const.A.FAIRBAIRN of the B.C.P.Police told Batiste to keep off the trap line as McLean was entitled to it on the ground that he, McLean, had trapped on it 1923-24. Since then McLean has trapped on this line and Batiste has kept away but under protest.

Batiste has lately informed me that he intends to write to Ottawa about the matter and for your information I beg to submit the following sidelights on the question.

From the beginning of the dispute when Fairbairn told McLean to go ahead and trap on Batiste's line, Batiste has protested against it. In 1923-24 when McLean trapped there he did not protest, as he was not trapping himself that season, but when registration came in he objected to McLean registering his trap line as his own. Last winter McLean was again trapping on his line and Batiste informs me that he complained to Const.Jebson who was then in charge of this Detachment. In March of this year, shortly after I had taken over the Detachment from Const.Jebson, Batiste complained to me about it and I took the matter up with Fairbairn. Fairbairn then told me that everything would be settled amicably as he intended to tell McLean to get off the trap line in the spring. I believed him, wrongly, and told Batiste that things would be all right for the 1927-28 season.

Last fall McLean again went out on Batiste's line to trap and when I spoke to Fairbairn about it he told me that he was gathering evidence to show that McLean was entitled to trap there, that Batiste was not entitled to it and that he had approved of two other trap lines for Batiste. He also claimed that other Indians would not approve of Batiste getting this line.

Batiste, who is illiterate, denies having applied for any other trap line.

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INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

the ones "approved" by Fairbairn are located around Hubert and Canyon Creek, both in districts filled at present with tie makers and useless as trapping grounds. I have also interviewed numerous Indians but can find no evidence that any tribe would object to Batiste trapping on this line where he has trapped off and on since childhood. Instead, they one and all object to McLean trapping there.

A peculiar feature of this dispute is the fact that Fairbairn will not give a decision and actually register the line in McLean's name, yet McLean is trapping and thus acquiring priority under the Game Act while Batiste is kept off.

Sergt.Service of the B.C.P.P. of Smithers now has the thing in hand and is endeavouring to effect a compromise.

I do not know to what Department in Ottawa Batiste intends to make his complaint, but from the above it will be seen that his complaint is not a frivolous one, whatever the correct decision might be under the B.C.Game Act.

I have the honour to be
Sir
Your obedient servant,

(Sgd.) M.T.BERGER
Corpl.
M.T.BERGER Reg.No.7978
In Charge Telkwa Detachment.

The O.C. :E: Division,
VANCOUVER, B.C.

Sir:

FORWARDED. This is the point upon which the Indians of the Northern Interior of B.C. have a legitimate complaint. When in charge of Telkwa Detachment, Indian Batiste informed me of his troubles and I took the matter up with the local B.C.P.P., but as the question of registration of trap lines is a Provincial matter, we, as members of the R.C.M.P. are powerless to do anything or give advice.

When Major Furber, head of the B.C.Game Enforcement was in Telkwa a few years ago, I brought this very incident to his notice, and I ventured to express my opinion rather strongly on that occasion, in regard to the registration of trap lines by Indians, I pointed out to him that in this particular instance Indian Batiste had been in possession of this trap line long before any white man had come to the country, and that his fathers and forefathers had had it before him; that on account of his ignorance he had been too late to register, and that therefor the Province of B.C. had "taken away his inheritance" and had deprived him of his only means of livelihood I furthermore pointed out to Major Furber that if this state of affairs were allowed to go on by the Province, that it would not be long before the Federal Government would have to feed and support many Indians in the Hazelton District, as trapping was their only means of livehood.

In studying this subject; it must be understood

that

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AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

that as a general rule the Indians will conserve his trapping ground, whereas a white man will trap until nothing further is to be trapped and will then depart to another district and take up a new trapping ground, or, finding that the trapping is no good, he will go elsewhere. The powers that be either will not or can not understand the situation from the Indians point of view; they say, "He can get a trap line somewhere else", but they forget that this has probably been the Indian's trap line possibly for hundreds of years, and that his tribal laws and customs will not permit him to trap elsewhere.

Copy of this report has been forwarded to the Indian Agent concerned.

THOS.C. BRICE, Corp0ral

For Insp.O.D.S. Commanding Coast S/Dist.

Prince Rupert:
30-12-27.

THE INDIAN COMMISSIONER FOR BRITISH COLUMBIA:
VICTORIA, B.C.

Sir: Copy for your information and such action as you may deem necessary.

(Sgd.) A.W.Duffus.

(A.W.Duffus) Asst.Commissioner
Commanding B.C.District.

Vancouver:
5-1-28. C.

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INDIAN AFFAIRS
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000159

"E" DIVISION
C.I.B.

B.C. District
Ref: 28-134 T.1.

Royal Canadian Mounted Police

COMMISSIONER'S OFFICE
JAN 11 1928
VICTORIA, B. C.

Your
Ref. No. 112/1/10704.

Vancouver, B.C. January 9th, 1928.

W.E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
Victoria, B.C.

Dear Sir:

Re: Complaint of Batiste (Indian)
re: Trap Line.

I beg to acknowledge receipt of your letter of the 7th instant relative to the above, for which I thank you.

With reference to your supplying Superintendent McMullin with a copy of Corporal Berger's report on this subject, for his confidential information, I may say that I have no objection to this being done. As you will note from the report in question, Sergeant Service of the B.C. P.P. at Smithers has the matter in hand, and it would be as well for Colonel McMullin, in his capacity as Chief Game Warden for the Province, to have all the circumstances connected with it before him.

The greatest harmony amongst all ranks now exists between the two forces and it is not my purpose to have any ill-feeling cropping up between members of the B.C. P.P. and our Force over matters of this kind, if same can possibly be avoided.

Yours truly,

(A.W. Duffus)
Assistant Commissioner,
Commanding B.C. District.

A/M.

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INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

0001315

Address all communications to :
THE PROVINCIAL GAME WARDEN
Br[redacted] Columbia Provincial Police
(Game Branch)
Victoria, B.C.

GAME BRANCH
VICTORIA

In reply quote File No. .....

Your File No. 112/1/10705

SUBJECT:

Jan. 10, 1928.

W.E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
P.O. Box 666,
Victoria, B. C.

Re: Trap-line Dispute.

Dear Sir:

I have your letter of the 7th inst. and note your remarks covering report received by you that an Indian named Batiste, who lives near Telkwa, B.C., has been warned to keep off a trap-line which has been applied for by a white man named Hugh McLean.

In view of the contents of your letter I am having this matter immediately investigated and as soon as a report is received covering such investigation I will write you further herein.

Yours truly,

FRB/AH

J.H. McMullin,
Provincial Game Warden.

COMMISSIONER'S OFFICE
JAN 11 1928
VICTORIA, B. C.

INDIAN AFFAIRS
AFFAIRES INDIENNES

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National Archives of Canada
Archives nationales du Canada

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112/1/10704.

January 7, 1928.

Dear Sir:-

I beg to acknowledge receipt of the report of Corporal Brice and Constable Berger referring to the complaint of an Indian named Batiste who lives near Telkwa, that Provincial Constable Fairbairn had instructed the Indian to keep away from the trap line which he had registered in favor of a whiteman named Hugh McLean. It is noted that the trap line covered a section of the country over which the Indian claims to have trapped for a great many years.

In reply I beg to say that I do not know whether this Indian, Batiste, had applied to have his trap line registered, but while I do not know, I consider that it was the duty of the Provincial Constable to see that he did so, in view of the dispute, and the matter should have been held over for settlement later on after a full hearing of the respective claims. This is the understanding I have always had with Superintendent McMullin, who is the Chief Game Warden of the Province. I am, however, writing to the Superintendent and also to Mr. Indian Agent Hyde, at Hazelton, as I think the full name of the Indian concerned is Jean Batiste, of the Hagwilget Band.

I have not, of course, given Superintendent McMullin a copy of the above referred to report as the same are confidential, but I was wondering if you would be disposed to letting him have one in a confidential way.

WED/KD.

Yours truly,

Col. A.W. Duffus,
Assistant Commissioner,
Commanding B. C. District,
R. C. M. P.,
Vancouver, B. C.

W. E. Ditchburn.
Indian Commissioner for B. C.

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INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

112/1/10705.

January 7, 1928.

Dear Sir:-

I beg to draw your attention to the fact that I have received a report that an Indian named Batiste, who lives near Telkwa, B. C., has been warned to keep off a trap line which has been applied for by a whiteman named Hugh McLean. The Indian contends that the line which has been temporarily registered in the name of McLean is one which he and his father have trapped over for a great many years prior to McLean ever coming into the country.

While I am not positive at the time of writing as to whether or not Batiste applied to have this trap line registered in his name, it is felt that in view of the complaint it was the duty of Constable Fairbairn to see that an application was filed on this Indian's behalf and the determination as to the respective rights held over for settlement later on. This is the understanding I have always had with your Branch and I would respectfully ask that you should notify Constable Fairbairn to this effect.

WED/KD.

Yours truly,

W. E. Ditchburn.
Indian Commissioner for B. C.

Col. J. H. McMullin,
Chief Game Warden,
Parliament Buildings,
Victoria, B. C.

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INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

112/1/10706.

January 7, 1928.

Dear Sir:-

I am in receipt of a report from the Royal Canadian Mounted Police going to show that an Indian named Batiste, living in the vicinity of Telkwa, was warned by Provincial Constable Fairbairn to keep off a trap line which a whiteman named Hugh McLean applied to have registered in his favor. The information contained in the report written by both Corporal Brice and Constable Berger, shows that Batiste protested against the registration of this trap line by Hugh McLean and also that the section of country in question had been trapped over for a great many years not only by Batiste himself, but by his father.

I am inclined to the opinion that the Indian mentioned is Jean Batiste, of the Hagwilget Band, for whom this Department purchased a portion of Lot 882 some years ago. I do not know whether an application for this line was filed by yourself in favor of the Indian, Batiste, but it is considered, in view of the dispute arising over the same, it was the duty of Provincial Constable Fairbairn to accept an application from the Indian and the matter of right to be determined later on after a full investigation has been made as to the respective merits of the claim. I have always understood that this was to take place and assurance has been given me by the heads of the British Columbia Game Branch that this would always be done.

It is noted in Corporal Brice's report he states that a copy of the report has been forwarded to the Indian Agent concerned. This, no doubt, means yourself but if you have not received a copy I will have one made from the copy on file at this office. However, I have to request that you will, without delay, take this matter up with Provincial Constable Fairbairn and see that the Indian's rights are fully protected.

I may inform you that an application for a trap line does not necessarily mean the registration of the same unless there are no protests against it and the Provincial Game Branch have assured me that the Indians would have every opportunity first of all of making application for trap lines and due consideration would be given them in the event of the same line being applied for by any other person.

I have again to request that you will give this matter your immediate attention and furnish a report on the same.

ED/KD.

Yours truly,

W. E. Ditchburn.
Indian Commissioner for B. C.

E. Hyde, Esq.,
Indian Agent,
Hazelton, B. C.

INDIAN AFFAIRS
AFFAIRES INDIENNES
RG 10, C-II-2, vol. 11297
National Archives of Canada
Archives nationales du Canada

COMMISSIONER'S OFFICE
JAN 7 1928
VICTORIA, B. C.

:E:Division

Coast Sub District
TELKWA Detachment
December 27th 1927

The Officer Commanding
R.C.M.Police
Prince Rupert.BC.

Sir;

Re: COMPLAINT OF BATISTE,INDIAN.RE:TRAP LINE.

R.Q.Ref.

28-District.

28-134 T.l.
Coast S.D.

Telkwa
9/51-27

I have the honour to report as follows with reference to the above:

BATISTE is an Indian living on a Special Reserve six miles East of Telkwa.He has been living in this district since childhood,farming a little and in the winter time trapping for a living.

When registration of trap lines came into force,Batiste applied for registration of his trap line which runs roughly speaking from his place to Dome Mountain East of there,only to find that one HUGH McLEAN (white) of Telkwa,had already applied for the same trap line.The local arbiter of these matters, Const.A.FAIRBAIRN of the B.C.P.Police told Batiste to keep off the trap line as McLean was entitled to it on the ground that he,McLean,had trapped on it 1923-24. Since then McLean has trapped on this line and Batiste has kept away but under protest.

Batiste has lately informed me that he intends to write to Ottawa about the matter and for your information I beg to submit the following sidelights on the question.

From the beginning of the dispute when Fairbairn told McLean to go ahead and trap on Batiste's line,Batiste has protested against it. In 1923-24 when McLean trapped there he did not protest, as he was not trapping himself that season,but when registration came in he objected to McLean registering his trap line as his own.Last winter McLean was again trapping on his line and Batiste informs me that he complained to Const.Jobson who was then in charge of this Detachment.In March of this year,shortly after I had taken over the Detachment from Const.Jobson,Batiste complained to me about it and I took the matter up with Fairbairn.Fairbairn then told me that everything would be settled amicably as he intended to tell McLean to get off the trap line in the spring.I believed him, wrongly,and told Batiste that things would be all right for the 1927-28 season.

Last fall McLean again went out on Batiste's line to trap and when I spoke to Fairbairn about it he told me that he was gathering evidence to show that McLean was entitled to trap there, that Batiste was not entitled to it and that he had approved of two other trap lines for Batiste.He also claimed that other Indians would not approve of Batiste getting this line.

Batiste,who is illiterate, denies having applied for any other trap line.

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The ones "approved" by Fairbairn are located around Hubert and Canyon Creek, both in districts filled at present with tie makers and useless as trapping grounds. I have also interviewed numerous Indians but can find no evidence that any tribe would object to Batiste trapping on this line where he has trapped off and on since childhood. Instead, they one and all object to McLean trapping there.

A peculiar feature of this dispute is the fact that Fairbairn will not give a decision and actually register the line in McLean's name, yet McLean is trapping and thus acquiring priority under the Game Act while Batiste is kept off.

Sergt. Service of the R.C.P.P. of Smithers now has the thing in hand and is endeavouring to effect a compromise.

I do not know to what Department in Ottawa Batiste intends to make his complaint, but from the above it will be seen that his complaint is not a frivolous one, whatever the correct decision might be under the B.C. Game Act.

I have the honour to be
Sir
Your obedient servant

M.T. Berger
Corpl.
M.T.BERGER Reg.No.7978
In Charge Telkwa Detachment

The O.C. :E: Division,
VANCOUVER. B.C.

Sir:

FORWARDED. This is the point upon which the Indians of the Northern Interior of B.C. have a legitimate complaint. When in charge of Telkwa Detachmnet, Indian Batiste informed me of his troubles and I took the matter up with the local B.C.P.P., but as the question of registration of trap lines is a Provincial matter, we, as members of the R.C.M.P. are powerless to do anything or give advice.

When Major Furber, head of the B.C. Game Enforcement was in Telkwa a few years ago, I brought this very incident to his notice, and I ventured to express my opinion rather strongly on that occasion, in regard to the registration of trap lines by Indians, I pointed out to him that in this particular instance Indian Batiste had been in possession of this trap line long before any white man had come to the country, and that his fathers and forefathers had had it before him; that on account of his ignorance he had been too late to register, and that therefor the Province of B.C. had "taken away his inheritance" and had deprived him of his only means of livelihood I furthermore pointed out to Major Furber that if this state of affairs were allowed to go on by the Province, that it would not be long before the Federal Government would have to feed and support many Indians in the Hazelton District, as trapping was their only means of livehood.

In studying this subject; it must be understood that as a general rule the Indians will conserve his trapping ground, whereas a white man will trap until nothing further is to be trapped and will then depart to another district and take up a new trapping ground, or, finding that the trapping is no good, he will go elsewhere. The powers that be either will not or can not understand the situation from the Indians point of view; they say, "He can get a trap line somewhere else", but they forget that this has probably been the Indian' s trap line possibly for hundreds of years, and that his tribal laws and customs will not permit him to trap elsewhere.

Copy of this report has been forwarded to the

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Copy of this report has been forwarded to the

REPEAT
REPETITION

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Indian Agent concerned.

THOS. C. BRICE, Corporal

For Insp. O.D.S. Commanding Coast S/Dist.

Prince Rupert:
30-12-27.

THE INDIAN COMMISSIONER FOR BRITISH COLUMBIA:
VICTORIA: B.C.

Sir: Copy for your information and such action as you may deem necessary.

(A.W.Duffus) Asst.Commissioner
Commanding B.C. District.

Vancouver:
5-1-28. C.

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COMMISSIONER'S OFFICE
DEC 27 1927
VICTORIA, B. C.

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

112/10265

Nov.1/27

Hazelton, B.C.

December 16th 1927

Re:Registration of Trap/lines.

Dear Sir:

In reply to your communication dated Nov.1st 1927, having reference to the progress made with regard to filing applications for the registration of Indian trap lines in this Agency.

I beg to advise you that with the exception of a those Indians having interest in the claims of the Allied Tribes Association, the registration of trapping areas is satisfactory. With the co-operation of the local police and the officers located at other points throughout this District, many disputes are being settled, and in this way the registration is made in the name of the head of the family.

Most of the disputes are among the Indians, really family disputes caused by the death of the Indian who terms himself "boss of the trap-line". When a dispute arises I appoint a time and call together the very old Indians and Chiefs, with their knowledge majority of cases are amicably adjusted. Several of the Kitwancool Indians have registered.

I have found that a number of Indians have come to me for registration and then gone to the Provincial police and tried to register another trap-line.

Every care is taken to have the applicant give and fully describe the Geographical points of his claim.

Your obedient servant,

E. Hyde

Indian Agent.

W.E.Ditchburn, Esq.,
Indian Commissioner
VICTORIA B.C.

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112/8994.

April 23, 1927.

Dear Sir:-

I am attaching hereto copy of a letter received this morning from J.H.McMullin, Esq., Provincial Game Warden.

Your obedient servant,

Enclosure:-

W.E.Ditchburn.
HM. Indian Commissioner for B.C.

E. Hyde, Esq.,
Indian Agent,
Hazelton, B.C.

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C O P Y.

BRITISH COLUMBIA PROVINCIAL POLICE.

GAME BRANCH

VICTORIA. April 21, 1927.

W.E.Ditchburn, Esq.,
Commissioner of Indian Agencies,
Victoria, B;C.

Dear Sir:-

Some person, probably a Fur Trader, has been spreading reports to the Indians in the districts around Euchinico, Finger Lake, Francois, and Cotsa Lake, also Stuart Lake, Takla Lake, and Babine Lake districts, to the effect that beaver and fur t rapping generally will be closed to them next year. I am informed that Indians in the above mentioned areas are prepared to make a clean-up this Spring during the months of May and June. I shall, therefore, be obliged if your Department through your Indian Agents, will assist in informing the Indians that I am sending many patrols into these districts and that they a re almost certain to be caught if they trap after the season has closed.

I hope that fair warning will deter the Indians from trapping during the close season. I can assure you that I would rather prevent this illegal trapping taking place than to punish the Indians engaged in this illegal trapping.

Yours truly,

(Sgd.) J.H. McMullin,

FRH/AM. Provincial Game Warden.

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112/5344. June 23, 1925.

Dear Sir:-

I am informed by the Chairman of the Game Conservation Board that meetings will be held at Prince Rupert on the 6th July, Hazelton on the 7th, Smithers on the 8th and at Burns Lake on the 9th, and beg to request that you will attend the meetings to be held at Hazelton on the 7th and Smithers on the 8th of July and to lay before the Board your views with regard to the changes in the Regulations to be put in effect this year.

Copies of the new Regulations were recently sent to you in which it was shown that all that part of the Province of British Columbia lying South of the Canadian National Railways and East of the Cascade Range of mountains is to be closed and this will no doubt have a serious effect on the Indians of your Agency, whose trapping grounds are South of the Railway beforementioned.

If you are of the opinion that it will be a very difficult matter for the Board to control the closed area and that the Indians are liable to refuse to be governed by the Regulations, you should put this matter very plainly before the Board.

Your obedient servant,

WED/HM.

W.E. Pitchburn,
Indian Commissioner for B.C.

E. Hyde, Esq.,
Indian Agent,
HAZELTON, B.C.

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No. .....

INDIAN AFFAIRS BRANCH

DEPARTMENT OF MINES AND RESOURCES

I.A. 1010
R. 2150

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OFFICE OF THE INDIAN COMMISSIONER FOR B.C., VICTORIA — BUREAU DU COMMISSAIRE AUX AFFAIRES INDIENNES B.C., VICTORIA

FILE/DOSSIER	TITLE/TITRE	DATES
	RG 10, C-II-2, VOLUME 11297	
*[Restricted Not filmed	Indian Commissioner for British Columbia - Law Enforcement - Correspondence re various cases including Indians in various agencies	1910-1943
	Indian Commissioner for British Columbia - Law Enforcement - Correspondence re infractions under the Game Act (including trapline disputes) (Maps)	1928-1930
*[Restricted Not filmed	Indian Commissioner for British Columbia - Law Enforcement - Correspondence re sale of liquor to Indians, including Rex vs Mason and Rex vs Enders	1943,1946
	Indian Commissioner for British Columbia - Law Enforcement - Correspondence and evidence re charges against A.H. Lomas, Indian Agent of Cowichan Agency for embezzlement of funds from timber dues	1930-1932
	Inspector of Indian Agencies - Law Enforcement - Okanagan - Depositions and correspondence re 1906 murder of Johnny Nichols (Cabbage)	1910
	Indian Commissioner for British Columbia - Law Enforcement - Kwawkewlth Agency - Correspondence re potlach (including poice reports)	1929-1939

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CANADA

DATED FROM..... FILE No.....

TO..... VOLUME No.....

CLOSED VOLUME

DO NOT PLACE ANY CORRESPONDENCE ON THIS FILE

FOR SUBSEQUENT CORRESPONDENCE SEE:

FILE No..... VOLUME No.....

PLEASE KEEP ATTACHED TO TOP OF FILE

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E V I D E N C E

In the
Matter
of

REX vs. ALFRED H. LOMAS.

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BEFORE J. MAITLAND-DOUGALL, ESQUIRE, STIPENDIARY MAGISTRATE IN AND FOR THE COUNTIES OF VICTORIA AND NANAIMO.

IN THE MATTER OF REX vs. ALFRED H. LOMAS.

WHO STANDS CHARGED for that he, on and between the 10th day of August, 1928, and the 2nd day of July, 1930, at the City of Duncan, in the County of Nanaimo, being then and there employed in the service of His Majesty, and being then and there by virtue of his said employment in possession of certain moneys to the amount of $12,455.69, did unlawfully steal the said moneys; contrary to the Statute in such cases made and provided.

PROCEEDINGS taken at Duncan, B.C., this 25th day of September, 1930, at 11 a.m.

Mr. W.C. Moresby, K.C. Counsel for the Crown
The accused appeared in person
Mr. Harry Langley sworn as reporter.

MR. MORESBY: May it please your honour. In this case the prosecution desires to amend the Information in a slight particular. First with reference to the amount. In the amount in the original information was $12,453.79. We desire to amend to make that $12,455.69. And the dates mentioned were between the 10th day of August, 1928, and May 1930. We desire to amend the latter month to the 2nd July, 1930; and the Information could now be resworn accordingly.

---------The original Information was amended as above, and resworn.

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MR. MORESBY: It will therefore be necessary for the Information to be read to the accused again.

----The Information as above was read to the accused by the Magistrate.

MR. MORESBY: If your honour pleases, I desire to make a short opening in this case. The accused is before you under the provisions of Part 14 of the Criminal Code, in your capacity as Stipendiary Magistrate for the Counties of Nanaimo and Victoria. The accused is charged under Section 359 (c) of the Criminal Code. It is not necessary to read it at the present time. The particulars of the charge as made are that the accused, while in the employ of His Majesty, did steal the amount that has been mentioned in the Information. In drawing up the charge, regard must be had to Section 868 of the Criminal Code, which provides, in substance, that in every charge of theft under Section 359 paragraph (c), the property in any money, in any warrant by the Justice before whom the offender is charged and in the indictment preferred against such offender, must be laid in His Majesty. Therefore, that is the reason why the charge is so framed.

The evidence to be adduced by the prosecution will show that Alfred H. Lomas was appointed Indian Agent at Duncan, in the Province of British Columbia in the month of October 1921, and at that time he was furnished with printed instructions to Indian Agents, inter alia, attention is drawn to compliance with Sections 81 and 82, to be found on page 19, which provide, in substance, that monthly returns of collections of timber dues should be sent to the Department immediately after the end of each month; and in cases where no collections have been made, a "nil" return should be sent. As Indian Agent, the accused,

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Lomas, arranged for certain licenses to be issued to certain persons to cut timber on Cowichan Indian Reserve No. 1, Vancouver Island, B.C., and Kuper Island, Indian Reserve No. 7, - one of the islands in the Gulf of Georgia, in the Province of British Columbia. There had already been issued licenses in respect of Chemainus Indian Reserve, and it will be shown that certain moneys came in from that source. In respect to the timber cut by the persons to whom the licenses were issued, Lomas, as Indian Agent, received the moneys, and a full detail statement will be given in the evidence, totalling the amounts in respect to those three reserves as set forth in the Information. These moneys as and when received, were deposited in an account in the Bank of Montreal, Duncan, British Columbia Branch, to the credit of A.S. (A. E. Lomas) Lomas, trust account. The bank books will be produced, and also the clerk will be called from the bank to prove that they correspond with the ledger account in the bank. It will be shown that no compliance was made with the printed instructions, above mentioned, as to monthly returns of collections, nor were any moneys forwarded to the Indian Department in respect to the moneys paid to Lomas for timber cut on the reserves mentioned. But it will be shown that Lomas, from time to time, drew cheques on the account that he had in the Bank of Montreal, and as we allege, converted the money so drawn to his own use, without any authority from the Indian Department or anyone connected therewith. Sugsequently, about the 2nd of July, it was found out that the moneys so received by him as aforesaid - at least that he had received moneys, or taken moneys from the bank by drawing cheques, and that the bank

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account had been depleted, so that only a balance of $8923.20 remained of the total amount so received. The difference being, in so far as the timber operations were concerned, the amount mentioned in the Information. The bank books as I say will be produced, and they will show that Lomas did make the deposits of these moneys as and when received, but that he, as I said before took the moneys out of the bank by drawing cheques. The deposit slips will be produced, ear-marking these moneys. Now I think it rather necessary at this stage, at least pertinent to point out, that the drawings from the bank commenced at or about the time of the deposit of the first moneys received, which dated was about August 10th, 1928, these moneys being in the sum of $443.25 received from one, J.W. Keen, for timber operations on Kuper Island, and the withdrawals were made from time to time up to the 2nd of July, when instructions were given to discontinue cashing cheques drawn by Lomas. The last payment deposited was $602.25, received by the accused from the Tzouhalem Logging Company, in respect of timber cut on the Cowichan Reserve. I make these observations in order to have it clear on the record what the prosecution intends to prove.

WILLIAM EARNEST DITCHBURN, a witness called by the Prosecution, sworn, testifies:

DIRECT EXAMINATION BY MR. MORESBY.

Q. Mr. Ditchburn, what official position do you hold in this province?

A. Commissioner for Indian Affairs for British Columbia.

Q. Are you in control of all the Indian Agents that have been appointed in British Columbia?

A. I am.

Q. And do you know the accused, Alfred H. Lomas?

A. I do.

Q. What position did he hold and what was his position between the dates of August, 1928 and July 1930?

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A. Indian Agent for Cowichan Agency.

Q. And in whose employ?

A. In the employ of His Majesty the King.

Q. When was he appointed to the position of Indian Agent at Cowichan Agency?

A. His appointment was dated early in September of 1921, but he didn't take charge - he didn't take control of the office until the 1st of October, 1921.

Q. And did he continue in that office until just lately?

A. He did.

Q. Up to what date?

A. About the 2nd of July I believe, 1930. The 7th of August 1930.

Q. At the time of his appointment what was the practice and procedure in your department with reference to instructions to Indian Agents so appointed?

A. He was given not only a typewritten letter of instructions, but also a copy of the department regulations - regular printed instructions setting forth their duties, governing all matters pertaining to the administration of the agency.

Q. I produce to you what purports to be a copy of general instructions to Indian Agents in Canada, and ask you if that is a copy of the instructions, or similar to the copy that was so given by you to the accused Lomas at the time of his appointment?

A. This is a similar copy, except that the other one is dated 1913, and this one is 1926 edition, which is the same as the 1930, with a few amendments.

MR. MORESBY: I will have that marked as an exhibit.

---------Instructions marked as Exhibit 1.

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Q. I find on turning to page 19 of Exhibit 1, paragraphs 81 and 82, which deal with collections of timber dues; and paragraph 81 reads as follows:

"Monthly returns of collections of timber due should "be sent to the Department immediately after the end "of each month; and in cases where no collections "have been made, a 'nil' return should be sent."

And paragraph 82:

"All timber returns and specifications of measure- "ments should be carefully examined, checked and "certified as correct before transmission to the "Department. If there are no transactions during "the month, a return marked 'nil' should be sent to "the Department."

Will you tell the court if those two paragraphs were in the copy of the instructions given to Mr. Lomas?

A. They were.

---------Document marked as Exhibit 2.

THE COURT: What do you call this.

MR. MORESBY: Instructions to Indian Agents.

Q. Now under the jurisdiction or within the territory of the Cowichan Reserve -

A. Cowichan Agency.

Q. Yes, Cowichan Agency, for which agency Mr. Lomas was Indian Agent, were there in that territory certain reservations known as the Chemainus Indian Reserve No. 13, Cowichan Indian Reserve No. 1, and Kuper Island Indian Reserve No.7?

A. Yes there are.

Q. And can you tell the court of your own knowledge if on those reserves there was certain timber?

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A. There was.

Q. From information received did you make any investigations lately on the files in the office of Mr. Lomas with reference to transactions pertaining to the timber on those three reservations?

A. I did.

Q. As a result of the investigations you made what did you ascertain?

A. I ascertained that with regard to the Chemainus Indian Reserve No. 13, there had been paid to the office - Indian Office at Duncan, on or about the 30th September,1929, from Messrs. Plummer and Company the sum of $1,699.92.

Q. I think we can shorten that, Mr. Ditchburn, Have you prepared a statement of moneys received by the accused as Indian Agent, in respect to timber cut from those three reserves?

A. I have.

Q. Just look at that document I produce to you, and tell us if that is true and correct statement of moneys received in respect of timber cut from those three reserves, by the accused Alfred H. Lomas?

A. It is.

Q. Have you had any conversation with the accused, Lomas, with respect to those transactions?

A. I did.

Q. And what if any explanation did he make, or what did he tell you with reference to the transactions?

A. He admitted the shortage. Perhaps I had better say that the first investigation was in connection with Kuper Island Indian Reserve, and I found that H.W. Peterson, trustee, acting for Thompsen and Clarke, had cut timber to the value of $11,558.47, and on investigating

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the bank account for the month of July or August, I found that there was only $8,900.00 to Mr. Lomas' account.

Q. That bank account you speak of is the bank account of A.H. Lomas, trustee, account Bank of Montreal, Duncan, B.C.?

A. Yes. I might carry that further --

THE COURT: Is that in exhibit, Mr. Moresby?

MR. MORESBY: Yes. I was going to allow the witness to finish first.

THE WITNESS: As there were two other timber operations going on, I desired to obtain first information from my department as to whether or not the Indian Agent had forwarded any moneys for the timber which had been cut, and the information I obtained from the Department was to the effect that Mr. Lomas had not forwarded any money in connection with the operation of Cowichan Reserve No. 1; that is so far as the cutting of timber is concerned, but it had forwarded the application and the amount of money for the licence fee and deposit.

Q. And that amount was how much?

A. Five hundred dollars odd. There was a deposit and the usual licence fee, but they were forwarded to Ottawa; but so far as the timber itself was concerned that was cut, he had not forwarded any money. I found that he had received in the office the sum of $4,695.77 in connection with that operation. So far as the cutting of the timber on Chemainus Indian Reserve No. 13, Mr. Lomas had not forwarded any money to the Department since before September 30th, 1929; and between September 30th, 1929 and May 8th, 1930, I found that he had received

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$5,123.25. This money with other amounts was not forwarded to the Department, according to instructions.

Q. Having ascertained that condition and situation, I think you told us that you had a conversation with the accused with reference to that matter?

A. Yes.

Q. About when would that be, approximately?

A. About the 22nd of August.

Q. Where did that conversation take place?

A. In the Indian Office at Duncan.

Q. Now you might just tell us the substance of that conversation that you had with the accused?

A. I pointed out to Mr. Lomas his shortages, and I asked him what he was prepared to do about it. He said he was not in a position to do anything. He had no money, and he had no assets, and he acknowledged that he had done wrong, and that he would have to take the consequences. In fact he said he threw up his hands and admitted everything.

Q. That is you understood from Lomas that he admitted taking these moneys?

A. He did.

Q. For his own use?

A. Yes.

MR. MORESBY: That can be marked as Exhibit 2.

Q. Did you receive from Mr. Lomas any documents - books or cancelled cheques?

A. Yes.

Q. I produce to you three bank books, which purport to be the bank accounts of the Bank of Montreal, commencing December 31st. 1921, and running on up till July 19th., which is the last entry of 1930. Did you receive

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those books from Mr. Lomas?

A. I didn't receive these direct from Mr. Lomas.

Q. Who did you receive them from?

A. These were handed to me by one of my officials, Mr. Caldwell.

Q. They were turned over to you by Mr. Caldwell?

A. Yes.

Q. And among other things, were there some cancelled cheques turned over to you?

A. Through Mr. Caldwell, yes.

Q. And some stubs of cheques issued?

A. Yes.

MR. MORESBY: Now, your honour, at this stage, I wish to have the bank books, and the cancelled cheques and the stubs introduced in this way, as being marked for indentification, because the books and the cancelled stubs will be required by the auditor who has been appointed to make further investigations. So that with your permission, I will have them merely marked for identification at the present time, subsequently proving by Mr. Caldwell the procedure. I think the bank books could be marked as one exhibit.

.....Three Bank Books marked Exhibit 3 for identification.

Q. Are you familiar with the signature of Alfred H. Lomas the accused?

A. I am.

Q. Mr. Ditchburn, going back for a moment: in giving the figures of the amount of moneys received in respect of the cutting of timber on three Indian Reserves, you gave us the total amount from each of the three reserves. In checking up I find there is a difference of $2.00 between these amounts, and the amount now in the information.

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Will you explain with reference to the two dollars?

A. Yes, at the end of August, 1927, Mr. Lomas received from Thompsen and Clarke per A. Peterson, trustee, the sum of $1,692.00, which he called upon them to pay; for license fee $50.00; deposit $1,500.00, Crown Grant $140.00, and he added on an additional two dollars as a renewal fee. Late in June, 1930, he forwarded to the Department the sum of $1,690.00 covering the deposit, ground rent and license fee. That explains the additional $2.00.

----Document marked as Exhibit 4 for identification.

Q. And the cheques and s tubs of cheques are all contained in this bundle?

A. Yes.

Q. And this is what you received from Mr. Caldwell?

A. Yes.

Q. I produce to you a cheque dated March 27th. 1930, drawn on the Bank of Montreal, and signed Alfred H. Lomas - endorsed, for the sum of $40.00, with a note on it "Travelling expenses" - "Exp", meaning travelling expenses. Do you recognize the signature on that cheque?

A. I do.

Q. Do you find that cheque endorsed?

A. I do.

Q. By whom?

A. By Alfred H. Lomas, Indian Agent.

Q. And the cheque was chased?

A. Yes, it was cashed; and I believe that to be his signature.

Q. What would you say with reference to a cheque being drawn for that amount for travelling expenses at that time? In other words, the question leading up to the point that I wish to bring out, is that an indication of the method that he would adopt to pay moneys out of the bank for

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his own purposes?

A. Well it might be, and that might be all right.

MR. MORESBY: That cheque will be marked Exhibit 5 for identification.

----------Cheque marked as Exhibit 5 for identification.

Q. Now to have it clear on the record, the total amount received by the accused in respect of moneys paid in for timber cut on these three Indian Reserves totals how much?

A. ,$12,455.69

Q. That was the difference I think. What was the total amount?

A. The total amount of timber,

Q. Yes.

A. $21,377.49.

Q. And the amount that you found in the bank on or about the 7th July, 1930, was how much?

A. $8,923.00.

Q. Did you ever personally authorise Mr. Lomas to draw out any of these moneys out of the bank?

A. No.

Q. That is I mean these timber moneys?

A. No. Itnever should have been in the bank, as a matter of fact.

Q. Where should it have been?

A. It should have been forwarded to Ottawa as soon as received.

Q. Then so far as you know, no authority was given by you or by any departmental official at Ottawa authorising him to keep moneys out?

A. In view of those instructions, I wouldn't say that he was wrong in depositing the money for at least a month, but after that --

Q. But speaking of your own knowledge and from information received from the Department, no authority was given to

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Mr. Lomas to retain these moneys out of the deposit and draw cheques of that?

A. No, not for a moment, no.

Q. During the whole of this period, Lomas was residing in Duncan, B.C.?

A. That was his domicile.

Q. The moneys as you have subsequently ascertained were they deposited in the Bank of Montreal in Duncan, in the Province of British Columbia?

A. Yes.

Q. You know the county?

A. Yes, this is the County of Nanaimo.

Q. That is all.

(Witness aside)

JASPER DOKE CALDWELL, a witness called by the Prosecution, sworn, testifies:

DIRECT EXAMINATION OF MR. MORESBY:

Q. Mr. Caldwell, what is your occupation?

A. Indian Agricultural Agent.

Q. From instructions received, did you make a visit to the Indian office of the Cowichan Agency at Duncan recently?

A. Yes sir.

Q. About when would that be, approximately?

A. Well I was here two or three different times in September.

Q. At that time, who was the Indian Agent at Duncan?

A. Well during the month of September, Miss Robertson was in charge of the office.

Q. Do you know the accused, Lomas?

A. I do.

Q. He, I understand, was formerly Indian Agent,

A. Yes.

Q. And you knew him as such?

A. Yes.

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Q. Did you have occasion to have any conversation with Mr. Lomas at any time with reference to bank cheques and stubs?

A. I did, yes.

Q. Look at Exhibits 3 and 4 which are marked for identification; Exhibit 3 being the bank books; do you recognize those? Looking at Exhibit 3.

A. I do.

Q. From whom did you receive those?

A. I received those two books - they were handed to me by Mr. Lomas. The other books were in the office.

Q. Two red books. The two red books were handed to you by Mr. Lomas?

A. Yes; and the other book was in Mr. Lomas' desk in the office.

Q. Looking at Exhibit 4, which are cancelled cheques and stubs, have you seen those before?

A. I have.

Q. Did you receive those from anyone?

A. Yes, I received those cheques from Mr. Lomas.

Q. And the Stubs?

A. And the stubs.

Q. And what did you do?

A. I made a list of the cheques.

Q. And into whose custody did you hand the cheques afterwards?

A. Which cheques?

Q. You gave the cheques to Mr. Ditchburn, didn't you?

A. Yes.

Q. And the bank books?

A. Yes.

Q. I produce to you several sheets of paper here; do you recognise the handwriting on that?

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A. Yes I do.

Q. What do these sheets of paper contain?

A. A list of cashable cheques issued by Mr. Lomas.

Q. Between what dates?

A. This list is between December 27th. - December 26th, 1927 and March 3rd., or April 3rd, 1930.

Q. Are those the cheques that are referred to in Exhibit 4?

A. Yes.

MR. MORESBY: That had better be marked for identification, because that document will also be required by the auditor.

----------Document marked as Exhibit 6 for identification.

THE WITNESS: That is only a part.

Q. Exhibit 6 is only a partial list of the cheques?

A. Yes.

Q. The majority of them I presume though?

A. Well I wouldn't say. The majority of the cheques between those dates, yes.

(Witness aside)

PETER JERVOISE GAUNTLETT FLADGATE, a witness called by the Prosecution, sworn, testifies:

DIRECT EXAMINATION BY MR. MORESBY:

Q. Mr. Fladgate, you are a clerk in the employ of the Bank of Montreal, in the City of Duncan, and Province of British Columbia?

A. Yes.

Q. I produce to you three bank books, being exhibit 3 in this case, and I will ask you to look at them, and tell me what those books are, and what connection they have with the Bank of Montreal. I think I can help you. Are they a copy of the entries in your ledger of the Bank of Montreal?

A. Yes, a copy of the entries in the current ledger.

Q. Under the account of Alfred H. Lomas, trust?

A. Yes.

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Q. I produce to you a rough draft of a statement prepared by a clerk in the Bank of Montreal; do you recognise the handwriting?

A. Yes.

Q. It purports to be a statement of deposits made to the account of Alfred H. Lomas, in trust. You might look at that and see if it is what it purports to be?

A. Yes, sir.

Q. Between the dates, 1923 and so on - at all events, covering the period between August 1928 and July 1930?

A. Exactly.

Q. Can you tell us if this statement that has been prepared was taken from the deposit slips in the Bank. That statement would be made up from the deposit slips in the bank, would it not?

A. All there was on the deposit slips goes in here, and when there was nothing on the deposit slips it was left blank. We got all the amounts from the ledger.

Q. What information is on here is taken from the deposit slips?

A. Yes.

MR. MORESBY: That had better be marked Exhibit 7 for identification.

--------Document marked as Exhibit 7 for identification.

Q. Have you a specimen of the signature of Alfred H. Lomas in respect of the amount that he kept in the bank, which is evidenced by those bank books?

A. Yes.

Q. Will you produce it please.

--------Witness produces specimen signature of accused Lomas.

Q. That is taken from the files of the bank of Montreal at Duncan, B.C.?

A. Yes.

Q. Do you recognise the signature yourself?

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A. Yes.

Q. And it is the signature of Alfred H. Lomas?

A. Yes.

--------Document marked as Exhibit 8.

Q . Do you know the accused, Alfred H. Lomas,yourself personally?

A. Yes I do.

Q. Can you tell us whether he has attended at your bank and actually drawn moneys out on cheques, to your knowledge?

A. No sir, I cannot say.

MR. MORESBY: That will close the evidence for the Prosecution.

------The accused was addressed by the Magistrate pursuant to Sections 684 and 686 of the Code.

THE ACCUSED; I reserve anything I have to say, your honour.

THE COURT: Do you wish to give evidence in your own behalf?

THE ACCUSED: Not at the present time.

THE COURT: I commit you to stand your trial at the next court of competent jurisdiction.

(Sgd.) J. Maitland-Dougall,
Stipendiary Magistrate in and for
the counties of Victoria and Nanaimo.

I hereby certify the foregoing to be a true transcript of the proceedings herein.

(Sgd) H. Langley,
Official Reporter.

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E V I D E N C E

in the
Matter
of

REX vs. ALFRED H. LOMAS.

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BEFORE J. MAITLAND-DOUGALL, ESQUIRE, STIPENDIARY MAGISTRATE IN AND FOR THE COUNTIES OF VICTORIA AND NANAIMO.

IN THE MATTER OF REX vs. ALFRED H. LOMAS.

WHO STANDS CHARGED for that he, on and between the 10th day of August, 1928, and the 2nd day of July, 1930, at the City of Duncan, in the County of Nanaimo, being then and there employed in the service of His Majesty, and being then and there by virtue of his said employment in possession of certain moneys to the amount of $12,455.69, did unlawfully steal the said moneys; contrary to the Statute in such cases made and provided.

PROCEEDINGS taken at Duncan, B.C., this 25th day of September, 1930, at 11 a.m.

Mr. W.C. Moresby, K.C. Counsel for the Crown
The accused appeared in person
Mr. Harry Langley sworn as reporter.

MR. MORESBY: May it please your honour. In this case the prosecution desires to amend the Information in a slight particular. First with reference to the amount. In the amount in the original information was $12,453.79. We desire to amend to make that $12,455.69. And the dates mentioned were between the 10th day of August, 1928, and May 1930. We desire to amend the latter month to the 2nd July, 1930; and the Information could now be resworn accordingly.

--------The original Information was amended as above, and resworn.

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MR. MORESBY: It will therefore be necessary for the Information to be read to the accused again.

----The Information as above was read to the accused by the Magistrate.

MR. MORESBY: If your honour pleases, I desire to make a short opening in this case. The accused is before you under the provisions of Part 14 of the Criminal Code, in your capacity as Stipendiary Magistrate for the Counties of Nanaimo and Victoria. The accused is charged under Section 359 (c) of the Criminal Code. It is not necessary to read it at the present time. The particulars of the charge as made are that the accused, while in the employ of His Majesty, did steal the amount that has been mentioned in the Information. In drawing up the charge, regard must be had to Section 868 of the Criminal Code, which provides, in substance, that in every charge of theft under Section 359 paragraph (c), the property in any money, in any warrant by the Justice before whom the offender is charged and in the indictment preferred against such offender, must be laid in His Majesty. Therefore, that is the reason why the charge is so framed.

The evidence to be adduced by the prosecution will show that Alfred H. Lomas was appointed Indian Agent at Duncan, in the Province of British Columbia in the month of October 1921, and at that time he was furnished with printed instructions to Indian Agents, inter alia, attention is drawn to compliance with Sections 81 and 82, to be found on page 19, which provide, in substance, that monthly returns of collections of timber dues should be sent to the Department immediately after the end of each month; and in cases where no collections have been made, a "nil" return should be sent. As Indian Agent, the accused,

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Lomas, arranged for certain licenses to be issued to certain persons to cut timber on Cowichan Indian Reserve No. 1, Vancouver Island, B.C., and Kuper Island, Indian Reserve No. 7, - one of the islands in the Gulf of Georgia, in the Province of British Columbia. There had already been issued licenses in respect of Chemainus Indian Reserve, and it will be shown that certain moneys came in from that source. In respect to the timber cut by the persons to whom the licenses were issued, Lomas, as Indian Agent, received the moneys, and a full detail statement will be given in the evidence, totalling the amounts in respect to those three reserves as set forth in the Information. These moneys as and when received, were deposited in an account in the Bank of Montreal, Duncan, British Columbia Branch, to the credit of A.S. (A. McLomas) Lomas, trust account. The bank books will be produced, and also the clerk will be called from the bank to prove that they correspond with the ledger account in the bank. It will be shown that no compliance was made with the printed instructions, above mentioned, as to monthly returns of collections, nor were any moneys forwarded to the Indian Department in respect to the moneys paid to Lomas for timber cut on the reserves mentioned. But it will be shown that Lomas, from time to time, drew cheques on the account that he had in the Bank of Montreal, and as we allege, converted the money so drawn to his own use, without any authority from the Indian Department or anyone connected therewith. Sugsequently, about the 2nd of July, it was found out that the moneys so received by him as aforesaid - at least that he had received moneys, or taken moneys from the bank by drawing cheques, and that the bank

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account had been depleted, so that only a balance of $8923.20 remained of the total amount so received. The difference being, in so far as the timber operations were concerned, the amount mentioned in the Information. The bank books as I say will be produced, and they will show that Lomas did make the deposits of these moneys as and when received, but that he, as I said before took the moneys out of the bank by drawing cheques. The deposit slips will be produced, ear-marking these moneys. Now I think it rather necessary at this stage, at least pertinent to point out, that the drawings from the bank commenced at or about the time of the deposit of the first moneys received, which dated was about August 10th, 1928, these moneys being in the sum of $443.25 received from one, J.W. Keen, for timber operations on Kuper Island, and the withdrawals were made from time to time up to the 2nd of July, when instructions were given to discontinue cashing cheques drawn by Lomas. The last payment deposited was $602.25, received by the accused from the Tzouhalem Logging Company, in respect of timber cut on the Cowichan Reserve. I make these observations in order to have it clear on the record what the prosecution intends to prove.

WILLIAM EARNEST DITCHBURN, a witness called by the Prosecution, sworn, testifies:

DIRECT EXAMINATION BY MR. MORESBY.

Q. Mr. Ditchburn, what official position do you hold in this province?

A. Commissioner for Indian Affairs for British Columbia.

Q. Are you in control of all the Indian Agents that have been appointed in British Columbia?

A. I am.

Q. And do you know the accused, Alfred H. Lomas?

A. I do.

Q. What position did he hold and what was his position between the dates of August, 1928 and July 1930?

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A. Indian Agent for Cowichan Agency.

Q. And in whose employ?

A. In the employ of His Majesty the King.

Q. When was he appointed to the position of Indian Agent at Cowichan Agency?

A. His appointment was dated early in September of 1921, but he didn't take charge - he didn't take control of the office until the 1st of October, 1921.

Q. And did he continue in that office until just lately?

A. He did.

Q. Up to what date?

A. About the 2nd of July I believe, 1930. The 7th of August 1930.

Q. At the time of his appointment what was the practice and procedure in your department with reference to instructions to Indian Agents so appointed?

A. He was given not only a typewritten letter of instructions, but also a copy of the department regulations - regular printed instructions setting forth their duties, governing all matters pertaining to the administration of the agency.

Q. I produce to you what purports to be a copy of general instructions to Indian Agents in Canada, and ask you if that is a copy of the instructions, or similar to the copy that was so given by you to the accused Lomas at the time of his appointment?

A. This is a similar copy, except that the other one is dated 1913, and this one is 1926 edition, which is the same as the 1930, with a few amendments.

MR. MORESBY: I will have that marked as an exhibit.

---------Instructions marked as Exhibit 1.

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Q. I find on turning to page 19 of Exhibit 1, paragraphs 81 and 82, which deal with collections of timber dues; and paragraph 81 reads as follows:

"Monthly returns of collections of timber due should "be sent to the Department immediately after the end "of each month; and in cases where no collections "have been made, a 'nil' return should be sent."

And paragraph 82:

"All timber returns and specifications of measure- "ments should be carefully examined, checked and "certified as correct before transmission to the "Department. If there are no transactions during "the month, a return marked 'nil' should be sent to "the Department."

Will you tell the court if those two paragraphs were in the copy of the instructions given to Mr. Lomas?

A. They were.

---------Document marked as Exhibit 2.

THE COURT: What do you call this.

MR. MORESBY: Instructions to Indian Agents.

Q. Now under the jurisdiction or within the territory of the Cowichan Reserve -

A. Cowichan Agency.

Q. Yes, Cowichan Agency, for which agency Mr. Lomas was Indian Agent, were there in that territory certain reservations known as the Chemainus Indian Reserve No. 13, Cowichan Indian Reserve No. 1, and Kuper Island Indian Reserve No.7?

A. Yes there are.

Q. And can you tell the court of your own knowledge if on those reserves there was certain timber?

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A. There was.

Q. From information received did you make any investigations lately on the files in the office of Mr. Lomas with reference to transactions pertaining to the timber on those three reservations?

A. I did.

Q. As a result of the investigations you made what did you ascertain?

A. I ascertained that with regard to the Chemainus Indian Reserve No. 13, there had been paid to the office - Indian Office at Duncan, on or about the 30th September,1929, from Messrs. Plummer and Company the sum of $1,699.92.

Q. I think we can shorten that, Mr. Ditchburn, Have you prepared a statement of moneys received by the accused as Indian Agent, in respect to timber cut from thœ e three reserves?

A. I have.

Q. Just look at that document I produce to you, and tell us if that is true and correct statement of moneys received in respect of timber out from those three reserves, by the accused Alfred H. Lomas?

A. It is.

Q. Have you had any conversation with the accused, Lomas, with respect to those transactions?

A. I did.

Q. And what if any explanation did he make, or what did he tell you with reference to the transactions?

A. He admitted the shortage. Perhaps I had better say that the first investigation was in connection with Kuper Island Indian Reserve, and I found that H.W. Peterson, trustee, acting for Thompsen and Clarke, had cut timber to the value of $11,558.47, and on investigating

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the bank account for the month of July or August, I found that there was only $8,900.00 to Mr. Lomas' account.

Q. That bank account you speak of is the bank account of A.H. Lomas, trustee, account Bank of Montreal, Duncan, B.C.?

A. Yes. I might carry that further --

THE COURT: Is that in exhibit, Mr. Moresby?

MR. MORESBY: Yes. I was going to allow the witness to finish first.

THE WITNESS: As there were two other timber operations going on, I desired to obtain first information from my department as to whether or not the Indian Agent had forwarded any moneys for the timber which had been cut, and the information I obtained from the Department was to the effect that Mr. Lomas had not forwarded any money in connection with the operation of Cowichan Reserve No. 1; that is so far as the cutting of timber is concerned, but it had he? forwarded the application and the amount of money for the licence fee and deposit.

Q. And that amount was how much?

A. Five hundred dollars odd. There was a deposit and the usual licence fee, but they were forwarded to Ottawa; but so far as the timber itself was concerned that was cut, he had not forwarded any money. I found that he had received in the office the sum of $4,695.77 in connection with that operation. So far as the cutting of the timber on Chemainus Indian Reserve No. 13, Mr. Lomas had not forwarded any money to the Department since before September 30th, 1929; and between September 30th, 1929 and May 8th, 1930, I found that he had received

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$5,123.25. This money with other amounts was not forwarded to the Department, according to instructions.

Q. Having ascertained that condition and situation, I think you told us that you had a conversation with the accused with reference to that matter?

A. Yes.

Q. About when would that be, approximately?

A. About the 22nd of August.

Q. Where did that conversation take place?

A. In the Indian Office at Duncan.

Q. Now you might just tell us the substance of that conversation that you had with the accused?

A. I pointed out to Mr. Lomas his shortages, and I asked him what he was prepared to do about it. He said he was not in a position to do anything. He had no money, and he had no assets, and he acknowledged that he had done wrong, and that he would have to take the consequences. In fact he said he threw up his hands and admitted everything.

Q. That is you understood from Lomas that he admitted taking these moneys?

A. He did.

Q. For his own use?

A. Yes.

MR. MORESBY: That can be marked as Exhibit 2.

Q. Did you receive from Mr. Lomas any documents - books or cancelled cheques?

A. Yes.

Q. I produce to you three bank books, which purport to be the bank accounts of the Bank of Montreal, commencing December 31st. 1921, and running on up till July 19th., which is the last entry of 1930. Did you receive

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those books from Mr. Lomas?

A. I didn't receive these direct from Mr. Lomas.

Q. Who did you receive them from?

A. These were handed to me by one of my officials, Mr. Caldwell.

Q. They were turned over to you by Mr. Caldwell?

A. Yes.

Q. And among other things, were there some cancelled cheques turned over to you?

A. Through Mr. Caldwell, yes.

Q. And some stubs of cheques issued?

A. Yes.

MR. MORESBY: Now, your honour, at this stage, I wish to have the bank books, and the cancelled cheques and the stubs introduced in this way, as being marked for indentification, because the books and the cancelled stubs will be required by the auditor who has been appointed to make further investigations. So that with your permission, I will have them merely marked for identification at the present time, subsequently proving by Mr. Caldwell the procedure. I think the bank books could be marked as one exhibit.

.....Three Bank Books marked Exhibit 3 for identification.

Q. Are you familiar with the signature of Alfred H. Lomas the accused?

A. I am.

Q. Mr. Ditchburn, going back for a moment: in giving the figures of the amount of moneys received in respect of the cutting of timber on three Indian Reserves, you gave us the total amount from each of the three reserves. In checking up I find there is a difference of $2.00 between those amounts, and the amount now in the information.

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Will you explain with reference to the two dollars?

A. Yes, at the end of August, 1927, Mr. Lomas received from Thompsen and Clarke per A. Peterson, trustee, the sum of $1,692.00, which he called upon them to pay; for license fee $50.00; deposit $1,500.00, Crown Grant $140.00, and he added on an additional two dollars as a renewal fee. Late in June, 1930, he forwarded to the Department the sum of $1,690.00 covering the deposit, ground rent and license fee. That explains the additional $2.00.

----Document marked as Exhibit 4 for identification.

Q. And the cheques and stubs of cheques are all contained in this bundle?

A. Yes.

Q. And this is what you received from Mr. Caldwell?

A. Yes.

Q. I produce to you a cheque dated March 27th. 1930, drawn on the Bank of Montreal, and signed Alfred H. Lomas - endorsed, for the sum of $40.00, with a note on it "Travelling expenses" - "Exp", meaning travelling expenses. Do you recognize the signature on that cheque?

A. I do.

Q. Do you find that cheque endorsed?

A. I do.

Q. By whom?

A. By Alfred H. Lomas, Indian Agent.

Q. And the cheque was chased?

A. Yes, it was cashed; and I believe that to be his signature.

Q. What would you say with reference to a cheque being drawn for that amount for travelling expenses at that time? In other words, the question leading up to the point that I wish to bring out, is that an indication of the method that he would adopt to pay moneys out of the bank for

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his own purposes?

A. Well it might be, and that might be all right.

MR. MORESBY: That cheque will be marked Exhibit 5 for identification.

---------Cheque marked as Exhibit 5 for identification.

Q. Now to have it clear on the record, the total amount received by the accused in respect of moneys paid in for timber cut on these three Indian Reserves totals how much?

A. $12,455.69

Q. That was the difference I think. What was the total amount?

A. The total amount of timber,

Q. Yes.

A. $21,377.49.

Q. And the amount that you found in the bank on or about the 7th July, 1930, was how much?

A. $8,923.00.

Q. Did you ever personally authorise Mr. Lomas to draw out any of these moneys out of the bank?

A. No.

Q. That is I mean these timber moneys?

A. No. Itnever should have been in the bank, as a matter of fact.

Q. Where should it have been?

A. It should have been forwarded to Ottawa as soon as received.

Q. Then so far as you know, no authority was given by you or by any departmental official at Ottawa authorising him to keep moneys out?

A. In view of those instructions, I wouldn't say that he was wrong in depositing the money for at least a month, but after that --

Q. But speaking of your own knowledge and from information received from the Department, no authority was given to

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Mr. Lomas to retain these moneys out of the deposit and draw cheques of that?

A. No, not for a moment, no.

Q. During the whole of this period, Lomas was residing in Duncan, B.C.?

A. That was his domicile.

Q. The moneys as you have subsequently ascertained were they deposited in the Bank of Montreal in Duncan, in the Province of British Columbia?

A. Yes.

Q. You know the county?

A. Yes, this is the County of Nanaimo.

Q. That is all.

(Witness aside)

JASPER DOKE CALDWELL, a witness called by the Prosecution, sworn, testifies:

DIRECT EXAMINATION OF MR. MORESBY:

Q. Mr. Caldwell, what is your occupation?

A. Indian Agricultural Agent.

Q. From instructions received, did you make a visit to the Indian office of the Cowichan Agency at Duncan recently?

A. Yes sir.

Q. About when would that be, approximately?

A. Well I was here two or three different times in September.

Q. At that time, who was the Indian Agent at Duncan?

A. Well during the month of September, Miss Robertson was in charge of the office.

Q. Do you know the accused, Lomas?

A. I do.

Q. He, I understand, was formerly Indian Agent,

A. Yes.

Q. And you knew him as such?

A. Yes.

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Q. Did you have occasion to have any conversation with Mr. Lomas at any time with reference to bank cheques and stubs?

A. I did, yes.

Q. Look at Exhibits 3 and 4 which are marked for identification; Exhibit 3 being the bank books; do you recognize those? Looking at Exhibit 3.

A. I do.

Q. From whom did you receive those?

A. I received those two books - they were handed to me by Mr. Lomas. The other books were in the office.

Q. Two red books. The two red books were handed to you by Mr. Lomas?

A. Yes; and the other book was in Mr. Lomas' desk in the office.

Q. Looking at Exhibit 4, which are cancelled cheques and stubs, have you seen those before?

A. I have.

Q. Did you receive those from anyone?

A. Yes, I received those cheques from Mr. Lomas.

Q. And the Stubs?

A. And the stubs.

Q. And what did you do?

A. I made a list of the cheques.

Q. And into whose custody did you hand the cheques afterwards?

A. Which cheques?

Q. You gave the cheques to Mr. Ditchburn, didn't you?

A. Yes.

Q. And the bank books?

A. Yes.

Q. I produce to you several sheets of paper here; do you recognise the handwriting on that?

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A. Yes I do.

Q. What do those sheets of paper contain?

A. A list of cashable cheques issued by Mr. Lomas.

Q. Between what dates?

A. This list is between December 27th. - December 26th, 1927 and March 3rd., or April 3rd, 1930.

Q. Are those the cheques that are referred to in Exhibit 4?

A. Yes.

MR. MORESBY: That had better be marked for identification, because that document will also be required by the auditor.

----------Document marked as Exhibit 6 for identification.

THE WITNESS: That is only a part.

Q. Exhibit 6 is only a partial list of the cheques?

A. Yes.

Q. The majority of them I presume though?

A. Well I wouldn't say. The majority of the cheques between those dates, yes.

(Witness aside)

PETER JERVOISE GAUNTLETT FLADGATE, a witness called by the Prosecution, sworn, testifies:

DIRECT EXAMINATION OF MR. MORESBY:

Q. Mr. Fladgate, you are a clerk in the employ of the Bank of Montreal, in the City of Duncan, and Province of British Columbia?

A. Yes.

Q. I produce to you three bank books, being exhibit 3 in this case, and I will ask you to look at them, and tell me what those books are, and what connection they have with the Bank of Montreal. I think I can help you. Are they a copy of the entries in your ledger of the Bank of Montreal?

A. Yes, a copy of the entries in the current ledger.

Q. Under the account of Alfred H. Lomas, trust?

A. Yes.

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Q. I produce to you a rough draft of a statement prepared by a clerk in the Bank of Montreal; do you recognise the handwriting?

A. Yes.

Q. It purports to be a statement of deposits made to the account of Alfred H. Lomas, in trust. You might look at that and see if it is what it purports to be?

A. Yes, sir.

Q. Between the dates, 1923 and so on - at all events, covering the period between August 1928 and July 1930?

A. Exactly.

Q. Can you tell us if this statement that has been prepared was taken from the deposit slips in the Bank. That statement would be made up from the deposit slips in the bank, would it not?

A. All there was on the deposit slips goes in here, and when there was nothing on the deposit slips it was left blank. We got all the amounts from the ledger.

Q. What information is on here is taken from the deposit slips?

A. Yes.

MR. MORESBY: That had better be marked Exhibit 7 for identification.

--------Document marked as Exhibit 7 for identification.

Q. Have you a specimen of the signature of Alfred H. Lomas in respect of the amount that he kept in the bank, which is evidenced by those bank books?

A. Yes.

Q. Will you produce it please.

--------Witness produces specimen signature of accused Lomas.

Q. That is taken from the files of the bank of Montreal at Duncan, B.C.?

A. Yes.

Q. Do you recognise the signature yourself?

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A. Yes.

Q. And it is the signature of Alfred H. Lomas?

A. Yes.

--------Document marked as Exhibit 8.

Q . Do you know the accused, Alfred H. Lomas,yourself personally?

A. Yes I do.

Q. Can you tell us whether he has attended at your bank and actually drawn moneys out on cheques, to your knowledge?

A. No sir, I cannot say.

MR. MORESBY: That will close the evidence for the Prosecution.

-------The accused was addressed by the Magistrate pursuant to Sections 684 and 686 of the Code.

THE ACCUSED; I reserve anything I have to say, your honour.

THE COURT: Do you wish to give evidence in your own behalf?

THE ACCUSED: Not at the present time.

THE COURT: I commit you to stand your trial at the next court of competent jurisdiction.

(Sgd.) J. Maitland-Dougall,
Stipendiary Magistrate in and for
the counties of Victoria and Nanaimo.

I hereby certify the foregoing to be a true transcript of the proceedings herein.

(Sgd) H. Langley,
Official Reporter.

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E V I D E N C E

In The
Matter
of

REX vs. ALFRED H. LOMAS.

D-1-2-0-0-0

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BEFORE J. MAITLAND-DOUGALL, ESQUIRE, STIPENDIARY MAGISTRATE IN AND FOR THE COUNTIES OF VICTORIA AND NANAIMO.

IN THE MATTER OF REX vs. ALFRED H. LOMAS.

WHO STANDS CHARGED for that he, on and between the 10th day of August, 1928, and the 2nd day of July, 1930, at the City of Duncan, in the County of Nanaimo, being then and there employed in the service of His Majesty, and being then and there by virtue of his said employment in possession of certain moneys to the amount of $12,455.69, did unlawfully steal the said moneys; contrary to the Statute in such cases made and provided.

PROCEEDINGS taken at Duncan, B.C., this 25th day of September, 1930, at 11 a.m.

Mr. W.C. Moresby, K.C. Counsel for the Crown
The accused appeared in person
Mr. Harry Langley sworn as reporter.

MR. MORESBY: May it please your honour. In this case the prosecution desires to amend the Information in a slight particular. First with reference to the amount. In the amount in the original information was $12,453.79. We desire to amend to make that $12,455.69. And the dates mentioned were between the 10th day of August, 1928, and May 1930. We desire to amend the latter month to the 2nd July, 1930; and the Information could now be resworn accordingly.

---------The original Information was amended as above, and resworn.

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MR. MORESBY: It will therefore be necessary for the Information to be read to the accused again.

----The Information as above was read to the accused by the Magistrate.

MR. MORESBY: If your honour pleases, I desire to make a short opening in this case. The accused is before you under the provisions of Part 14 of the Criminal Code, in your capacity as Stipendiary Magistrate for the Counties of Nanaimo and Victoria. The accused is charged under Section 359 (c) of the Criminal Code. It is not necessary to read it at the present time. The particulars of the charge as made are that the accused, while in the employ of His Majesty, did steal the amount that has been mentioned in the Information. In drawing up the charge, regard must be had to Section 868 of the Criminal Code, which provides, in substance, that in every charge of theft under Section 359 paragraph (c), the property in any money, in any warrant by the Justice before whom the offender is charged and in the indictment preferred against such offender, must be laid in His Majesty. Therefore, that is the reason why the charge is so framed.

The evidence to be adduced by the prosecution will show that Alfred H. Lomas was appointed Indian Agent at Duncan, in the Province of British Columbia in the month of October 1921, and at that time he was furnished with printed instructions to Indian Agents, inter alia, attention is drawn to compliance with Sections 81 and 82, to be found on page 19, which provide, in substance, that monthly returns of collections of timber dues should be sent to the Department immediately after the end of each month; and in cases where no collections have been made, a "nil" return should be sent. As Indian Agent, the accused,

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Lomas, arranged for certain licenses to be issued to certain persons to cut timber on Cowichan Indian Reserve No. 1, Vancouver Island, B.C., and Kuper Island, Indian Reserve No. 7, - one of the islands in the Gulf of Georgia, in the Province of British Columbia. There had already been issued licenses in respect of Chemainus Indian Reserve, and it will be shown that certain moneys came in from that source. In respect to the timber cut by the persons to whom the licenses were issued, Lomas, as Indian Agent, received the moneys, and a full detail statement will be given in the evidence, totalling the amounts in respect to those three reserves as set forth in the Information. These moneys as and when received, were deposited in an account in the Bank of Montreal, Duncan, British Columbia Branch, to the credit of A.S. (A. S. Lomas) Lomas, trust account. The bank books will be produced, and also the clerk will be called from the bank to prove that they correspond with the ledger account in the bank. It will be shown that no compliance was made with the printed instructions, above mentioned, as to monthly returns of collections, nor were any moneys forwarded to the Indian Department in respect to the moneys paid to Lomas for timber cut on the reserves mentioned. But it will be shown that Lomas, from time to time, drew cheques on the account that he had in the Bank of Montreal, and as we allege, converted the money so drawn to his own use, without any authority from the Indian Department or anyone connected therewith. Sugsequently, about the 2nd of July, it was found out that the moneys so received by him as aforesaid - at least that he had received moneys, or taken moneys from the bank by drawing cheques, and that the bank

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account had been depleted, so that only a balance of $8923.20 remained of the total amount so received. The difference being, in so far as the timber operations were concerned, the amount mentioned in the Information. The bank books as I say will be produced, and they will show that Lomas did make the deposits of these moneys as and when received, but that he, as I said before took the moneys out of the bank by drawing cheques. The deposit slips will be produced, ear-marking these moneys. Now I think it rather necessary at this stage, at least pertinent to point out, that the drawings from the bank commenced at or about the time of the deposit of the first moneys received, which dated was about August 10th, 1928, these moneys being in the sum of $443.25 received from one, J.W. Keen, for timber operations on Kuper Island, and the withdrawals were made from time to time up to the 2nd of July, when instructions were given to discontinue cashing cheques drawn by Lomas. The last payment deposited was $602.25, received by the accused from the Tzouhalem Logging Company, in respect of timber cut on the Cowichan Reserve. I make these observations in order to have it clear on the record what the prosecution intends to prove.

WILLIAM EARNEST DITCHBURN, a witness called by the Prosecution, sworn, testifies:

DIRECT EXAMINATION BY MR. MORESBY.

Q. Mr. Ditchburn, what official position do you hold in this province?

A. Commissioner for Indian Affairs for British Columbia.

Q. Are you in control of all the Indian Agents that have been appointed in British Columbia?

A. I am.

Q. And do you know the accused, Alfred H. Lomas?

A. I do.

Q. What position did he hold and what was his position between the dates of August, 1928 and July 1930?

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A. Indian Agent for Cowichan Agency.

Q. And in whose employ?

A. In the employ of His Majesty the King.

Q. When was he appointed to the position of Indian Agent at Cowichan Agency?

A. His appointment was dated early in September of 1921, but he didn't take charge - he didn't take control of the office until the 1st of October, 1921.

Q. And did he continue in that office until just lately?

A. He did.

Q. Up to what date?

A. About the 2nd of July I believe, 1930. The 7th of August 1930.

Q. At the time of his appointment what was the practice and procedure in your department with reference to instructions to Indian Agents so appointed?

A. He was given not only a typewritten letter of instructions, but also a copy of the department regulations - regular printed instructions setting forth their duties, governing all matters pertaining to the administration of the agency.

Q. I produce to you what purports to be a copy of general instructions to Indian Agents in Canada, and ask you if that is a copy of the instructions, or similar to the copy that was so given by you to the accused Lomas at the time of his appointment?

A. This is a similar copy, except that the other one is dated 1913, and this one is 1926 edition, which is the same as the 1930, with a few amendments.

MR. MORESBY: I will have that marked as an exhibit.

----------Instructions marked as Exhibit 1.

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Q. I find on turning to page 19 of Exhibit 1, paragraphs 81 and 82, which deal with collections of timber dues; and paragraph 81 reads as follows:

"Monthly returns of collections of timber due should "be sent to the Department immediately after the end "of each month; and in cases where no collections "have been made, a 'nil' return should be sent."

And paragraph 82:

"All timber returns and specifications of measure- "ments should be carefully examined, checked and "certified as correct before transmission to the "Department. If there are no transactions during the month, a return marked 'nil' should be sent to the Department."

Will you tell the court if those two paragraphs were in the copy of the instructions given to Mr. Lomas?

A. They were.

---------Document marked as Exhibit 2.

THE COURT: What do you call this.

MR. MORESBY: Instructions to Indian Agents.

Q. Now under the jurisdiction or within the territory of the Cowichan Reserve -

A. Cowichan Agency.

Q. Yes, Cowichan Agency, for which agency Mr. Lomas was Indian Agent, were there in that territory certain reservations known as the Chemainus Indian Reserve No. 13, Cowichan Indian Reserve No. 1, and Kuper Island Indian Reserve No.7?

A. Yes there are.

Q. And can you tell the court of your own knowledge if on those reserves there was certain timber?

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A. There was.

Q. From information received did you make any investigations lately on the files in the office of Mr. Lomas with reference to transactions pertaining to the timber on those three reservations?

A. I did.

Q. As a result of the investigations you made what did you ascertain?

A. I ascertained that with regard to the Chemainus Indian Reserve No. 13, there had been paid to the office - Indian Office at Duncan, on or about the 30th September,1929, from Messrs. Plummer and Company the sum of $1,699.92.

Q. I think we can shorten that, Mr. Ditchburn, Have you prepared a statement of moneys received by the accused as Indian Agent, in respect to timber cut from the e three reserves?

A. I have.

Q. Just look at that document I produce to you, and tell us if that is true and correct statement of moneys received in respect of timber cut from those three reserves, by the accused Alfred H. Lomas?

A. It is.

Q. Have you had any conversation with the accused, Lomas, with respect to those transactions?

A. I did.

Q. And what if any explanation did he make, or what did he tell you with reference to the transactions?

A. He admitted the shortage. Perhaps I had better say that the first investigation was in connection with Kuper Island Indian Reserve, and I found that H.W. Peterson, trustee, acting for Thompson and Clarke, had cut timber to the value of $11,558.47, and on investigating

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the bank account for the month of July or August, I found that there was only $8,900.00 to Mr. Lomas' account.

Q. That bank account you speak of is the bank account of A.H. Lomas, trustee, account Bank of Montreal, Duncan, B.C.?

A. Yes. I might carry that further --

THE COURT: Is that in exhibit, Mr. Moresby?

MR. MORESBY: Yes. I was going to allow the witness to finish first.

THE WITNESS: As there were two other timber operations going on, I desired to obtain first information from my department as to whether or not the Indian Agent had forwarded any moneys for the timber which had been cut, and the information I obtained from the Department was to the effect that Mr. Lomas had not forwarded any money in connection with the operation of Cowichan Reserve No. 1; that is so far as the cutting of timber is concerned, but it had forwarded the application and the amount of money for the licence fee and deposit.

Q. And that amount was how much?

A. Five hundred dollars odd. There was a deposit and the usual licence fee, but they were forwarded to Ottawa; but so far as the timber itself was concerned that was cut, he had not forwarded any money. I found that he had received in the office the sum of $4,695.77 in connection with that operation. So far as the cutting of the timber on Chemainus Indian Reserve No. 13, Mr. Lomas had not forwarded any money to the Department since before September 30th, 1929; and between September 30th, 1929 and May 8th, 1930, I found that he had received

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$5,123.25. This money with other amounts was not forwarded to the Department, according to instructions.

Q. Having ascertained that condition and situation, I think you told us that you had a conversation with the accused with reference to that matter?

A. Yes.

Q. About when would that be, approximately?

A. About the 22nd of August.

Q. Where did that conversation take place?

A. In the Indian Office at Duncan.

Q. Now you might just tell us the substance of that conversation that you had with the accused?

A. I pointed out to Mr. Lomas his shortages, and I asked him what he was prepared to do about it. He said he was not in a position to do anything. He had no money, and he had no assets, and he acknowledged that he had done wrong, and that he would have to take the consequences. In fact he said he threw up his hands and admitted everything.

Q. That is you understood from Lomas that he admitted taking these moneys?

A. He did.

Q. For his own use?

A. Yes.

MR. MORESBY: That can be marked as Exhibit 2.

Q. Did you receive from Mr. Lomas any documents - books or cancelled cheques?

A. Yes.

Q. I produce to you three bank books, which purport to be the bank accounts of the Bank of Montreal, commencing December 31st. 1921, and running on up till July 19th., which is the last entry of 1930. Did you receive

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those books from Mr. Lomas?

A. I didn't receive these direct from Mr. Lomas.

Q. Who did you receive them from?

A. These were handed to me by one of my officials, Mr. Caldwell.

Q. They were turned over to you by Mr. Caldwell?

A. Yes.

Q. And among other things, were there some cancelled cheques turned over to you?

A. Through Mr. Caldwell, yes.

Q. And some stubs of cheques issued?

A. Yes.

MR. MORESBY: Now, your honour, at this stage, I wish to have the bank books, and the cancelled cheques and the stubs introduced in this way, as being marked for indentification, because the books and the cancelled stubs will be required by the auditor who has been appointed to make further investigations. So that with your permission, I will have them merely marked for identification at the present time, subsequently proving by Mr. Caldwell the procedure. I think the bank books could be marked as one exhibit.

.....Three Bank Books marked Exhibit 3 for identification.

Q. Are you familiar with the signature of Alfred H. Lomas the accused?

A. I am.

Q. Mr. Ditchburn, going back for a moment: in giving the figures of the amount of moneys received in respect of the cutting of timber on three Indian Reserves, you gave us the total amount from each of the three reserves. In checking up I find there is a difference of $2.00 between those amounts, and the amount now in the information

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Will you explain with reference to the two dollars?

A. Yes, at the end of August, 1927, Mr. Lomas received from Thompson and Clarke per A. Peterson, trustee, the sum of $1,692.00, which he called upon them to pay; for license fee $50.00; deposit $1,500.00, Crown Grant $140.00, and he added on an additional two dollars as a renewal fee. Late in June, 1930, he forwarded to the Department the sum of $1,690.00 covering the deposit, ground rent and license fee. That explains the additional $2.00.

----Document marked as Exhibit 4 for identification.

Q. And the cheques and stubs of cheques are all contained in this bundle?

A. Yes.

Q. And this is what you received from Mr. Caldwell?

A. Yes.

Q. I produce to you a cheque dated March 27th. 1930, drawn on the Bank of Montreal, and signed Alfred H. Lomas - endorsed, for the sum of $40.00, with a note on it "Travelling expenses" - "Exp", meaning travelling expenses. Do you recognize the signature on that cheque?

A. I do.

Q. Do you find that cheque endorsed?

A. I do.

Q. By whom?

A. By Alfred H. Lomas, Indian Agent.

Q. And the cheque was cashed?

A. Yes, it was cashed; and I believe that to be his signature.

Q. What would you say with reference to a cheque being drawn for that amount for travelling expenses at that time? In other words, the question leading up to the point that I wish to bring out, is that an indication of the method that he would adopt to pay moneys out of the bank for

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his own purposes?

A. Well it might be, and that might be all right.

MR. MORRSBY: That cheque will be marked Exhibit 5 for identification.

---------Cheque marked as Exhibit 5 for identification.

Q. Now to have it clear on the record, the total amount received by the accused in respect of moneys paid in for timber cut on these three Indian Reserves totals how much?

A. $12,455.69

Q. That was the difference I think. What was the total amount?

A. The total amount of timber,

Q. Yes.

A. $21,377.49.

Q. And the amount that you found in the bank on or about the 7th July, 1930, was how much?

A. $8,923.00.

Q. Did you ever personally authorise Mr. Lomas to draw out any of these moneys out of the bank?

A. No.

Q. That is I mean these timber moneys?

A. No. Itnever should have been in the bank, as a matter of fact.

Q. Where should it have been?

A. It should have been forwarded to Ottawa as soon as received.

Q. Then so far as you know, no authority was given by you or by any departmental official at Ottawa authorising him to keep moneys out?

A. In view of those instructions, I wouldn't say that he was wrong in depositing the money for at least a month, but after that --

Q. But speaking of your own knowledge and from information received from the Department, no authority was given to

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Mr. Lomas to retain these moneys out of the deposit and draw cheques of that?

A. No, not for a moment, no.

Q. During the whole of this period, Lomas was residing in Duncan, B.C.?

A. That was his domicile.

Q. The moneys as you have subsequently ascertained were they deposited in the Bank of Montreal in Duncan, in the Province of British Columbia?

A. Yes.

Q. You know the county?

A. Yes, this is the County of Nanaimo.

Q. That is all.

(Witness aside)

JASPER DOKE CALDWELL, a witness called by the Prosecution, sworn, testifies:

DIRECT EXAMINATION OF MR. MORESBY:

Q. Mr. Caldwell, what is your occupation?

A. Indian Agricultural Agent.

Q. From instructions received, did you make a visit to the Indian office of the Cowichan Agency at Duncan recently?

A. Yes sir.

Q. About when would that be, approximately?

A. Well I was here two or three different times in September.

Q. At that time, who was the Indian Agent at Duncan?

A. Well during the month of September, Miss Robertson was in charge of the office.

Q. Do you know the accused, Lomas?

A. I do.

Q. He, I understand, was formerly Indian Agent,

A. Yes.

Q. And you knew him as such?

A. Yes.

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Q. Did you have occasion to have any conversation with Mr. Lomas at any time with reference to bank cheques and stubs?

A. I did, yes.

Q. Look at Exhibits 3 and 4 which are marked for identification; Exhibit 3 being the bank books; do you recognize those? Looking at Exhibit 3.

A. I do.

Q. From whom did you receive those?

A. I received those two books - they were handed to me by Mr. Lomas. The other books were in the office.

Q. Two red books. The two red books were handed to you by Mr. Lomas?

A. Yes; and the other book was in Mr. Lomas' desk in the office.

Q. Looking at Exhibit 4, which are cancelled cheques and stubs, have you seen those before?

A. I have.

Q. Did you receive those from anyone?

A. Yes, I received those cheques from Mr. Lomas.

Q. And the Stubs?

A. And the stubs.

Q. And what did you do?

A. I made a list of the cheques.

Q. And into whose custody did you hand the cheques afterwards?

A. Which cheques?

Q. You gave the cheques to Mr. Ditchburn, didn't you?

A. Yes.

Q. And the bank books?

A. Yes.

Q. I produce to you several sheets of paper here; do you recognise the handwriting on that?

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A. Yes I do.

Q. What do those sheets of paper contain?

A. A list of cashable cheques issued by Mr. Lomas.

Q. Between what dates?

A. This list is between December 27th. - December 26th, 1927 and March 3rd., or April 3rd, 1930.

Q. Are those the cheques that are referred to in Exhibit 4?

A. Yes.

MR. MORESBY: That had better be marked for identification, because that document will also be required by the auditor.

----------Document marked as Exhibit 6 for identification.

THE WITNESS: That is only a part.

Q. Exhibit 6 is only a partial list of the cheques?

A. Yes.

Q. The majority of them I presume though?

A. Well I wouldn't say. The majority of the cheques between those dates, yes.

(Witness aside)

PETER JERVOISE GAUNTLETT FLADGATE, a witness called by the Prosecution, sworn, testifies:

DIRECT EXAMINATION OF MR. MORESBY:

Q. Mr. Fladgate, you are a clerk in the employ of the Bank of Montreal, in the City of Duncan, and Province of British Columbia?

A. Yes.

Q. I produce to you three bank books, being exhibit 3 in this case, and I will ask you to look at them, and tell me what those books are, and what connection they have with the Bank of Montreal. I think I can help you. Are they a copy of the entries in your ledger of the Bank of Montreal?

A. Yes, a copy of the entries in the current ledger.

Q. Under the account of Alfred H. Lomas, trust?

A. Yes.

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Q. I produce to you a rough draft of a statement prepared by a clerk in the Bank of Montreal; do you recognise the handwriting?

A. Yes.

Q. It purports to be a statement of deposits made to the account of Alfred H. Lomas, in trust. You might look at that and see if it is what it purports to be?

A. Yes, sir.

Q. Between the dates, 1923 and so on - at all events, covering the period between August 1928 and July 1930?

A. Exactly.

Q. Can you tell us if this statement that has been prepared was taken from the deposit slips in the Bank. That statement would be made up from the deposit slips in the bank, would it not?

A. All there was on the deposit slips goes in here, and when there was nothing on the deposit slips it was left blank. We got all the amounts from the ledger.

Q. What information is on here is taken from the deposit slips?

A. Yes.

MR. MORESBY: That had better be marked Exhibit 7 for identification.

--------Document marked as Exhibit 7 for identification.

Q. Have you a specimen of the signature of Alfred H. Lomas in respect of the amount that he kept in the bank, which is evidenced by those bank books?

A. Yes.

Q. Will you produce it please.

--------Witness produces specimen signature of accused Lomas.

Q. That is taken from the files of the bank of Montreal at Duncan, B.C.?

A. Yes.

Q. Do you recognise the signature yourself?

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A. Yes.

Q. And it is the signature of Alfred H. Lomas?

A. Yes.

--------Document marked as Exhibit 8.

Q. Do you know the accused, Alfred H. Lomas, yourself personally?

A. Yes I do.

Q. Can you tell us whether he has attended at your bank and actually drawn moneys out on cheques, to your knowledge?

A. No sir, I cannot say.

MR. MORESBY: That will close the evidence for the Prosecution.

-------The accused was addressed by the Magistrate pursuant to Sections 684 and 686 of the Code.

THE ACCUSED; I reserve anything I have to say, your honour.

THE COURT: Do you wish to give evidence in your own behalf?

THE ACCUSED: Not at the present time.

THE COURT: I commit you to stand your trial at the next court of competent jurisdiction.

(Sgd.) J. Maitland-Dougall,
Stipendiary Magistrate in and for
the counties of Victoria and Nanaimo.

I hereby certify the foregoing to be a true transcript of the proceedings herein.

(Sgd) H. Langley,
Official Reporter.

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E V I D E N C E

In The
Matter
of

REX vs. ALFRED H. LOMAS.

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BEFORE J. MAITLAND-DOUGALL, ESQUIRE, STIPENDIARY MAGISTRATE IN AND FOR THE COUNTIES OF VICTORIA AND NANAIMO.

IN THE MATTER OF REX vs. ALFRED H. LOMAS.

WHO STANDS CHARGED for that he, on and between the 10th day of August, 1928, and the 2nd day of July, 1930, at the City of Duncan, in the County of Nanaimo, being then and there employed in the service of His Majesty, and being then and there by virtue of his said employment in possession of certain moneys to the amount of $12,455.69, did unlawfully steal the said moneys; contrary to the Statute in such cases made and provided.

PROCEEDINGS taken at Duncan, B.C., this 25th day of September, 1930, at 11 a.m.

Mr. W.C. Moresby, K.C. Counsel for the Crown
The accused appeared in person
Mr. Harry Langley sworn as reporter.

MR. MORESBY: May it please your honour. In this case the prosecution desires to amend the Information in a slight particular. First with reference to the amount. In the amount in the original information was $12,453.79. We desire to amend to make that $12,455.69. And the dates mentioned were between the 10th day of August, 1928, and May 1930. We desire to amend the latter month to the 2nd July, 1930; and the Information could now be resworn accordingly.

---------The original Information was amended as above, and resworn.

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MR. MORESBY: It will therefore be necessary for the Information to be read to the accused again.

----The Information as above was read to the accused by the Magistrate.

MR. MORESBY: If your honour pleases, I desire to make a short opening in this case. The accused is before you under the provisions of Part 14 of the Criminal Code, in your capacity as Stipendiary Magistrate for the Counties of Nanaimo and Victoria. The accused is charged under Section 359 (c) of the Criminal Code. It is not necessary to read it at the present time. The particulars of the charge as made are that the accused, while in the employ of His Majesty, did steal the amount that has been mentioned in the Information. In drawing up the charge, regard must be had to Section 868 of the Criminal Code, which provides, in substance, that in every charge of theft under Section 359 paragraph (c), the property in any money, in any warrant by the Justice before whom the offender is charged and in the indictment preferred against such offender, must be laid in His Majesty. Therefore, that is the reason why the charge is so framed.

The evidence to be adduced by the prosecution will show that Alfred H. Lomas was appointed Indian Agent at Duncan, in the Province of British Columbia in the month of October 1921, and at that time he was furnished with printed instructions to Indian Agents, inter alia, attention is drawn to compliance with Sections 81 and 82, to be found on page 19, which provide, in substance, that monthly returns of collections of timber dues should be sent to the Department immediately after the end of each month; and in cases where no collections have been made, a "nil" return should be sent. As Indian Agent, the accused,

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Lomas, arranged for certain licenses to be issued to certain persons to cut timber on Cowichan Indian Reserve No. 1, Vancouver Island, B.C., and Kuper Island, Indian Reserve No. 7, - one of the islands in the Gulf of Georgia, in the Province of British Columbia. There had already been issued licenses in respect of Chemainus Indian Reserve, and it will be shown that certain moneys came in from that source. In respect to the timber cut by the persons to whom the licennes were issued, Lomas, as Indian Agent, received the moneys, and a full detail statement will be given in the evidence, totalling the amounts in respect to those three reserves as set forth in the Information. These moneys as and when received, were deposited in an account in the Bank of Montreal, Duncan, British Columbia Branch, to the credit of A.S. (A. S. Lomas) Lomas, trust account. The bank books will be produced, and also the clerk will be called from the bank to prove that they correspond with the ledger account in the bank. It will be shown that no compliance was made with the printed instructions, a bove mentioned, as to monthly returns of collections, nor were any moneys forwarded to the Indian Department in respect to the moneys paid to Lomas for timber cut on the reserves mentioned. But it will be shown that Lomas, from time to time, drew cheques on the account that he had in the Bank of Montreal, and as we allege, converted the money so drawn to his own use, without any authority from the Indian Department or anyone connected therewith. Sugsequently, about the 2nd of July, it was found out that the moneys so received by him as aforesaid - at least that he had received moneys, or taken moneys from the bank by drawing cheques, and that the bank

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account had been depleted, so that only a balance of $8923.20 remained of the total amount so received. The difference being, in so far as the timber operations were concerned, the amount mentioned in the Information. The bank books as I say will be produced, and they will show that Lomas did make the deposits of these moneys as and when received, but that he, as I said before took the moneys out of the bank by drawing cheques. The deposit slips will be produced, car-marking these moneys. Now I think it rather necessary at this stage, at least pertinent to point out, that the drawings from the bank commenced at or about the time of the deposit of the first moneys received, which dated was about August 10th, 1928, these moneys being in the sum of $443.25 received from one, J.W. Keen, for timber operations on Kuper Island, and the withdrawals were made from time to time up to the 2nd of July, when instructions were given to discontinue cashing cheques drawn by Lomas. The last payment deposited was $602.25, received by the accused from the Tzouhalem Logging Company, in respect of timber cut on the Cowichan Reserve. I make these observations in order to have it clear on the record what the prosecution intends to prove.

WILLIAM EARNEST DITCHBURN, a witness called by the Prosecution, sworn, testifies:

DIRECT EXAMINATION BY MR. MORESBY.

Q. Mr. Ditchburn, what official position do you hold in this province?

A. Commissioner for Indian Affairs for British Columbia.

Q. Are you in control of all the Indian Agents that have been appointed in British Columbia?

A. I am.

Q. And do you know the accused, Alfred H. Lomas?

A. I do.

Q. What position did he hold and what was his position between the dates of August, 1928 and July 1930?

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A. Indian Agent for Cowichan Agency.

Q. And in whose employ?

A. In the employ of His Majesty the King.

Q. When was he appointed to the position of Indian Agent at Cowichan Agency?

A. His appointment was dated early in September of 1921, but he didn't take charge - he didn't take control of the office until the 1st of October, 1921.

Q. And did he continue in that office until just lately?

A. He did.

Q. Up to what date?

A. About the 2nd of July I believe, 1930. The 7th of August 1930.

Q. At the time of his appointment what was the practice and procedure in your department with reference to instructions to Indian Agents so appointed?

A. He was given not only a typewritten letter of instructions, but also a copy of the department regulations - regular printed instructions setting forth their duties, governing all matters pertaining to the administration of the agency.

Q. I produce to you what purports to be a copy of general instructions to Indian Agents in Canada, and ask you if that is a copy of the instructions, or similar to the copy that was so given by you to the accused Lomas at the time of his appointment?

A. This is a similar copy, except that the other one is dated 1913, and this one is 1926 edition, which is the same as the 1930, with a few amendments.

MR. MORESBY: I will have that marked as an exhibit.

---------Instructions marked as Exhibit 1.

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Q. I find on turning to page 19 of Exhibit 1, paragraphs 81 and 82, which deal with collections of timber dues; and paragraph 81 reads as follows:

"Monthly returns of collections of timber due should "be sent to the Department immediately after the end "of each month; and in cases where no collections "have been made, a 'nil' return should be sent."

And paragraph 82:

"All timber returns and specifications of measure- "ments should be carefully examined, checked and "certified as correct before transmission to the "Department. If there are no transactions during "the month, a return marked 'nil' should be sent to "the Department."

Will you tell the court if those two paragraphs were in the copy of the instructions given to Mr. Lomas?

A. They were.

---------Document marked as Exhibit 2.

THE COURT: What do you call this.

MR. MORESBY: Instructions to Indian Agents.

Q. Now under the jurisdiction or within the territory of the Cowichan Reserve -

A. Cowichan Agency.

Q. Yes, Cowichan Agency, for which agency Mr. Lomas was Indian Agent, were there in that territory certain reservations known as the Chemainus Indian Reserve No. 13, Cowichan Indian Reserve No. 1, and Kuper Island Indian Reserve No.7?

A. Yes there are.

Q. And can you tell the court of your own knowledge if on those reserves there was certain timber?

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A. There was.

Q. From information received did you make any investigations lately on the files in the office of Mr. Lomas with reference to transactions pertaining to the timber on those three reservations?

A. I did.

Q. As a result of the investigations you made what did you ascertain?

A. I ascertained that with regard to the Chemainus Indian Reserve No. 13, there had been paid to the office - Indian Office at Duncan, on or about the 30th September,1929, from Messrs. Plummer and Company the sum of $1,699.92.

Q. I think we can shorten that, Mr. Ditchburn, Have you prepared a statement of moneys received by the accused as Indian Agent, in respect to timber cut from those three reserves?

A. I have.

Q. Just look at that document I produce to you, and tell us if that is true and correct statement of moneys received in respect of timber cut from those three reserves, by the accused Alfred H. Lomas?

A. It is.

Q. Have you had any conversation with the accused, Lomas, with respect to those transactions?

A. I did.

Q. And what if any explanation did he make, or what did he tell you with reference to the transactions?

A. He admitted the shortage. Perhaps I had better say that the first investigation was in connection with Kuper Island Indian Reserve, and I found that H.W. Peterson, trustee, acting for Thompsen and Clarke, had cut timber to the value of $11,558.47, and on investigating

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the bank account for the month of July or August, I found that there was only $8,900.00 to Mr. Lomas' account.

Q. That bank account you speak of is the bank account of A.H. Lomas, trustee, account Bank of Montreal, Duncan, B.C.?

A. Yes. I might carry that further --

THE COURT: Is that in exhibit, Mr. Moresby?

MR. MORESBY: Yes. I was going to allow the witness to finish first.

THE WITNESS: As there were two other timber operations going on, I desired to obtain first information from my department as to whether or not the Indian Agent had forwarded any moneys for the timber which had been cut, and the information I obtained from the Department was to the effect that Mr. Lomas had not forwarded any money in connection with the operation of Cowichan Reserve No. 1; that is so far as the cutting of timber is concerned, but it had he? forwarded the application and the amount of money for the licence fee and deposit.

Q. And that amount was how much?

A. Five hundred dollars odd. There was a deposit and the usual licence fee, but they were forwarded to Ottawa; but so far as the timber itself was concerned that was cut, he had not forwarded any money. I found that he had received in the office the sum of $4,695.77 in connection with that operation. So far as the cutting of the timber on Chemainus Indian Reserve No. 13, Mr. Lomas had not forwarded any money to the Department since before September 30th, 1929; and between September 30th, 1929 and May 8th, 1930, I found that he had received

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$5,123.25. This money with other amounts was not forwarded to the Department, according to instructions.

Q. Having ascertained that condition and situation, I think you told us that you had a conversation with the accused with reference to that matter?

A. Yes.

Q. About when would that be, approximately?

A. About the 22nd of August.

Q. Where did that conversation take place?

A. In the Indian Office at Duncan.

Q. Now you might just tell us the substance of that conversation that you had with the accused?

A. I pointed out to Mr. Lomas his shortages, and I asked him what he was prepared to do about it. He said he was not in a position to do anything. He had no money, and he had no assets, and he acknowledged that he had done wrong, and that he would have to take the consequences. In fact he said he threw up his hands and admitted everything.

Q. That is you understood from Lomas that he admitted taking these moneys?

A. He did.

Q. For his own use?

A. Yes.

MR. MORESBY: That can be marked as Exhibit 2.

Q. Did you receive from Mr. Lomas any documents - books or cancelled cheques?

A. Yes.

Q. I produce to you three bank books, which purport to be the bank accounts of the Bank of Montreal, commencing December 31st. 1921, and running on up till July 19th., which is the last entry of 1930. Did you receive

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those books from Mr. Lomas?

A. I didn't receive these direct from Mr. Lomas.

Q. Who did you receive them from?

A. These were handed to me by one of my officials, Mr. Caldwell.

Q. They were turned over to you by Mr. Caldwell?

A. Yes.

Q. And among other things, were there some cancelled cheques turned over to you?

A. Through Mr. Caldwell, yes.

Q. And some stubs of cheques issued?

A. Yes.

MR. MORESBY: Now, your honour, at this stage, I wish to have the bank books, and the cancelled cheques and the stubs introduced in this way, as being marked for indentification, because the books and the cancelled stubs will be required by the auditor who has been appointed to make further investigations. So that with your permission, I will have them merely marked for identification at the present time, subsequently proving by Mr. Caldwell the procedure. I think the bank books could be marked as one exhibit.

.....Three Bank Books marked Exhibit 3 for identification.

Q. Are you familiar with the signature of Alfred H. Lomas the accused?

A. I am.

Q. Mr. Ditchburn, going back for a moment: in giving the figures of the amount of moneys received in respect of the cutting of timber on three Indian Reserves, you gave us the total amount from each of the three reserves. In checking up I find there is a difference of $2.00 between those amounts, and the amount now in the information.

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Will you explain with reference to the two dollars?

A. Yes, at the end of August, 1927, Mr. Lomas received from Thompsen and Clarke per A. Peterson, trustee, the sum of $1,692.00, which he called upon them to pay; for license fee $50.00; deposit $1,500.00, Crown Grant $140.00, and he added on an additional two dollars as a renewal fee. Late in June, 1930, he forwarded to the Department the sum of $1,690.00 covering the deposit, ground rent and license fee. That explains the additional $2.00.

----Document marked as Exhibit 4 for identification.

Q. And the cheques and stubs of cheques are all contained in this bundle?

A. Yes.

Q. And this is what you received from Mr. Caldwell?

A. Yes.

Q. I produce to you a cheque dated March 27th. 1930, drawn on the Bank of Montreal, and signed Alfred H. Lomas - endorsed, for the sum of $40.00, with a note on it "Travelling expenses" - "Exp", meaning travelling expenses. Do you recognize the signature on that cheque?

A. I do.

Q. Do you find that cheque endorsed?

A. I do.

Q. By whom?

A. By Alfred H. Lomas, Indian Agent.

Q. And the cheque was chased?

A. Yes, it was cashed; and I believe that to be his signature.

Q. What would you say with reference to a cheque being drawn for that amount for travelling expenses at that time? In other words, the question leading up to the point that I wish to bring out, is that an indication of the method that he would adopt to pay moneys out of the bank for

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his own purposes?

A. Well it might be, and that might be all right.

MR. MORESBY: That cheque will be marked Exhibit 5 for identification.

---------Cheque marked as Exhibit 5 for identification.

Q. Now to have it clear on the record, the total amount received by the accused in respect of moneys paid in for timber cut on these three Indian Reserves totals how much?

A. $12,455.69

Q. That was the difference I think. What was the total amount?

A. The total amount of timber,

Q. Yes.

A. $21,377.49.

Q. And the amount that you found in the bank on or about the 7th July, 1930, was how much?

A. $8,923.00.

Q. Did you ever personally authorise Mr. Lomas to draw out any of these moneys out of the bank?

A. No.

Q. That is I mean these timber moneys?

A. No. Itnever should have been in the bank, as a matter of fact.

Q. Where should it have been?

A. It should have been forwarded to Ottawa as soon as received.

Q. Then so far as you know, no authority was given by you or by any departmental official at Ottawa authorising him to keep moneys out?

A. In view of those instructions, I wouldn't say that he was wrong in depositing the money for at least a month, but after that --

Q. But speaking of your own knowledge and from information received from the Department, no authority was given to

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Mr. Lomas to retain these moneys out of the deposit and draw cheques of that?

A. No, not for a moment, no.

Q. During the whole of this period, Lomas was residing in Duncan, B.C.?

A. That was his domicile.

Q. The moneys as you have subsequently ascertained were they deposited in the Bank of Montreal in Duncan, in the Province of British Columbia?

A. Yes.

Q. You know the county?

A. Yes, this is the County of Nanaimo.

Q. That is all.

(Witness aside)

JASPER DOKE CALDWELL, a witness called by the Prosecution, sworn, testifies:

DIRECT EXAMINATION OF MR. MORESBY:

Q. Mr. Caldwell, what is your occupation?

A. Indian Agricultural Agent.

Q. From instructions received, did you make a visit to the Indian office of the Cowichan Agency at Duncan recently?

A. Yes sir.

Q. About when would that be, approximately?

A. Well I was here two or three different times in September.

Q. At that time, who was the Indian Agent at Duncan?

A. Well during the month of September, Miss Robertson was in charge of the office.

Q. Do you know the accused, Lomas?

A. I do.

Q. He, I understand, was formerly Indian Agent,

A. Yes.

Q. And you knew him as such?

A. Yes.

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Q. Did you have occasion to have any conversation with Mr. Lomas at any time with reference to bank cheques and stubs?

A. I did, yes.

Q. Look at Exhibits 3 and 4 which are marked for identification; Exhibit 3 being the bank books; do you recognize those? Looking at Exhibit 3.

A. I do.

Q. From whom did you receive those?

A. I received those two books - they were handed to me by Mr. Lomas. The other books were in the office.

Q. Two red books. The two red books were handed to you by Mr. Lomas?

A. Yes; and the other book was in Mr. Lomas' desk in the office.

Q. Looking at Exhibit 4, which are cancelled cheques and stubs, have you seen those before?

A. I have.

Q. Did you receive those from anyone?

A. Yes, I received those cheques from Mr. Lomas.

Q. And the Stubs?

A. And the stubs.

Q. And what did you do?

A. I made a list of the cheques.

Q. And into whose custody did you hand the cheques afterwards?

A. Which cheques?

Q. You gave the cheques to Mr. Ditchburn, didn't you?

A. Yes.

Q. And the bank books?

A. Yes.

Q. I produce to you several sheets of paper here; do you recognise the handwriting on that?

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A. Yes I do.

Q. What do those sheets of paper contain?

A. A list of cashable cheques issued by Mr. Lomas.

Q. Between what dates?

A. This list is between December 27th. - December 26th, 1927 and March 3rd., or April 3rd, 1930.

Q. Are those the cheques that are referred to in Exhibit 4?

A. Yes.

MR. MORESBY: That had better be marked for identification, because that document will also be required by the auditor.

----------Document marked as Exhibit 6 for identification.

THE WITNESS: That is only a part.

Q. Exhibit 6 is only a partial list of the cheques?

A. Yes.

Q. The majority of them I presume though?

A. Well I wouldn't say. The majority of the cheques between those dates, yes.

(Witness aside)

PETER JERVOISE GAUNTLETT FLADGATE, a witness called by the Prosecution, sworn, testifies:

DIRECT EXAMINATION OF MR. MORESBY:

Q. Mr. Fladgate, you are a clerk in the employ of the Bank of Montreal, in the City of Duncan, and Province of British Columbia?

A. Yes.

Q. I produce to you three bank books, being exhibit 3 in this case, and I will ask you to look at them, and tell me what those books are, and what connection they have with the Bank of Montreal. I think I can help you. Are they a copy of the entries in your ledger of the Bank of Montreal?

A. Yes, a copy of the entries in the current ledger.

Q. Under the account of Alfred H. Lomas, trust?

A. Yes.

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Q. I produce to you a rough draft of a statement prepared by a clerk in the Bank of Montreal; do you recognise the handwriting?

A. Yes.

Q. It purports to be a statement of deposits made to the account of Alfred H. Lomas, in trust. You might look at that and see if it is what it purports to be?

A. Yes, sir.

Q. Between the dates, 1923 and so on - at all events, covering the period between August 1928 and July 1930?

A. Exactly.

Q. Can you tell us if this statement that has been prepared was taken from the deposit slips in the Bank. That statement would be made up from the deposit slips in the bank, would it not?

A. All there was on the deposit slips goes in here, and when there was nothing on the deposit slips it was left blank. We got all the amounts from the ledger.

Q. What information is on here is taken from the deposit slips?

A. Yes.

MR. MORESBY: That had better be marked Exhibit 7 for identification.

--------Document marked as Exhibit 7 for identification.

Q. Have you a specimen of the signature of Alfred H. Lomas in respect of the amount that he kept in the bank, which is evidenced by those bank books?

A. Yes.

Q. Will you produce it please.

--------Witness produces specimen signature of accused Lomas.

Q. That is taken from the files of the bank of Montreal at Duncan, B.C.?

A. Yes.

Q. Do you recognise the signature yourself?

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A. Yes.

Q. And it is the signature of Alfred H. Lomas?

A. Yes.

--------Document marked as Exhibit 8.

Q . Do you know the accused, Alfred H. Lomas,yourself personally?

A. Yes I do.

Q. Can you tell us whether he has attended at your bank and actually drawn moneys out on cheques, to your knowledge?

A. No sir, I cannot say.

MR. MORESBY: That will close the evidence for the Prosecution.

------The accused was addressed by the Magistrate pursuant to Sections 684 and 686 of the Code.

THE ACCUSED; I reserve anything I have to say, your honour.

THE COURT: Do you wish to give evidence in your own behalf?

THE ACCUSED: Not at the present time.

THE COURT: I commit you to stand your trial at the next court of competent jurisdiction.

(Sgd.) J. Maitland-Dougall,
Stipendiary Magistrate in and for
the counties of Victoria and Nanaimo.

I hereby certify the foregoing to be a true transcript of the proceedings herein.

(Sgd) H. Langley,
Official Reporter.

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Department of Indian Affairs - Duncan, B.C.

December the eighteenth 1930.

Duncan C Scott, Esq.,
Superintendent General,
Department of Indian Affairs,
Ottawa, Canada.

Dear Sir:

Acting under instructions received in September of this year from your Department, through Mr. W. E. Ditchburn, Commissioner, and Mr. W. G. Moresby, Barrister, I at once proceeded to make a thorough investigation of the books of account, files and records in the Duncan office of the Department of Indian Affairs from the time Mr Alfred H Lomas took over the office from Mr W R Robertson in October 1921 to the time of Mr. Lomas' suspension in September 1930.

Finding no cash book, or in fact any record book - other than one containing a record of vouchers sent to Ottawa for payment, in which there appeared from time to time other entries marked with the prefix "By" indicating the receipt in the office of certain monies or cheques - I was forced to have recourse to the files, diaries, and other records in the office for information as well as outside sources.

There were various accounts in the Bank of Montreal, Duncan, the main one being known as "A H Lomas, In Trust" through which the bulk of the transactions affecting the Duncan office were transacted. There were others "A H Lomas, In Trust for ----" various Indian names which I later found to be the names of estates of whose monies Mr. Lomas had the handling. There was also an account in Victoria for a short period, then closed, one or two in the Canadian Bank of Commerce, Nanaimo, for short periods, and one in the Canadian Bank of Commerce at Courtney, B.C.

As no record - other than the Bank Pass Book and Bank Statements - was to be found it was necessary to request the Banks to search their files and make copies of the different deposit slips on record pertaining to the items shown in the various accounts to ascertain any information thereon noted as to the nature of those deposits and to ascertain, if possible, where the cheques included therein, came from. In the schedule hereto annexed will be found a list of those deposits with whatever explanation I was able to obtain from the deposit slips or other sources. A list of the cheques issued and paid through these accounts was also prepared and attached hereto. This list contains the name of the payee, the amount of the cheque, and any notations on either the cheque or the stub purporting to be an explanation of the reason of the payment. The account in the Canadian Bank of Commerce, Courtney was treated in a like manner and a list of the deposits and cheques is also attached hereto.

No checking or balancing of either of these accounts had

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ever been done so it was necessary to scrutinize these cheques and add and reconcile the list with the bank record. This was done. I may here state that in my opinion many of these cheques were insufficiently endorsed. Many having an Indian name as Payee were endorsed "John Doe his mark x" and as witness only one signature, many times that of the drawer of the cheque Mr Lomas. In my opinion where a cheque is made out to an Indian who cannot write his own name, the endorsement when by mark x should bear one signature as a witness to the mark x identifying the Indian bearing the cheque as the one to whom payment is due. There ought also to be an additional signature witnessing the payment of the money to him by the Bank.

In the list of cheques you will notice many were drawn with the name of "A H Lomas" as payee. In many cases the explanation was "Expense Travel" and in others different notations. Some of these were traceable as pertaining to the different distributions made or payments on account of work authorized for which cheques had been sent out from Ottawa, which cheques were usually deposited in this Bank account. Most of these cheques, however, were not traceable and the only conclusion one can draw is that they were issued from time to time as money was required for any purpose and the notations thereon are therefore not reliable. Each month or periodically vouchers were sent to Ottawa for travelling and other expenses incidental to the office and invariably cheques were sent back for the amounts. These latter cheques were rarely, if ever, deposited in the Bank account to replace the amounts previously withdrawn. Numerous items appear among the deposits, principally "cash", and usually in small amounts. Few of these were traceable and one can only infer that they represented either cash paid into the office from time to time for rental returns on leases, sale of gravel, money left for safekeeping as well as the balances remaining when making distributions to the various bands.

Attached hereto is a statement showing as far as I have been able to ascertain the shortages in the various files. I have taken them as they appear in the report and they refer to cases where money was sent from Ottawa for distribution and was not all distributed nor returned to Ottawa - monies received for sale of timber to be sent to Ottawa for credit of the various bands - royalties deducted when making settlement but no record of same having been sent to Ottawa - monies received for safekeeping - or monies received from anybsource and not used for the purpose for which it was intended.

In additional to this statement there are various files which show potential shortages and irregularities, many of which are indicated by the charachter # in the margin. I am making note herein of some of these:

Comox Band - Paybook distribution $1500. September 1927. There is no record of payments out to the amount of $148.00. The Hardy children in this and other distributions do not appear to have received all money to which they were entitled.

Comox Band - logging by Indians - This file shows that more money was spent than was received for the sale of logs. No record is made of why this was done.

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Duncan C Scott (3)

Puntledge Reserve - Dawson & Thomas $87.20 renewal license fee was received by this office - no record of what became of it - maybe their cheque was sent on to Ottawa and acknowledged from there.

Cowichan - Canadian National payments for pipe line right of way rental - compensation for road diversion, etc. No record of what became of these payment. No record of them having been sent to Ottawa or of payment having been made to the Indians affected. No claims are on file so the presumption is that they were paid direct.

Malahat Band - Baptist James and family do not appear to have received all that should be coming to them. No claims appear.

Nanaimo Band - Martin children - also Stanley & Roy - no records of payments in full on their account. Many items call for payment to Ottawa for credit of their trust accounts. No record of many of them having been so sent. Miss Robertson informs me that members of this band have been making complaints that they have not received monies to which they were entitled. Receipts appear for many of these but in all cases the signatures are by mark x and often without any witness whatever.

Hazel James - Trust funds in Ottawa - records very incomplete as to monies sent for credit of this account.

There appear two cases in which payments for stumpage and royalty have not been collected:

Skutz Falls: Scottish Palmer Logging Co Limited. This Company has been in difficulty for some time and although payment has been asked both by Mr Lomas and latterly by Mr Ditchburn it has not been received. The record shows the amount owing by them to be $337.12

Willy's Island: C H Price. The files show that repeated demands were made from time to time by Mr Lomas for settlement from this man but the only payment shown on the records is one of $200.00. Investigation produced information that there is at least an additional $414.90 due by him but before making settlement it would be well to have sworn statement of the amount of timber cut and removed, the kind, and to whom sold so that a complete checkup of his figures could be made.

I have investigated the rentals received on account of the different leases of right of way, foreshore, cannery site, and other lands leased to whites. These appear to be in order and rentals all collected and sent to Ottawa or paid direct to the individual land owners, with one exception see Cowichan Lake Band - D Mottishaw.

The estates of which Mr Lomas had the handling appear to have been managed as loosely as the other matters of this office and in the list of shortages appear the names of many of these estates.

In order to ascertain the true condition of affairs it was necessary to go thoroughly through every file in the office, peruse

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Duncan C Scott (4)

most of the letters and scan the rest and where any 2lead" was found follow it through various sources to the end. Many of these were blind "leads" but each one had to be investigated as one never knew where something would be turned up. This entailed a tremendous amount of time and labor and plenty of outside correspondence with those whose names appeared in these "leads" and I am of the opinion that everything has been done to make the investigation as complete as possible. The schedules hereto annexed are, in my view, as complete as one could hope for from the records.

I cannot conclude without expressing my appreciation of the assistance given me by Miss Robertson who has been clerk in the Duncan office for many years, having been employed with her father the late W R Robertson before Mr Lomas took over the office from him in 1921. She was able to put me in possession of all the records available as well as to give me many leads where shortages might be expencted to be found, not indicated on the files. I cannot speak too highly of her assistance in this regard.

I have not been able to ascertain where any of this money went. Cheques were invariably cashed by Mr Lomas or those to whom the cheques were issued. There is no record of any other bank accounts where monies might have been deposited other than those pertaining to the different matters investigated. Mr Lomas does not appear to own any property of any value - no record of any stock or bonds having been purchased and put away - nor in fact anything to indicate for what purpose the monies were spent.

I was not asked to make any recommendations which my investigation might induce me to do but I do think periodic audits, or investigations or inspections should be made of every office of the department. I would suggest that uniform proper record books be kept of all transactions occurring in the various offices and periodic reports properly audited should be made to the Department at Ottawa of each office. I also think it would be well to have copies of these sent to the office of the Commissioner so that he might be kept aware of what was transpiring in the different offices under his direction.

In conclusion I wish to thank you for your consideration in appointing me to make this investigation for your Department and to assure you of my willingness to perform any further work you might have for me to do. I have done the best I could under these peculiar circumstances and trust that the report submitted herein will meet with your approval.

All of which is respectfully submitted by

Charles W O'Neill
Special Investigator Dept Indian Affairs

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Department of Indian Affairs, Duncan, B.C.

Shortages

	Chemainus Reserve No 13. Thurston Flavelle operations		5123.25
	Cowichan Reserve - W Brooks - royalty on poles 1926	56.60	
	do	41.60	
	do	7.70	105.90
#	.....Baptist James - 1928 - poles		147.29
	Heynipsen Band - H W Bevan operations		4439.07
#	.....Canadian National distribution 1924		1349.95
	Skutz Falls: total received	788.98	
	Incorrect payments made to one		
#	.....George Qu ash ton unauthorized	312.50	476.48
	Cowichan Lake Band - distribution 1928 -mpayment is shown to be made to Tenas Peter dead		27.60
	Halalt Band - Willy's Island - C H Price operations		200.00
	Penelakut Band - Kuper Island - August James 1924 Royalty		101.76
	August James 1925 Royalty		122.34
	Eddie Edward 1925 Royalty		107.61
	Thompson-Clark operations		11560.57
#	Estates: Chief Charley Cutsawout		438.03
	Dan Daniels - gravel		170.10
	Leo George		1331.73
	Mary - mother of Leo George		68.58
	Willie Joe		110.00
	Charley Sulsulth		300.00
#	Michael Suisaynock - money left for safekeeping		20.00
	Stump puller - money received but never expended		400.00
			$26600.26
	Amount in Bank of Montreal, Duncan, Credit balance	8859.03	
	Amount in Canadian Bank of Commerce, Courtney, do	5.36	8864.39
	Net shortage		$ 17735.87

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Department of Indian Affairs - Duncan, B.C.

Chemainus Reserve No 13

$2500.00 Department Cheque sent to W E Ditchburn and by him endorsed to A H Lomas. There is no record of this amount being deposited in "Trust Account" but just subsequent to its being sent to him there appears in the "Trust Account" under date of January 10 1922 an amount $2400.00 concerning which there is no explanation. Maybe it is intended for this item - 100.00 having been deducted

Paybook for this distribution shows total paid to Band 2499.93
and refund to Department .07

Cheques drawn on the "Trust Account" payable to the individual
members of this band amount to $2499.93

##########################

$425.00 Department Cheque #5803 December 11 1922
was deposited in account "A H Lomas, In Trust" January 27 1923.
Cheque dated March 17 1923 favor A H Lomas for same amount $425.00
twp
Paybook shows only ~~xixxx~~ signatures - nine money orders and
the remainder by mark x

Total distribution is shown to have been 421.80
Refund to Receiver General 3.20
$425.00

##########################

$600.00 Department Cheque No 368 April 6 1926 deposited April 12 1926
Paybook shows two signatures - 3 signed by mark x - balance money orders.
Cheques were issued David Jack 36.00 Caroline Jack 9.00 and sundry
to A H Lomas 45.00: 20.00: 24.00: and 550.00. and cheque No 11812
to the Receiver General refund $15.00 - total $699.00

The bank account was therefore decreased by $99.00

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Department of Indian Affairs - Duncan, B.C.

Chemainus Reserve No. 13

1920 Previous to the beginning of this investigation period - a sale had apparently been agreed to by the Department at Ottawa to Peers & Anderson (Burnett Sawmills) for certain timber on this reserve. Deposit was received and sent to Ottawa as follows: $5000. cash and $5000. in Bonds.
Annual renewals and rentals were paid direct to Ottawa for the years 1921 - 1928 $709.50 - no lumbering operations having taken place during these years. The license was, however, transferred to Thurston & Flavelle in 1924.

1927 During 1927 some 229,700 feet B.C.L.S. were removed from these lands and cheques for the stumpage and royalty thereon amounting to $471.43 were sent to Ottawa - acknowledgment received from Ottawa for same.

1929 Renewal and rental $94.50 were paid and sent to Ottawa and at that time negotiations were undertaken for a modification of the amount of the deposit $10,000. The result being that a refund of $7500. was agreed to between the Licensees and the Department and cheque for same was sent to them and the amount left on deposit at Ottawa was $2500.00

1930 Rental and renewal $94.50 were paid.

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Department of Indian Affairs - Duncan, B.C.

Chemainus Reserve No 13 (2)

The schedule of shipments by or on account of Thurston-Flavelle license, attached hereto, shows the following as Royalty and Stumpage due by them:

Saw logs - Fir; cedar; and balsam and hemlock	7465.50
Cedar poles	2968.88
Piling	389.52
	$10823.90

Moneys were received at the Duncan Office and were deposited in the Bank of Montreal in account of "A. H. Lomas, In Trust" as follows:

October 12 1929	823.25 less exchange	1.
	876.67	1.10
February 8 1930	524.88	.70
	391.15	.50
	832.28	1.05
17	1289.46	
May 8	385.56	.45
	5123.25	

$6.00 was collected by Mr W E Ditchburn, Commissioner, for the amount due under S & R 130539 being boomsticks and swifters. This amount was paid by Plummer, Craig, Co Limited under protest as they claim the stumpage was already paid by Thurston-Flavelle from whom they purchased these boomsticks. This cheque was forwarded to Ottawa from the Victoria Indian Office.

August 26 1930 $1201.37 was paid by Plummer Craig in two cheques $961.10 and $240.27 being for poles under S & R 130771. These cheques were sent to Ottawa by the Victoria office.

September 5 1930 Plummer Craig report having paid to Thurston-Flavelle the monies for S & R 127366 - no record in Duncan office of money having been paid there for same.

I am given to understand that Thurston-Flavelle paid direct to Ottawa other amounts being the royalty on certain shipments but there is no record on these files to show how much was thus paid and how much,

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Department of Indian Affairs - Duncan, B.C.

Chemainus Reserve No 13 (3)

how much, if any, remains to be paid by Thurston-Flavelle. There is no record of the deposit balance, $2500.00 having been returned to Thurston-Flavelle and, therefore, if any monies be due from them it could be deducted from the deposit amount to be returned.

This file, therefore, shows a shortage amount of $5123.25

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Omissions & Corrections to Mr. O'Neill's statement of Thurston-Flavelle timber operations on Chemainus Indian Reserve No. 13.

Mr. O'Neill's statement shows -	Amount Due.....	$ 10,823.90	
	Amount paid.....	4,364.73	
	Balance owing.....	$ 6,459.17	
Not shown in statement:-			
S. & R. No. 125,671.....	$ 150.38		
126,423.....	84.80		
128,803.....	23.42		
129,202.....	34.34		
129,890.....	11.04		
130,340.....	7.05		
130,541.....	17.12		
131,313.....	10.49		334.64
S & R 124028 shown as $402.23 due should be $420.23 due - balance owing.....			18.00
S & R 124720 shown as $706.17 due should be $706.18 due - balance owing.....			.01
			$ 6,815.82
Payments not shown in statement:- S & R 124753 & 124860.....		$ 755.40	
Payments not shown in statement - S & R 130771.....		1,201.37	
Payment shown on S & R 122408 & 122482 - $524.38. Amount paid $524.88.....		.50	$ 1,957.27
Balance Owing.....			$ 4,858,55

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Department of Indian Affairs - Duncan, B.C.

Comox Band - Pay Books

$200.00 Department Cheque No 1497 check No 1

Deposited in Bank of Montreal, account "A H Lomas, In Trust"
June 4, 1924

Cheque June 6, 1924 favor A H Lomas - $200.00
T O'Connell 5.90 for Willy Billy

Payments were apparently made in cash - all signatures in triplicate pay book were by mark "x"

Apparently in order as there have been no claims since

##########

$3550.00 Department Cheque No. 6945 check No 2

Deposited in Bank of Montreal, account "A H Lomas, In Trust"
December 29, 1925.

Pay book shows total payments to have been $3552.50.
All signatures with the exception of six are by mark "x"

Cheques to the amount of $3245.50 were issued on the 'Trust Account' Willie Billie's amount of $203.00 being in two cheques, one $20. to A H Lomas to cover cash advanced to him and the other $183. payable to Willy Billy.
In the case of Mrs George Hardy and children, cheque to the amount of $304.50 was issued to her and there is a notation to the effect that $304.50 balance was held but no record of its having been paid out since although there have been from time to time monies spent for the Hardy children but how much I could not discover.

##########

$1500.00 Department Cheque No 4778 check No 3

Deposited in Bank of Montreal, account "A H Lomas, In Trust"
on September 26th 1927.

All signatures were by mark "x"

Cheques were issued in the amount of $1299.60

In the case of Mrs George Hardy and children - cheques 166.40 for Mrs Hardy and 10.00 to Father Guertz for the children were issued in October 1927. There is also a receipt for cash $15.00 signed Elsie Hardy July 16 1929. These were all I found.

In the case of Isaac Frank cheque was issued 249.60 and there are two receipts for cash $25.00 'on account childrens' share on May 29 1929' and on October 12 1928 "adv re daughter's share"

No record of any payment to Nellie George Hemicken $41.60

Possible shortages here $73.20 Hardy $33.20 Frank and $41.60 Hemicken

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Department of Indian Affairs - Duncan, B.C.

Comox Band - Logging by Indians

In March 6, 1925 letter from Department at Ottawa, permission was given to take out sawlogs to the amount of approximately 500,000 f.b.m. - Royalty to be paid to Ottawa for credit of the band at the rate of 1.00 per M. Permission was also given to spend $300. for tools. This latter amount was not used as the merchants agreed to carry the accounts until the sale of the logs.

Summary of results:

Amount received from sale of logs, deposited in Canadian Bank of Commerce, Courtney		3968.19
Amount transferred to credit of this account by cheque drawn on Bank of Montreal, Duncan, account "A H Lomas, In Trust"		40.00
Cheques cashed through Bank of Montreal, Duncan, account "A H Lomas, In Trust"		169.84
Cash sent from Duncan to pay for Timber Mark		2.00
		$4180.03
Operations as per statement attached	4082.15	
Postages on cheques etc charged in Bank statement	.12	
Joe Nimnin - graveyard	19.90	
A H Lomas - travelling	65.00	
Joe Nimnim - travelling	7.50	
	4174.67	
Balance standing at credit of account in Canadian Bank of Commerce, Courtney "A. H. Lomas, In Trust"	5.36	4180.03

Why the amounts 19.90, 7.50 and 65.00 in the above statement were paid, there is no record to show.
However it is apparent that $211.84 was paid out
less Bank balance 5.36
206.48 more than was received for the sale of the logs. A refund was subsequently received from the Workmen's Compensation Board amounting to $57.30. This cheque was apparently cashed by Mr Lomas as there is no record of its having been deposited in either the account in Courtney or in Duncan.

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Comox Band - Logging by Indians (2)

Charles B Higgins was engaged to superintend the logging and to "yard and Haul" them to booming grounds. Hauling to be 1.50 per M. B.C.log scale for first 99,000 and 2.00 per M. for balance over that amount. He was to receive 1.00 per M. for rental of his logging equipment and 25¢ each for rent of 29 boomchains. He subsequently was induced to purchase additional logging equipment and the above rates were changed to 2.50 per M. for all logs in the water at that time, April 13, 1925, and 3.00 for all subsequent which resulted as follows:

97,000 feet B.C.L.S.	@ 2.50	243.50
248,000	@ 3.00	744.00
		$987.50

The actual scale of the logs cut was reported as having been 345,060 which were sold to Mr A. M. Hilton @ 11.50 per M. or $3968.19

Certain boomchains were purchased in addition to those supplied by Mr Higgins and of these 23 were reported to be at Mr Hilton's house but whether they were subsequently taken by Willy Billy or not there is no record. These chains are worth 2.50 to 3.00 each and should be located. Letters have been sent to Mr Hilton asking what disposition was made of them but no answer has been received at date of this report.

Logging equipment purchased and paid for, such as saws, axes, peavies, etc. were last reported at various houses on the Reserve in possession of various indians but if these were not properly attended to, greased, etc. they are of no value now. Mr O'connell was to look into this when next at the Comox Reserve.

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Department of Indian Affairs - Duncan, B.C.

Comox Band - Logging by Indians (3)

Statement

S & R 74599 June 25 1925 showstotal of 345060 feet as follows:

#1 fir	9710		
#2 fir	220793		
#3 fir	98999		
balsam & hemlock	15036		
spruce	522	345.060	which was sold

to A M Hilton at a price of 11.50 per M. 3968.19

Willie Billie - payroll shows	553.50	payment shows	297.90
Isaac Frank	453.00		285.45
Joe Edwards	5.00		5.00
Mike Gage	155.25		155.25
Andy Frank	372.00		190.40
George Mitchell	458.87		230.50
Jock George	477.62		275.60
John Jamieson	322.50		192.30
Joe Nimnim	52.00		115.50
Albert Johnson	237.50		96.00
Paid to Indians			1843.90
William Hawkins	312.00	312.00	
George Hawkins	19.50	19.50	
Bert Higgins	987.50	987.50	
McMillan	12.50	12.50	
Paid to Whites			1331.50
Charley Jamieson received			10.00
Mrs George Hardy			10.00
Anna Joe			10.00

The following accounts were paid:

F Dack - blacksmithing	21.75	
B. Higgins - hauling	75.75	
Blunt & Ewart - repairs	10.35	
Gwilt Lumber Co - planks	21.60	
J M Mitchell - drawing agreement	5.00	
J W McKenzie & Son - Blacksmiths	20.75	
Wm Matthewson - rent Booming gr	40.00	
Receiver General - Royalty	345.06	
Forrestry Dept - scale fees	28.10	
timber hammar	2.00	
Graham & Moncrieff - hardware	144.05	
Workmen's Compensation Board	44.10	
Wm Roberts - boomchains	84.00	
Bert Higgins - lub oil	14.24	
Johnny James ? ?	10.00	
George Mitchell ? ?	10.00	
		876.75
		4082.15

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Department of Indian Affairs - Duncan, B.C.

Puntledge Reserve #2 Comox Band

September 9 1924 Letter to Dawson & Thomas accepting their offer of 4.23 (including royalty of 1.00) for the timber on this reserve.

License No 200 Timber Mark DT83

Guarantee cheque of Dawson & Thomas sent direct to Ottawa. Receipt shows this to have been $937.25

The following memoranda appear on the file - no S & R sheets, maybe sent to Ottawa with remittances. ? ?

Sept 12 1925	S & R 76946	231885 feet	985.51	deposited Oct 2 1925
27	77434	282122	1199.02)	
	77655	255063	1084.01)	do 27 1925
			3268.55	
Cheque No 11634 sent to Ottawa for			3268.53	covering above
Sept 27 1925	S & R ~~111033~~			
	78184	171033 feet	726.89	deposited Nov 3 Ex .90
	78566	263303	1119.43)	
	78567	259559	1103.12)	deposit Dec 89 3843.84
	79018	209088	888.61)	ex 4.80
	79019	172485	733.06)	(3844.22)
Cheque No 11645 sent to Ottawa for S & Rs 78184 78566 78567 79018 $3838.05				
S & R 85396		193318	821.60	
S & R 86472		265918	1130.15	
S & R 86770		75817	322.22	
S & Rs 79019 85396 86472 and 86770 total			3007.03	
Department at Ottawa reports balance of			850.25	at credit re deposit
Cheque No 11855 on accountin B of M for August 8 1927			2156.78	sent to Ottawa on

Cheque from Dawson & Thomas for $1336.72 was deposited on August 18 1927 and there was deposited on June 21st 1927 an amount of $857.88 but nothing on deposit slip to tell where it came from - presumably from Dawson & Thomas. These two amounts would amount to $2194.60

Letter to Dawson & Thomas asking for a further $87.20 for rental and renewal of license. Letter January 18 1929 from Dawson & Thomas enclosing cheque but no record of this having been deposited. It may have been sent to Ottawa and cashed there? ?

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Department of Indian Affairs - Duncan, B.C.

Cowichan Band Mark IR 7 Reserve No 1

December 23 1926 S & R 91133 shows 63 BS Fir & Hemlock 45198 feet

December 29 1926 Receipt signed "Frank Jack his mark x and witnessed by Albert Louie" for $226.00 covering stumpage and royalty on above.

This would apparently be 5¢ per foot lineal for 45198 feet
What became of royalty? No record of any amount having been sent to Ottawa.

January 5 1926 receipt to W Brooks for $109.00 royalty and stumpage on 75 cedar poles.
Deposit January 25 1926 109.00
less 52.40 $56.60 apparently Royalty
Cheque No 11682 was issued to Henry Williams for $52.40 stumpage although it was not deposited in bank, having been taken in cash from the amount of the cheque when making the deposit. No
record of this amount $56.60 having been sent to Ottawa.

February 23 1926 Permission asked for two Indians to cut approximately 150 cedar poles - Somenos Band - letter agreeing to same March 4 1926 no Royalty to be paid to Ottawa.

March 2 1926 Letter to W Brooks demanding settlement for cedar poles cut from Cowichan Reserve No 1 No reply on file No record of payment having been received or of any amount paid out to Indians.

March 19 1926 S & R 82377 shows 76 pcs 2810 lineal scaled for J H Baxter & Co - memo on file that amount was paid direct to Indians.

October 23 1926 memo shows 58 poles cut - $83.20 paid in (not deposited) receipt therefor bing sent to Cyrus Dougan, Cobble Hill,
Cheque No 11757 October 23 1926 payable to Henry Williams $41.60 but balance $41.60 is not accounted for. Should have been sent to
Ottawa?

May 21 1928 Permission granted to Josie Jim to cut and sell 300 cedar poles - no royalty. Poles sold to J H Baxter & Co at Vancouver .12¢ per foot lineal - basis
June 15 1928 67 poles 2980 feet lin amount $356.20
June 20th 1928 cheque Baxter & Co $348.75 - no record of this having been deposited - Baxter reports cheque having been cashed through Canadian Bank of Commerce, Duncan, June 30 1930 (? maybe intended for 1928)
July 11 1928 cheque for balance $7.45 cashed also through Canadian Bank of Commerce, Duncan. Both cheques payable to "A H Lomas"
Receipts on file show "cash" payments as follows:
July 3 1928 Walter Elliott $44.00: Willie Elliott $54.50:
David Charlie $40.00: Josie Jim by mark X (no witness) $210.00 -
a total of $348.50 - thus there is an amount of 7.70 not accounted for.

July 15 1928 57 poles 2340 lineal feet amount $279.75
deposited in Bank of Montreal July 26 1928 - exchange thereon .35
Cheque 11124 August 13 1928 David Sulseemath $279.75

20th August 1928 61 poles 2555 lineal feet amount $306.25
Deposited Sept 1 1928 $306.25 - cheque David Sulseemath #11145 $306.25

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Department of Indian Affairs - Duncan, B.C.

Cowichan Band IR 7 Reserve No 1 (2)

August 20 1928 35 poles 1420 lineal amount $169.00
no record of it having been deposited. Cashed through Bank of Montreal August 29th 1928.
Statement shows:

Cash advance	10.00	
Josie Jim	10.00	maybe cheque No 11142
Anderson	4.25	
John Elliott	144.55	receipt on file
	168.80	

S & R 107362 July 2 1928 scaled by J N Durrell calls for 67 poles maybe scaled in Vancouver after having been settled for on Island and included in settlement June 15 1928.

S & R 107361 July 2 1928 calls for 48 pcs - 2070 lineal
No record of how this was paid.

October 4 1928 Baxter & Company report having bought poles bearing Timber Mark IR 7 from C W Pitt, Duncan, 74 poles 2850 ft lineal and having issued cheque dated October 11 1928 for $406.75 payable to C W Pitt which was cashed through Bank of Montreal, Duncan.
No record of how this was paid to Indians.

S & R 124937 December 24 1929 for Charles W Pitt by R Murray shows 70 poles 3120 lineat feel.
Receipt on file signed $David Sulseemult" for $200.00 paid him by C W Pitt.

Total number of poles as above 67:57:61:35:74:70 equals 364 poles

Shortage on this file would appear to be 56.60
41.60
7.70
105.90

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Department of Indian Affairs - Duncan, B.C.

Cowichan Reserve No 1

Baptist James states that he and Sammy Charlie were cutting poles on Cecelia's place in May 1928 and had some fifty ready for shipment when Mr Lomas stopped their operations.

Memorandum from Baxter Pole Company states that under date of May 5 1928 their inspector Mr E Robson inspected and passed 55 cedar poles 2315 ft lineal - Indian Department - Baptiste James.

Their cheque No 1933 dated May 15th 1928 for $291.35 payable to Fred Lomas, Agent, was paid through the Bank of Montreal, Duncan, endorsed "Fred Lomas - Alfred H Lomas, Indian Agent".
No record of this amount having been deposited in "Trust Account" so it must have been cashed.

Cheques were issued as follows:

June 14 1928	Cheque #	11098	John Evans	25.00
July 13		11112	R H Harvey, solicitor,	7.00
24		11111	Alex Johnnie	18.93
25		11113	Robbie Daniels	18.93
Aug. 9		11122	Baptist James	11.00
13		11123	Mrs Sammy Charlie	7.50
21		11133	Hillcrest L Co	9.70
18		11128	C G Powell	6.00
				104.06
			receipt shows cash paid Cecelia (Stumpage ? ?)	40.00
				$ 144.06
# This file therefore shows a shortage of				147.29
				291.35

and Baptist James has been in the office in Duncan repeatedly making claim for settlement of the amount coming to him. He states that he has from time to time made demand upon Mr Lomas for settlement but was unable to get it.

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Department of Indian Affairs - Duncan, B.C.

Cowichan Reserve No 1 Heynipsen Band Hubert Bevan

March 20 1929 application of Hubert Bevan for purchase of timber on some 250 acres - approximately 1,500,000 feet cruise.

$628.00 certified cheque of Dickie & Duncan Limited on behalf of Hubert Bevan being deposit $500.00 : $50.00 license fee: and $78.00 first year's rental. June 28 1929. Sent to Ottawa.

Wire from Ottawa accepting tender as follows: Logs 3.00 per M: and 2½¢ per foot lineal for piles accepted as per wire from Ottawa September 20 1929.

License No 216 - Timber Mark IR 55

The following payments were received and deposited in account "A H Lomas, IN Trust" on the dates opposite.

489.37	deposited	October	12	1929
482.72	do		12	
189.07	do		12	
566.90	do	December	10	
774.09	do		10	
405.87	do	May	12	1930
928.80	do		8	
602.25	do		29	
4439.07	—— 4,095.77			
445.51	Sent to W E Ditchburn	September	13	1930 and sent to Ottawa
30.30	Sent to W E Ditchburn	August	29	1930 and sent to Ottawa
1264.34	do	Sept.	7	do
26.52	do			do
425.47	do			do
256.70	do			do
2448.84	—— 2192,14			

Total receipts on this account amount to		$6887.91
Cheque was sent to W E Ditchburn October 1		69.52
		6957.43
Cheque was sent to W E Ditchburn October 1		43.99
		$7001.42
Shortage claimed under #127160	21.70	
No record of payment under #121716	19.12	40.82
Short payment on #125094	40.82	.20
		$7042.44

As there is no record of any of the amounts deposited in the "Trust Account" having been sent to
Ottawa, this file will show a shortage of $4439.07

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Department of Indian Affairs - Duncan, B.C.

Cowichan Reserve No 1 — Heynipsen Band — Hubert Bevan — Timber

S & R No	Date	Total	#1 Fir	#2 Fir	#3 Fir	#2 Cedar	#3 Cedar	Hemlock & Balsam	Pieces	Amount due	
120818	Aug 26/29	163126		130403	32723				344	489.37	Bevan
121576	Sep 18	160909		77819	82738		352		343	482.72	Bevan
121577		63024		32124	30900				113	189.07	Bevan
122443	Oct 15	188969		99957	89012				339	566.90	Bevan
----	Nov 24	258030		115399	142631				500	774.09	Bevan
124544	Dec 27	148503		28712	119791				324	445.51	Bevan
125094	Jan 30/30	135359		56562	78797				216	406.07	Bevan
126810	Apl 6	169256	19324	69635	21371	15793	23924	19209	248	507.77	Tzouhalem
127160	17	140378	3924	78672	28096	5431	982[illegible]	[illegible]134	244	421.03	Tzouhalem
128144	May 19	208084	4776	94683	71538	12702	2362[illegible]	[illegible]760	338	623.95	Tzouhalem
129609	Jun 29	273356		138942	134176		23[illegible]		574	820.07	Kerrone
129629	Jul 1	8839			8839				17	26.52	Kerrone
130242	28	148089		64854	83235				345	444.27	Kerrone
130964		10100		4747	5353				18	30.30	Tractor
131891		14662			14662					43.99	Kerrone
		2098684	28024	992509	943862	33926	6796	[illegible]1403	3963	6271.63	
		850 lineal piling							14	19.12	
121716	Sep 23/29	11409							146	256.70	Kerrone
	Feb 1/30	3090							60	69.52	Kerrone
130895	Aug 23	18910							298	425.47	Kerrone
131202	Jul 31	34259							518	770.81	

Total logs 2,098,684 @ 3.00 629[illegible]05
shortage claim under 127160 21.70
[illegible]6274.75
770[illegible]

Piling 34,259 lineal 2.25

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Department of Indian Affairs - Duncan, B.C.

Cowichan Reserve No 1 — Heynipsen Band — Hubert Bevan — Timber

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Total logs 2,098,684 @ 3.00 629[illegible]05
shortage claim under 127160 2[illegible].70
6274.35
770[illegible]3

Piling 34,259 lineal 2.25

REPEAT
REPETITION

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Department of Indian Affairs - Duncan, B.C.

Canadian National Railway affairs

October 18 1924

Cheque for $5773.00 was received from the Canadian National Railways according to letter on file from C.N.R. No record of disposition of this cheque - presumption is that it was sent to Ottawa and subsequently returned to the Railway Company.

October 27 1924

Cheque for $15648.50 was received from the Canadian National Railways and sent to Ottawa on October 30 1924.

November 17 1924

Cheque was received from Ottawa in the amount of $14912.00 and deposited in Bank of Montreal, Duncan, in the account " "A. H.Lomas, In Trust". The division was apparently to be as follows:

#1 Reserve 4572.10 and #210339.65 total $14911.75

$ 210.00	Mrs Alex Hulkanim
497.38	Elsie George (Samuel Tom)
489.38	Jimmie Yellah
731.40	Daniel Sashier
442.88	Walter George
1378.25	)Charley Seeamaton
157.50	)Louis George
994.25	Felix Wilseem
250.63	Frank Willseem
1554.00	Louis Underwood
1570.50	Johnny Bear
2152.50	Abele Charley
1112.75	Peter Joe
746.00	Mrs Alex Hulkanin
416.45	)Jack Semo
27.55	)Government Agent
30.00	)Mrs Alex Hulkanim for Machiel
45.00	)Machiel
755.63	Old Louis
13562.05	

There are recipts corresponding to the amounts of these cheques drawn on the above "Trust Account". The receipts are, however, all signed by x mark and in most cases there are two signatures as witness to the "mark"

Amounts due but apparently not paid

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Department of Indian Affairs - Duncan, B.C.

Canadian National Railway affairs (2)

$13562.05 forward

Amounts due but apparently not paid

	$ 170.00	Mrs Quem
	390.50	Mrs Quem
	.80	Machiel
	131.40	Mrs Tom
	131.40	Johnny Williams
	131.40	Adam Jimmy
	131.40	Dan Sulsemult
	131.40	Eddie Williams
1218.30		
131.40	131.40	James Jimmie
$14911.75		

The above monies were paid by the Canadian National Railways for purchase of right of way over certain Indian lands in the Cowichan Indian Reserve. There was some dispute as to the proper persons entitled to the payments in certain cases and I am given to understand those entitled to the amounts of $131.40 above enumerated agreed that these monies should be held at Ottawa to the credit of the Somenos Band. This would account for the reason why no claim has heretofore been made by them for the money. Why Mrs Quem was not paid her share nb one seems to know. The item of .80 Machiel is the amount short paid.

Result:

Cheque received from Ottawa for disbursement	14912.00
Amount disbursed as per cheques enumerated	13562.05
Shortage	$ 1349.95

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Department of Indian Affairs - Duncan B. C.

Canadian National Railway affairs (3)

January 3 1925

Cheque in the amount of $75.00 payable to "Indian Department" for "Creek diversion, Johnny Bear" - no record of same having been sent to Ottawa - no record of amount, if any, paid to "Johnny Bear"

March 4 1925

Cheque received $250.00 re "new road to replace old one "old one cut out by Right of Way". Additional $150. was asked for and subsequently received. Cheques and receipt vouchers show the following as having been paid out $126.20 - 14.40 - 33.33 - 33.33 - 33.33 - total $240.59 - no record of what became of the balance.

May 7 1925

$40.00 offered for strip for diversion - cheque received June 5 1925. No record of what disposition made of cheque whether sent to Ottawa, cashed, or turned over to the Indian affected.

December 23 1925

$25.00 asked for from Railway as having been promised to Peter Joe for storage room - letter states $15.00 was sent to Indian Office, Duncan, on December 22, 1925. No record of receipt of same - no record of payment, if any, to Peter Joe.

December 6 1929

Philip Louie re Pump Station and Pipe line and right of way for same. Cheque for $50. received "in full" - sent by Mr. Ditchburn to Ottawa May 25 1927 - Department cheque No 3135 in the amount of $45. received August 17 1927 and paid to Philip Louie

May 25, 1927

$14. received for Jos Elliott claim for sheep killed - paid to him.

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Department of Indian Affairs - Duncan, B.C.

Heynikson Band Floodgate

September 25 1928 Accountable cheque from Department $100.00
three cheques from white owners 33.34 33.34 33.33 100.00
$200.00

No record of these having been deposited - probably cashed.

Forther cheques July 2 1929 accountable cheque Department 20.42
three cheques from white owners 6.81 6.81 6.81 20.43
$240.85

Payroll -	cash payment	3.50	
	cheque payments	167.00	
	Hillcrest L Co	38.40	#11173 - lumber
	F B Carberry	9.00	#11159 - hauling
	A H Lomas	96.50	#11310 for 100.00
			payroll 3.50
	Receiver General	18.60	
		333.00	

This file does not contain a statement showing how the amount $240.85 was made up - statement shows expenditure July 11 1929 $159.45.

It is presumed, however, that statement showing the total expenditure must have been submitted to Ottawa and to the white owners when the final cheques were received in July 1929

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Cowichan Band Timber Skutz Falls

September 14 1928 wire from Ottawa accepting offer of Scottish Palmer Lumber Company for stumpage and royalty as follows: Fir and cedar 2.50 per M. : Hemlock 1.00 per M. : Poles 2½¢ per foot lineal - deposit of $50.00 required

Reserve #7 - estimate of timber thereon 143,000 ft (lower) letter August 28 states George Qua ash ton to be the owner

Reserve #8 - estimate of timber 243,000 ft (at the falls) letter August 28 states Tom Sultsmult; J Hormalock: and George Halelth and Swalleraston to be the owners

Approximate survey	#7	#8	
	7000 ft	24000 ft	cedar
	125000 ft	210000 ft	fir
	11000 ft	9000 ft	hemlock
	143000	243000	

$50.00 deposit paid by Scottish Palmer - cheque dated September 18 1928 drawn on Bank of Nova Scotia, Victoria, payable to " A H Lomas, Indian Agent" and endorsed the same. No record of having been deposited in account in Bank of Montreal "A H Lomas, In Trust".

S & R	110717	Raft	M 206	October	12 1928	114123 ft	Fir	285.31
	110871		G 187		16	96123	Fir	240.31
	110938		M 213		18	32974	Cedar	82.43
	110940		G 190		14	477	Hemlock)	
						10136	Balsam)	10.61
	110988		M 212		19	137488	Fir	343.72
	111104		G 197		24	18519	Fir	46.30
	111369		G 206		31	6245	Fir	15.61
	111945		W 255	Nov.	17	25690	Cedar	64.23
	112833		Y 282	Dec.	12	17240	Hemlock)	
						20342	Balsam)	37.58
					total			1126.10

Payments received from Scottish Palmer

Deposit	$50.00	
Cheque	677.07	deposited(October 25 1928 dated) Dec 4 1928
	61.91	sent to Mr W E Ditchburn and by him sent to
		Duncan office and deposited December 4 1928
	788,98	leaving a balance owing by Scottish

Palmer of $337.12. This company is in liquidation and requests for settlement of this amount have not been met.

Receipts on file show the following payments
February 24 1930 $251.35 signature George Qua ash ton by mark x
April 9 61.15 do do
witness to signature in each case "A H Lomas"
this amount 312.50 represents 125,000 ft @ 2.50 per M. and there is a pencil memo to the effect that this quantity was the amount taken from Reserve #7. He has apparently paid George Qua ash ton more than should rightly be coming to him as he has paid the full amount of 2.50 per M on 125000 taking it for granted that it was all either fir or cedar on which the stumpage and royalty would be 2.50 whereas there is no doubt that some of it was balsam and Hemlock on which only 1.00 per m was paid.

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There is also the department regulation that only 90% of the stumpage would be paid to the owners of the property the remaining 10% to be left at Ottawa on deposit to the credit of the Band. There is also the question of royalty 1.00 which should have been deducted also from the amount so paid.

There is no record of any payments having been made on account of the timber taken from #8

Tom Sultsmult is dead - his widow Louisa is his heir.

J Hermalock is still alive.

George Halthlth is dead - his daughter Sarah is his heir.

Swalluston is dead - his daughter Mary Latimia is his heir

These are the indians interested in #8

George Qua ash ton (#7) is still alive.

	Approximate cruise	Scaled	
Fir	435000	372498	
Cedar	31000	58664	
Hemlock & Balsam	20000	48195	
	486000	479357	difference 6643 ft

This file shows moneys paid in - $788.98 full shortage
Paid to Qua ash ton without authority 312.50
Balance unaccounted for 476.48 actual shortage

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Cowichan River Protection Work

Wire from Ottawa authorizing an expenditure of $3500.00 on Cowichan River at Quamichan Indian Village - letter August 15 1925 confirming.

Tender of Horsfall & Company of $3465.00 for the work September 2 1925

$1500.00 wired from Ottawa to Bank of Montreal credit account of "A H Lomas, In Trust" October 1 1925.
$2000.00 Department Cheque No 2252 deposited same account October 2 1925

October 3 1925	Cheque to	Horsfall & Company	$2000.00	- receipt on file
6 1925	do	do	1499.10	- do
23 1925	do	Receiver General	.90	
			$3500.00	

Statement shows - amount of tender	3465.00	
less for substitution	100.00	as agreed
	3365.00	
extras - October 6 1925	134.10	
	$3499.10	

November 13 1925 wire from Ottawa authorizing expenditure of $100.00 for protection to above work.
Vouchers sent in November 19 1925 totalling $97.75
Payment made direct by cheque from Ottawa as per vouchers

January 3 1926 Further voucher on above work $17.75 A O Hope sent to Ottawa and payment made direct from Ottawa by cheque to A O Hope

August 27 1926 a further expenditure of $800.00 was authorized by Ottawa - see estimate of J P Forde, District Engineer March 30 1926.
October 6 1926 Department Cheque $800.00 deposited in "Trust Account"
October 19 1926 cheque issued McDonald Pile Driving Company $800.00 - $700.00 repairs as per contract - $100.00 gravel backing. Receipt
Additional voucher for Cowichan Merchants $8.30 sent in and paid direct from Ottawa.

September 20 1927 Letter from J P Forde, District Engineer, recommending an expenditure of $2000.00 to make a finished job of this work.

September 20 1928 Recommendation of expenditure $500. for immediate temporary repairs:
October 11 1928 wire from Ottawa authorizing expenditure of $500.00

Statement shows expenditure -	labor	161.50	
	supplies	32.92	
	refund	305.58	Receiver General
		500.00	

and cheques were subsequently issued D R Hattie 18.02 and to Machael Susenoch 3.50 on the above work. There is no record of these amounts having been vouchered to Ottawa and received thence and consequently no record of deposit in account to replace the withdrawal of $21.52 as above -

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Koksilah River Protection Work

May 23, 1922 Letter from Ottawa authorizing an expenditure of $750.00 at Underwood property, Koksilah.

Vouchers sent in totalling $623.93 September 2 1922
do 71.25 15
$695.18

all payments were apparently made by cheque direct from Ottawa on the above vouchers.

January 8 1923 - dam washed out see letter J P Forde, District Engineer.

August 28, 1923 Letter from Ottawa authorizing an expenditure of $100.00 on the same work.

Voucher sent in December 8 1923 Robbie Daniels $99.00
Payment made direct from Ottawa by cheque favor Robbie Daniels.

January 8 1928 Letter from Ottawa authorizing an expenditure of $100.00 - wire authorization followed by letter confirming.

Vouchers totalling $80.15 were sent in January 18 1928
Payment made in accordance therewith by cheque direct from Ottawa

September 20 1928 letter from J P Forde, District Engineer, recommending a further expenditure of $150.00 No record of any further action having been taken.

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Cowichan Lake Band — Pay Books

$300.00 Department Cheque #1324 May 16 1922
Deposited in account "A H Lomas, In Trust" May 31 1922

Cheques drawn	15.00	Dan Daniels
	136.25	Livingston
	148.50	A H Lomas for money orders
	.25	Refund to Department at Ottawa
	$ 300.00	

$250.00 Department Cheque No 8211 deposited February 11 1928

Cheques were issued on April 4 1928 for this distribution Nos 11068 - 11070 - 11071 - 11072 - 11073 - 11074 but were subsequently cancelled.

June 1929 the following cheques were issued

11349	82.80	Livingston
51	27.60	Lucy
52	27.60	Gilbert Livingston
53	27.60	Anne
54	55.20	Dan Daniels
	220.80	
	27.60	in paybook for Tenas Peter.

No cheque was issued for this amount at this time as he had died shortly previous thereto.

$1.60 refunded to Department at Ottawa in March 1928 by cheque No 11076

\# This file shows a shortage of $27.60

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Esquimalt Band

$350.00 Department Cheque No 1081 May 14 1923 deposited that date in Bank of Montreal, Duncan, account "A H Lomas, In Trust"

Cheque	21.40	A H Lomas for Mrs Wm Esquimalt
	25.00	A H Lomas for P O for Jos Thomas
P Order	25.00	Cecelia

balance presumably paid in cash - no record

Paybook shows 2 signatures: 2 by mark x - 1 po order

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Halalt Band — Pay Books

$300.00 Department Cheque No 3947 September 20 1922
deposited in account "A H Lomas, In Trust" October 25 1922
$275.00 Department Cheque November 1 1922
deposited in same account January 27, 1923

$575.00

February 9 1923 cheque $200.00 Madeline Norris - improvements
$375.00 A H Lomas for distribution to Band

Paybook shows money order for one - balance of signatures by mark X

##########

$1071.63 Department Cheque No 3453 deposited August 10 1928

Cheques were issued to various members of the Band amounting to	570.40
Cheque 11298 March 28 1929 to Ottawa	501.23
	1071.63

$501.23 Department Cheque deposited October 12 1929

Cheques were issued 53.34	D R Hattie July 29
30.00	A H Lomas for Peter Louie
418.00	to various members of Band
501.34	
.11	over paid
501.23	

One of the cheques included in the total of 418.00 was for Sherman Louis $19.00 and was outstanding (not paid through the Bank) at the time the account was closed.

It was subsequently ordered paid out of the new account to which the balance of the "A H Lomas, In Trust" account was transferred namely: account Department of Indian Affairs - in September 1930

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Halalt Reserve Timber Willy's Island

May 7 1928 application from Charles H Price for purchase of timber on Willy's Island:

May 25 1928 letter from Department at Ottawa accepting offer - Saw logs 3.25 per M ft B.C.L.scale: Piling 3¢ per foot lineal: Mine timber, props 1.00 per cord: Mine timber, slopes 1.00 per cord. Deposit of $100.00 required from Mr Price. All timber to be cut and removed within one year

On request having been made to Mr Price for returns on the above timber, file shows letter from Mr Price dated April 11, 1929 stating his returns are as follows:

1928 November -	slope timber	21	cords
	prop	25	
1929 January	slope	48	
	prop	36	
March	slope	61	
	prop	32	
	total	223	cords and 4045 ft piling.

no documents are on record to support the above return.

June 1 1929 Certificate of registration of timber mark IR 54 - No12672

June 12 1929 Copy of receipt issued to C H Price for $200.00 account of slope and prop timber till May 30th 1929. No statement of what amount taken off up to this time.

November 6 1929 Statement from Paul Leynard that he had taken the following timber from Willy's Island for account C H Price

Slope	119677	ft
Prop	137050	ft
	256727	ft equal to 366½ cords

December 2 1929 letter to C H Price asking for interview re timber payments due on Willy's Island - no reply. Other letters in same vein at various times up to June 3 1930.

March 25 1930 letter to A Crucil, Ladysmith, asking for return for timber taken from Willy's Island also for piling taken from Chemainus Indian Reserve.

March 18 1930 letter to District Forester at Vancouver asking for record of timber cut on Willy's Island by Paul Leonard or A Crucil. no reply on record - no S & R sheets.

March 29 1930 Letter from C H Price stating that scale sheets from A Crucil read 19956 ft and 18830 ft and stating he will call within the next few days with full statement.

March 27 1930 Letter from A Crucil stating he has paid to C H Price the full amount for all stumpage taken from Willy's Island. Letter dated May 26 1930 to A Crucil stating that he would be held responsible for payment of the stumpage above referred to. Letter from A Crucil May 30 1930 claiming that he had received instructions from A H Lomas to pay stumpage to C H Price

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Halalt Reserve Timber Willy's Island (2)

Oct 28 1930 Letter to W E Ditchburn from District Forester in Vancouver enclosing scale sheets as follows:

S & R	124025	Dec 4 1929	44 pcs	Fir & Balsam BS		18830 ft
	124024	5	39	Fir BS		19956 ft
						38786

Summary

The following is the amount due by Mr C H Price on the above reported timber

Piling - 4045 lineal feet @ 3¢ per ft lineal	121.35
Boomsticks - 38786 ft as per S & Rs @ 3.25 per M	126.05
Mine timber slope and prop 366½ cords @ 1.00	366.50
	614.90
less amount paid by Mr Price as per copy of receipt dated June 12 1929	200.00
	$414.90

As the statement by Mr Paul Leynard is subsequent to the one made by Mr Price April 11 1929 showing mine timber to the amount of 223 cords to have been taken off - I have taken it for granted that that amount is included in the larger total 366½ cords reported by Mr Peynard.

As Mr Price does not appear to have made the initial deposit of $100.00 required by the Department, it would appear that he still owes at least $414.90 #413.90

Demands have since been made on Mr Price for sworn statement of his operations and settlement of the amount due but no reply by him - no action to collect or force statement through court action has as yet been taken.

No record of the amount of $200.00 having been sent to Ottawa or deposited in bank account, therefore this account shows a shortage of $200.00

Letter dated 27th July 1928 from C H Price offering 1.00 per cord for mine timber and 3¢ per foot lineal for piling at Yellow Point

No further correspondence - no record of whether any timber was taken from this latter place or not.

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Lyackson Band Pay Book

August 3 1930 Letter from Department at Ottawa enclosing cheque and stating that the amount is the "balance of funds at credit of band".

$255.75 Department cheque No 278 deposited in account in Bank of Montreal, Duncan, "A H Lomas, In Trust" May 8 1930

Paybook shows cheque to the value of 254.80 were issued
cash for travelling .95 paid to Bazile
$255.75

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Malahat Band Pay Books

$391.25 Department Cheque No 6956 January 5 1925 Check No 3
163.48 Department Cheque No 7541 January 24 1925

no record of these having been deposited - apparently cashed.

Triplicate Paybook on file is not signed by anybody - notation thereon that Original and Duplicate were properly signed and sent to Ottawa and that payments were witnessed by "Dennis Underwood"

Payment purported to have been $554.30
Cheque #11501 Receiver General .43 sent to Ottawa February 11 1925

##########

$1605.00 Department Cheque No 3487 Check No 5
deposited in Bank of Montreal, account "A H Lomas, In Trust" on August 31, 1925.

Cheques were issued totalling the above amount $1605.00

Signatures in Paybook all by mark x with the exception of Baptist James.

##########

$2870.00 Department Cheque No 6723 November 30 1926 Check No 2
deposited in Bank of Montreal, account "A H Lomas, In Trust" on December 7, 1926

Cheques issued for $2870.40 Paybook shows payment to have been for $2870.40 - .40 advanced from private funds ? ?

One signature - all rest by mark x

##########

$1350.00 Department Cheque No4193 Check No 6
deposited in account "A H Lomas, In Trust" September 2 1927.

Cheque issued A H Lomas 1200.00

One signature all others by mark X

Paybooks calls for payment of $1350.20 - 1.20 being paid out of private funds.

Pencil memos in book state that the following amounts are to be held out of distribution and returned to Ottawa:
$56.30 Mary Jane (Alex Peter #1) and $56.30 wife of Baptist James
There are also notations as follows 25.00 Matilda; 25.00 Catherine $25.00 Margaret - children of Baptist James, but whether it means the above amounts were paid to these children subsequently or whether it is still coming to them or to be returned to Ottawa there is nothing to show.

No record of the above amounts having been sent to Ottawa

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Malahat Band Pay Books (2)

$1200.00 Department Cheque No 6687 Check No 4
deposited in account "A H Lomas, In Trust" December 4 1928

\# December 19 1928 cheque A H Lomas No 11216 1150.00
Alex Peter 40.00 for Matilda and Catherine James

One signature, Baptist James, all others by mark X

##########

$1000.00 Department Cheque No January 25 1930 Check No 7
no record of having been deposited - apparently cashed

\# Cheque No 11500 April 30 1930 sent to Receiver General being refund for 3 shares Nanaimo Band - Baptist James

All signatures are by mark x

Paybook shows total distribution to have been $1040. - $40. to have been advanced from private funds ? ?

Pencil notation 40.00 paid to Baptist
40.00 sent to Chief for Baptist

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Malahat Band — Cedar Poles

April 16 1924 Permission given to Indians to take off poles.

Agreement made with Carey & Amplett 2¢ Royalty and 1¢ Stumpage to be paid to Ottawa - also to pay Indians 2¢ for cutting and peeling and 2¢ for falling and barking.

June 24 1924 paid 2.00 for Timber Mark DT26

Receipt signed "A H Lomas" for $110.70 being 50% on 250 poles 1170 lineal feet.
Receipt signed "Harry Steele, his mark x" for $110.70 with certain monies deducted for advances and expenses 9.90

$782.70 December 12 1924 cheque on account "A H Lomas, In Trust" sent to Ottawa being royalty and stumpage on 26090 lineal feet as per S & R 68555 610 poles

Alex Peter	391 poles	17060 feet lineal @ .02		341.20	
Steele	219	9030		180.60	521.80
			less cutting and trimming		62.25
		amount to be paid to above Indians			459.55

Amount due by Carey & Amphlett			Royalty & Stumpage	782.70
			Cutting and barking	459.55
				1242.25
June 6 1924	cheque	50.00	not deposited	
July 30	cheque	50.00	not deposited	
Sept 4	cheque	110.70	not deposited paid to Steele	
Dec. 8	cheque	1061.55	deposited December 8 1924	
			exchange thereon 1.35	
		1242.25		

The cost of cutting and trimming was $124.50 each side bearing one half 62.25

Returns from operation		1304.50	
less half of cutting and trimming		62.25	1242.25
Cash receiptw on file 110.70 and 70.00		180.70	
Cheque to Ottawa for royalty	782.70		
Cheque A H Lomas December 12	278.85	1061.55	1242.25

\# Bank account short on this operation 1.35 exchange on cheque
\# Also short for cheque sent to Samuel Thomas - labor 20.83

Receipt on file for $100.00 cash but no other record of how the balance coming to the Indians was paid.

Possible claims therefore may amount to $156.67

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Nanaimo Band		Pay Books	
1914 December	$504.40	distributed by W. R. Robertson	Check No 10
1915 May	401.10	do	Check No 11
1916 June	500.00	do	Check No 12
1918 May	278.60	do	Check No. 13
1919 August	15000.50	distributed by W E Ditchburn	Check No. 14
1921 January	9500.00	do and W.R.R.	Check No. 9
April	1600.00	distributed by W R Robertson	Check No. 8
1922	$1100.00	Department cheque No 6915 January 16	Check No. 7

apparently cashed as no record of it being deposited in bank.

Paybook shows eight signatures - three payments by money order and balance signed by mark x

Payments total $1067.00 balance sent to Ottawa by Money Order $33.00

Cheque was issued on Bank of Montreal account "A H Lomas, In Trust" payable to "Cash for Madeline 5.50 and Billy Joe 11.00" amount of
cheque $16.50 date March 4 1922. No record of deposit to offset.

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$1500.00 Department Cheque No 2387 June 1922 Check No. 6
Deposited in account "A H Lomas, In Trust" July 8 1922.

August 10 1922 withdrew cheque No -- $1300.00 A H Lomas
withdrew sundry total 266.40 various names

$66.40 more taken out of account than put in.

Paybook shows as paid to Indians 1485.00
Refund to Department by Money Order 15.00

Nine signatures - two payments by money order - balance by mark X

####################

$4000.00 Department cheque No 234 April 12 1923 Check No. 5
deposited in account "A H Lomas, In Trust" May 1 1923
$4000.00 Department cheque No 1080 May 5, 1923
deposited in same account May 14, 1923

June 2 1923 withdrew cheque A H Lomas	5400.00
withdrew various cheques to Indian names	515.90
withdrew two for 29.10 each A H Lomas	58.20
Sept 17 1923withdrew cheque Receiver General	92.70
absentees 58.20 refund 34.50	
	$6066.80

$66.80 more taken out of account than put in.

all signatures on paybook are by mark X

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Nanaimo Band Pay Books (2)

$1700.00 Department Cheque No 5118 October 26 1923 check No. 4
Deposited in account "A H Lomas, In Trust" in December 1923.

Withdrew on February 1 1924 cheque payable A H Lomas 1405.00
no record of any further withdrawals on this account

\# deposited $295. more than withdrew ? ? ?

All signatures in pay book are by mark X Money orders were issued for $89.10 and one for the Department for refund 23.30

No claims have apparently been made since then by any of the band for short payment to them. No record of where the balance $295. came from if actually paid out.

##########

$2000.00 Department cheque No 607 April 17 1924 check No. 16
Deposited in account "A H Lomas, In Trust" May 14 1924.

June 4 1924 withdrew cheque A H Lomas	1800.00		
withdrew various cheques	153.10		
withdrew cheque A H Lomas	20.00		
Cheque to Department	37.70	for absentee	18.60
	2010.80	refund	19.10

\# apparently withdrew $10.80 more than put in

##########

$1700.00 Department Cheque No 5171 check No 15
Deposited in account "A H Lomas, In Trust" November 12 1924.

December 8 1924 withdrew cheque A H Lomas	1650.00
three other cheques	36.20
Department at Ottawa refund	16.20
	1702.40

\# apparently withdrew $2.40 more than deposited

all signatures in Pay Book are by mark X

##########

$1700.00 Department Cheque No 342 April 4 1925 check No 17
no record of deposit - apparently cashed

\# Cheques drawn on account "A H Lomas, In Trust" amounting to $87.00
all signatures in Pay book are by mark X

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Nanaimo Band — Pay Books (3)

$650.00 Department Cheque No 920 deposited May 10 1927 — Check No 2
$650.00 Department Cheque No 6340 Dec.21 1927

Payments out by cheque amounted to 1242.00
Cheque 11021 A H Lomas for Money Orders 30.00
Cheque 11022 Receiver General absentees 16.
refund 12. 28.00
$1300.00

Attached to this paybook are money order receipts as above - payments otherwise are by mark X

##########

$850.00 Department Cheque No 5483 October 28 1925 — Check No 18
No record of deposit - apparently cashed.

Cheque payments were two 8.00
and 11648 Receiver Gener 8.00
16.00

Paybook shows total payments to have been $872.00 - $22. having been advanced from private funds ? ?

##########

$1320.00 Department Cheque No 879 April 19 1926 — Check No 19
No record of deposit - apparently cashed

Cheque withdrawals from account "A H Lomas, In Trust"
amounted to 66.00

Paybook shows total payments to have been 1296.00
Absentee 12.00 refund to Ottawa 12. 24.00
cheque to Ottawa for $24. included in amount above shown $66.00

$##########

$1100.00 Department Cheque No 6100 November 5 1926 — Check No 20
Deposited in account "A H Lomas, In Trust" December 7 1926

Cheque withdrawals A H Lomas 1050.00
A H Lomas 'final' 108.60
Hilda James 5.20
$1163.80

$63.80 was apparently withdrawn more than put in

Paybook shows $1102.40 to have been distributed - $2.40 from private funds ? ?

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Nanaimo Band — Pay Books (4)

$1300.00 Department Cheque No 6761 — Check No 1
Deposited in account "A H Lomas, In Trust" December 4 1928

Cheque 11218	A H Lomas	1300.00	
11271	Receiver General	22.00	
	various others	252.00	
11225	Mrs Joe Tom	30.00	cancelled
11228	Mrs Willie Brown	6.00	missing - not cashed
	cheques cashed	1574.00	

$274.00 more than deposited.

Pay book shows payments to have been made amounting to 1278.00
refund to Ottawa 22.00
1300.00

seven signatures - eleven cheques - balance signed by mark X
no witness to mark

v ##########

$850.00 Department Cheque No 1660 May 21 1929 — Check No 3
No record of deposit - apparently cashed.

All signatures in Paybook are by mark X

Cheques were issued three for 4.00 each		12.00	
	11342	20.00	
	11339 A H Lomas	40.00	
# $72.00 more withdrawn than put in			$72.00

Paybook shows payments to have been $876.00 - $26.00 advanced from private funds ? ?

In certain cases - viz: Roy (minor) 4.00 does not appear to have been paid - #63 on roll - Henry James 4.00 - memo says "Henry James owes Hilda 6.00 - hold"

Sundry receipts are attached to paybook purporting to be for partial payments where members of a family were separated, children at school or parents not living together. They however, do not tally with the totals in the paybook

##########

$900.00 Department Cheque No 6596 — Check No 22
Deposited in account "A H Lomas, In Trust" December 10 1929

December 16 1929	cheque No 11446 A H Lomas		900.00
	sundry cheques totalling		64.00
March 25 1930	cheque No 11499 Receiver General	refund	16.00

$80.00 more withdrawn than put in

There is still a question as to whether all the children were paid under this distribution - Martin children and Roy

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Nanaimo Band — Pay Books (5)

$900.00 Department Cheque No 1821 — Check No 21
Deposited in account "A H Lomas, In Trust" May 29 1930

Withdrawals by cheque amounted to	$730.00	
Sundry receipts showed payments to have been made in cash -	30.00	
leaving yet to be distributed	140.00	
		$900.00

as the cheque from Ottawa had been deposited in the account in the Bank of Montreal; those not paid were coming into the Duncan Office asking for their money and letter was received from Ottawa asking for the return of the Pay Book completed, Mr W E Ditchburn. Commissioner, issued a further cheque amounting to $152. favor of Miss K Robertson, Acting Agent at Duncan, to meet the payments yet unmade 140.00
cash advanced by Miss Robertson - W Martin 4.00
refund to be made to Ottawa 8.00

Thus total withdrawals from Bank account were		730.00	
	to Miss Robertson	152.00	
Cheque No124626	to A H Lomas	98.00	
		980.00	or

\# $80.00 more than deposited

##########

On the general file for Nanaimo Band appear various receipts signed "hilda James" "Stanley" "Roy" and by others purporting to be on account of these "miners" Some o these receipts no doubt refer to monies received from Ottawa having been vouchered to be taken from the funds held there in trust for them and others may be referring to various Pay Books but as the dates are so widely different from those ov the various distributions there is great uncertainty just what they cover. "Delia James" is also a signature on some of these receipts.

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Nanaimo Band — Nanaimo Indian Church

May 28 1927 Letter from Ottawa authorizing the building of an Indian Church on the Reserve - total cost to be not more than $5000.00

$1500.00 Department Cheque No 4851 deposited in account " A H Lomas, In Trust" on September 26 1927

$1500.00 Department Cheque No 6377 deposited November 14 1927

$2000.00 Department Cheque No --- telegram from Ottawa credited by Bank of Montreal in account "A H Lomas, In Trust" on January 5, 1928.

Pay Roll Sheets show total of	1785.15	
Material sheets - receipted accounts and endorsed cheques amount to	3157.65	
leaving a balance of on church building	57.22	not spent
	$5000.00	

all the above payments were by cheque and there is therefor an amount of
$57.22 left in Trust Account over the cheques drawn

##########

$160.00 Department Cheque No 4407 deposited in account "A H Lomas, In Trust" — Roads and Ditches

Payroll sheets show payments to have been pade for labor - various cheques issued	142.75
Cheque 11185 September 20 1927 Receiver General refund	17.25

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Nanoose Bay General File

July 22 1920 Nanoose Lumber Company apply for Right of Way across Indian Lands - annual rental $20.00.
$20.00 cheque for 1st year's rental received - paid to Chief Bob
Letter May 16 1922 from A H Lomas to C R Hardy of Nanoose Lumber Co that he was cashing above cheque and forwarding money order to Chief Bob.

September 25 1922 Letter from Nanoose Lumber Company states they had already previously sent cheque for $20.00 for rental 1921-22 and enclosing cheque for $20.00 for rent 1922-23.
September 28 1922 letter from A H Lomas to Nanoose Lumber Company agreeing to return cheque for $20.00 for 1921-22 above referred to if it should turn up but as apparently lost asking for another in its place.

December 12 1922 Cheque No 80 of Nanoose Lumber Company endorsed payable to T O'Connell and sent to him for Chief Bob.

April 5 1924 Letter from Nanoose Lumber Company enclosing cheque for $20.00 for rental for 1923-24.
June 28, 1924 money orders for 10. and 10. sent to Chief Bob - receipts.

Letter December 21 1926 from C R Hardy that he had paid Chief Bob $20. for rent 1926-27

The rent for 21-22 is not shown to have been received
The rent for 24-25 or for 25-26 nor anything for 27-28 or subsequently does not show in the files as having been received. Maybe payment was made direct to Chief Bob. No claim appears to have been made by him for this rent so it may have been paid direct by the Company.

##########################

July 20 1927 Oliver Eby through his attorney A G King applies for Right of Way over Indian Lands - offers $10.00 per annum rental.
April 24 1928 Letter to Eby states rental to be $15.00

January 4 1930 Letter from Oliver Eby states that $15.00 was sent to A H Lomas in 1928 in April or May - no record of its receipt - no deposit

April 15 1930 Letter from A H Lomas to Oliver Eby asking for $45.00 rental for 1928,1929 and 1930.

August 28.1930 Letter from Oliver Eby enclosing cheque for $30.00 for 1929 and 1930 - sent to Ottawa September 9 1930

Department Cheque for $30.00 sent to "Old Bob"

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Department of Indian Affairs - Duncan, B.C.

Nanoose Bay Timber

September 27 1922 Superior Lumber Company Limited make offer for timber 3.00 per M. for Fir and 2.50 per M. for Cedar and Hemlock

Department accepted offer - deposit of $1000.00 required.

Nothing done.

August 24 1925 Permission was granted by Ottawa for Indians to cut shingle bolts - royalty to be paid to Ottawa .75 per cord.

No record of any having been cut - no record of returns of any monies to Ottawa for royalty thereon.

April 25 1927 Abernethy Timber Company offer 3.00 for logs 1.25 per cord for shingle bolts 3½¢ per foot lineal for poles and piles, 15¢ each for ties and 13¢ for posts.

Estimate: 300,000 feet logs - 100 cords shingle bolts - 15000 feet lin. poles - 5000 feet lineal piling and 300 ties.

June 16 1927 Offer accepted by Department - deposit required $150.00 $50.00 license fee and rental .20 per acre, approx 80 acres, $16.00

$216.00 cheque dated July 6 1927 from Abernethy Timber Co sent direct to Ottawa and acknowledge by Ottawa July 16 1927.

August 11 1927 License No 211 issued - Timber Mark secured I R 32

S & R 99512 Oct.19/27 595 feet lineal cedar poles - 17 pieces
S & R 99511 1585 do 43
2980 feet @ 3½¢ $69.30 cheque for this amount received October 25 1927 and sent to Ottawa October 31 1927

S & R 107105 July 3/28 - 1430 lineal cedar poles - 29 pieces
No record of receipt of stumpage and royalty on this having either been received in Duncan or sent to Ottawa, $50.05

November 20 1928 cheque for $18.00 received for one year's rental and renewal of license - sent to Ottawa November 27, 1928

January 10 1930 cheque for $18.00 received for one year's rental and renewal of license - no record of this being deposited in Bank Account but cheque No 11470 drawn on account "A H Lomas, In Trust" was sent to
Ottawa on February 4 1930.

February 14 1930 Letter from Ottawa stating no renewal will be granted until sworn statement received from Abernethy Timber Company of kinds and quantities of timber etc cut - full payment of stumpage thereon and satisfactory reasons for not working the limits.

Mr Graham, Indian Agent at Duncan, will ask Abernethy Timber Company to furnish the above sworn statement and request information as to the amount of $50.05 above referred to.

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Department of Indian Affairs - Duncan, B.C.

Nanoose Bay Timber

September 27 1922 Superior Lumber Company Limited make offer for timber 3.00 per M. for Fir and 2.50 per M. for Cedar and Hemlock

Department accepted offer - deposit of $1000.00 required.

Nothing done.

August 24 1925 Permission was granted by Ottawa for Indians to cut shingle bolts - royalty to be paid to Ottawa .75 per cord.

No record of any having been cut - no record of returns of any monies to Ottawa for royalty thereon.

April 25 1927 Abernethy Timber Company offer 3.00 for logs 1.25 per cord for shingle bolts 3½¢ per foot lineal for poles and piles, 15¢ each for ties and 13¢ for posts.

Estimate: 300,000 feet logs - 100 cords shingle bolts - 15000 feet lin. poles - 5000 feet lineal piling and 300 ties.

June 16 1927 Offer accepted by Department - deposit required $150.00 $50.00 license fee and rental .20 per acre, approx 80 acres, $16.00

$216.00 cheque dated July 6 1927 from Abernethy Timber Co sent direct to Ottawa and acknowledge by Ottawa July 16 1927.

August 11 1927 License No 211 issued - Timber Mark secured I R 32

S & R 99512 Oct.19/27 595 feet lineal cedar poles - 17 pieces
S & R 99511 1385 do 43
2980 feet @ 3½¢ $69.30 cheque for this amount received October 25 1927 and sent to Ottawa October 31 1927

S & R 107105 July 3/28 - 1430 lineal cedar poles - 29 pieces
No record of receipt of stumpage and royalty on this having either been received in Duncan or sent to Ottawa, $50.05

November 20 1928 cheque for $18.00 received for one year's rental and renewal of license - sent to Ottawa November 27, 1928

January 10 1930 cheque for $18.00 received for one year's rental and renewal of license - no record of this being deposited in Bank Account but cheque No 11470 drawn on account "A H Lomas, In Trust" was sent to
Ottawa on February 4 1930.

February 14 1930 Letter from Ottawa stating no renewal will be granted until sworn statement received from Abernethy Timber Company of kinds and quantities of timber etc cut - full payment of stumpage thereon and satisfactory reasons for not working the limits.

Mr Graham, Indian Agent at Duncan, will ask Abernethy Timber Company to furnish the above sworn statement and request information as to the amount of $50.05 above referred to.

REPEAT
REPETITION

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Penelakut Band — Pay Books

$766.00 Department Cheque No 160 April 1 1922 — Check No 1
No record of having been deposited - probably cashed.

Cheques issued 22.20 A H Lomas for Lucien Peter
7.40 Henry Jack for 2 children
29.60

balance apparently paid in cash

Signatures 17 - money order 1 - remaining signatures by mark x

Paybook shows total payment to have been $777.00 - $11.00 to have been advanced from private funds. ? ?

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$550.00 Department Cheque No 8076 January 29 1926 — Check No 2
No record of having been deposited - probably cashed.

5 signatures - 2 money orders - remaining signatures by mark X

Paybook shows total payment to have been $563.55 - $13.55 to have been advanced from private funds. ? ?

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Penelakut Band — Kuper Island Timber

North End - Approximately 50 acres - authority May 13 1924 for cutting by Indians.

April 28m1924 - Timber mark DT3

May 15 1924 S & R 62819 49 pcs - fir 20777 ft.
S & R 62818 206 pcs 80992
101769 ft @ 10. 1017.69

May 21 1924 cheque from Sidney Mills o/a $250.00
Receipts signed A James & L Peter
for $247.50 and exchange .30 postage .20
and cost of hammer 2.00 250.00

Statement			
	Paid as above	250.00	
	Towing to Sidney Mills	70.00	
	Scaling fees	6.11	
	Royalty to Ottawa	101.76	
	Balance due loggers	589.82	1017.69

June 2 1924 Receipt signed
James Jim by mark X) witness A James 161.05
Peter Lucien mark X)

James Jim by mark X)
Peter Lucien mark X) witness August James
428.77 $589.82

Although deducted in making settlement with Indians there is no record of this amount of $101.76 having been sent to Ottawa - Royalty.

##########

Operations continued in 1925 by August James and Eddie Edwards:

May 1 1925 Letter asking for advance of $300. for purchase of logging team, money to be refunded out of operations. Department cheque No 1306 $300. received and deposited in account "A H Lomas, In Trust" on May 26 1925. This was subsequently refunded to Ottawa on April 1 1926 by cheque No 11701 $300. favor of Receiver General.

Price for logs agreed on - Sidney Mills 10.00 per M. delivered Sidney.

Statement:

	August James raft 122345 feet @ 10.00	1284.63	
	Eddie Edwards 107611	1129.91	2414.54
	Cheques on account apparently deposited in "A H Lomas, In Trust" account in		
	Bank of Montreal, $500. may 21	500.00	
	and June 3rd	500.00	
	June 9th cheque probably cashed	500.00	
	one half scaling fees deducted by Mill	12.40	
	Towing to Sidney $60. each boom	120.00	
	July 8th cheque	782.14	2414.54

This cheque $782.14 wasdeposited likewise in account "A H Lomas, In Trust" (exchange paid .95, net 781.19)

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Penelakut Band — Kuper Island Timber (2)

Settlement with August James and Eddie Edwards was apparently made as cheques and receipts show disbursements as follows:
August James: Sale of raft $1284.63 disbursements $1275.99
Eddie Edwards 1129.91 1064.04
leaving $8.64 unaccounted for in the former case and $65.87 in the latter.

There is, however, the matter of royalty deducted in making settlement $122.34 for August James and $107.61 for Eddie Edwards. There is
no record of either of these amounts having been sent to Ottawa.

##########

Memoranda show cedar poles cut by L Peter - 37 pcs 1405 lin ft. Federal Stumpage cheque $28.10. No record of payment to L peter or payment of Royalty to Ottawa. November 1924

Memos also refer to some 70 poles at Montague Harbor and 90 poles belonging to Eddie Edwards. No record of payments thereon or of Royalty paid to Ottawa.

##########

Receipt on file signed "Francis James" for $164.31for money paid in by Paul Leynard. No record of what for. Possibly mine timber or poles. Receipt dated April 8 1926

May 8 1926 receipt for $199.36 signed "Bazil Charlie" witness to mark "August James". money from same source.

May 20 1926 receipt for $128.75 signed "Edward Hulbertson" mark x no witness. Money from same source for 4968 ft

No further record as to what the above amounts were for was available.

##########

S & R 67918 Nov 4 1924 - 1405 lineal feet poles scaled for Baxter & Co would seem to refer to the amount of $28.10 above, paid by Federal Lumber Company account Lucien Peter.

S & R 65239 July 26 1924 - 2320 lineal feet poles scaled for Baxter & Co 62 pieces - might refer to those mentioned above as at Montague Harbor - no record of payment being received or deposited.

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Department of Indian Affairs - Duncan, B.C.

Penelakut Band — Kuper Island Logging (3)

South end:

June 30 1927 Lr Department at Ottawa accepting offer of O W Thames for this timber as follows Logs 3.00 per M; Poles 2½¢ per foot lineal; Piling 3¢ per foot lineal. Cash deposit of $1500. to be made. Yearly rental to be $140. License renewals to be 2.00 each year.

August 17 1927 Price for prop and pit timber to be 1.00 per M. feet see letter J.L.Petersen.

License was not issued until 1930 after cheque for $1690.00 #124627 drawn on account in Bank of Montreal, "A H Lomas, In Trust" was sent to Ottawa, though it was subsequently amended to cover the period of the operations herein. Returns were made by Thomson & Clark through "J. L. Petersen, Trustee" and O.W.Thames was apparently acting originally for them.

Monies were received from Thomson & Clark or on their account as follows, the same being deposited in the Bank of Montreal, account "A H Lomas, In Trust":

August 9, 1927	1692.00	Thomson & Clark - deposit, license - renewal	
10, 1928	443.25	J W Keen - exchange paid thereon .55	
Sept.13, 1928	439.75	J W Keen	
Dec. 4, 1928	627.98	J W Keen	
	1039.02	Thomson & Clark - exchange paid	1.35
Mch. 2, 1929	300.90	Thomson & Clark - do	.35
	879.37	J W Keen do	1.10
28, 1929	1727.12	Thomson & Clark do	2.15
May 27, 1929	(28.50)	Thomson & Clark for salvage - paid to "George	
July 30, 1929	783.76	Thomson & Clark - exchange paid	1.00
Aug. 19, 1929	304.48	Thomson & Clark do	.40
	329.57	Thomson & Clark do	.40
Oct. 12, 1929	4683.37	Thomson & Clark do	5.90
	13250.57	not including $28.50 which was handed over to Indian George for salvaging logs.	
	1690.00	Cheque No 124627 sent to Ottawa June 23 1930	
	11560.57	being shortage on this file	

Subsequently the following amounts were received on the above operations and severally separately sent to Ottawa by Mr W E Ditchburn, Commissioner, from the Victoria Office.
$9.00 and 50.79 sent to Ottawa September 20 1930 making total payments received on account of the above operations including the initial deposit of $1500.00; 1 years renewal 140.00; license fee 50.00; and renewal of license 2.00 - $1692.00 paid August 9 1927 - amounts to $13250.57 plus 59.79 or a total of $13310.36.

License No 219 dated 22 September 1930 covers these operations starting in 1928 when permission was given by Mr Lomas to Mr Petersen to start operations. The original cheque would appear to include the renewal license fee 2.00 and yearly rental for 1928 140.00 so there should be the following charges thereon to this date: Renewal license fee for 1929 and 1930, 4.00 and yearly rental for 1929 and 1930 280.00 or a total of $284.00 to come out of the deposit of $1500.00

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Department of Indian Affairs - Duncan, B.C.

Penekalut Band — Kuper Island Timber

South end — Thomson & Clark Operations — Schedule of logs cut and scaled

S & R No.	Date	Total	#1 Fir	#2 Fir	#3 Fir	#2 Cedar	#3 Cedar	Hemlock Balsam	Pieces	Amount due
112395	Nov.29/28	75401			74667			734	102	$ 226.20
112396		306664		273741	31518			1405	332	919.99
112397		39677			3225		35782	732	92	119.00
112398		96139			96139				223	288.42
114915	Mch 13/29	57115			57115				143	171.35
114916		62977		4088	58889				94	188.93
114917		237553	5575	193486	37889		5575	603	310	712.66
115204	21	249268		218655	30613				315	747.80
115205		23558			23558				33	70.67
115206		65329			60990			4339	100	195.99
115855	Apl 11	131322			105503			25819	262	393.97
116390	27	37003			37003				100	111.00
117115	May 15	71412			5030	26911	39471		167	214.24
117116		78965			70853			8112	162	236.90
117117		80557		18783	61774				135	241.67
117118		181594		174311	6705			578	267	544.78
119576	July 22	101493		30347	71146				190	304.48
120338	Aug. 12	109855		11670	98185				157	329.57
120964	29	385664	24232	293708	66292			1432	446	1156.99
121779	Sep. 24	181506			11155	45326	125025		373	544.52
121780		54808		10723	44085				106	164.42
121781		403315	10627	288703	102042			1943	508	1209.95
		3031175	40434	1518215	1154376	72237	200216	45697	4617	9093.50

Thomson & Clark Operations — sub to Burrard Logging Company

			Poles	Piles	#3 Fir F.B.M.		
107746	Jul.20/28	17590 lineal	17590			503	439.75
108858	Aug. 8/28	18359 do	17015	1344		521	465.69
111558	Nov. 6/28	22045 do	22045			628	551.12
111699	10	13130 do	13130			372	328.25
110442	Dec. 4/28	23535 do	23535			647	627.98)
		13200 BFM			13200	87	-----)
			93315	1344	13200	2758	2412.79

Thomson & Clark Operations — taken out by Paul Leynard

111700	Nov.10/28	3735 lineal	3735		60	74.70

Totals

#1 Fir	40434 feet	Poles 93315 feet lineal	
#2 Fir	1518215 feet	Piles 5079 feet lineal	Total Value 11580.99
#3 Fir	1167576 feet	2726825 feet	
#2 Cedar	72237 feet		
#3 Cedar	200216 feet	272453 feet	
Hemlock & Balsam		45697 feet	
4704 logs	total	3044375 feet	
average per log	647 feet		

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Department of Indian Affairs - Duncan, B.C.

Qualicum Timber	IR 16

June 16 1926 S & R 85505 O W Thames 491 piles 34315 ft lineal @ 2½¢ per foot lineal amounts to $85.79 No record of receipt No record of payment to Indians. $857.88

Letter from Ottawa authorizing a permit to cut 1500 piles from this Reserve price to be 2½¢ - March 26 1926

April 8 1926 Permit granted to O W Thames for Annie Thomas

Piles were sold through J A Westwood, 23 Kennedy Street, Nanaimo.

Letter from Thompson & Clark Timber Company Limited February 13 1920 with reference to timber taken from this Reserve by mistake owing to wrong lines being taken.
$15.55 was paid by them on December 30 1929 being for 9 boomsticks and swifters. Their cheque No 1250 was sent to T O'Connell, Indian Constable at Nanaimo for Anne Qualicum - receipt of the latter on file dated July 29 1930.

There is a question of further boomsticks and swifters taken from this land - No further correspondence on file since letter above dated February 13 1930

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Department of Indian Affairs , Duncan B C

Panquachin Band

$325.00 Department Cheque No 1299 deposited June 4 1924

Cheques were issued	18.75	Sylvester Williams
	37.50	Johnny Williams
	18.75	Joseph Harry
	82.00	A H Lomas
	12.50	Receiver General - absentees
	$16 9.50	

Paybook shows total payment to have been 312.50
12.50 sent to Ottawa
$325.00

All signatures in paybook are by mark x

No record of how the balance of $155.50 was paid - presumably in cash

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Tseycum Reserve No 4 Saanich

October 10 1921 $87.90 Provincial Government cheque No 4305 favor of A H Lomas - no record of deposit - probably cashed.

Amount was for 879 loads of gravel taken @ .10 per load $87.90

Paybook shows

Payment to have been made November 15 1921

27 shares:	26 @ 3.25	$84.50	
	1	3.40	
			$87.90

two signatures
two money orders
six signature by mark x

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Tseycum Band

$250.00 Department Cheque No 6464 deposited in "Trust Account" December 10 1929.

Triplicate paybook is inclomplete - no signatures - no receipts except for #4

Pencil memo to the effect that $13.00 owing Louis Charlie #9 also 2 shares $26.00 for wife and one child on roll under #9 ? ?

Cheques were drawn on the "Trust Account" as follows: 11444 Chief Edward $10.00: 11450 A H Lomas $250.00: 11471 Miss Rose Hagan for Cecelia (there is a receipt for this payment) and #124501 Receiver General for refund $3.00 - total $302.00

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Department cheque #662 for $3.00 subsequently sent to Chief Edwards for sundry repairs.

##################

$87.90 proceeds of cheque of Provincial Government for gravel

all signatures are by mark x except #7, 8 and 9, the latter being a money order #9879

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Tsawout Band — Saanich Bridge

February 27, 1922 Wire from Ottawa authorizing an expenditure of $2100.00

Accountable cheque $400.00 sent by Department in response to wire April 20th 1922 A H Lomas from Victoria.

Deposit in Bank of Montreal, Victoria, account "A H Lomas" 21st April 1922. Cheque favor A H Lomas $400.00 April 26th withdrawing same and closing account.

Payroll shows total wages to have been $398.25 which was apparently paid in cash with the exception of one cheque drawn from the account Bank of Montreal Duncan "A H Lomas, In Trust" - $84.00 favor of A H Lomas for Joseph & sheppard

Postal note to Ottawa for $1.75 balance of accountable cheque $400.00

Vouchers were sent to Ottawa totalling $1338.69 payment of which was apparently made by cheque direct
from Ottawa
Add to this the amount of wages spent 398.25

makes the total expenditure to have been $1736.94

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Department of Indian Affairs - Duncan, B.C.

Tsawout Band — East Saanich

$225.00 asked for fencing graveyard - December 16 1924
Department Cheque for above amound received - no record of it having been deposited in "Trust Account"

Cheques were issued on this account as follows:
for fencing $37.00 Geo Mitchell & Son: $122.20 for wages to A H Lomas:
.75 to Receiver General refund - total $159.95

statement shows payroll	175.00
accounts for fencing	49.25
refund to Department	.75
	$225.00

$14.30 Received from Provincial Government January 19, 1922 for gravel and forwarded to Ottawa by W E Ditchburn.

$250.00 was authorized as an expenditure in November 1925 on account of fire at Mrs Underwood's place. Voucher for $249.00 in favor of Sidney Mills Limited for lumber was sent in to Ottawa and paid by cheque direct from Ottawa.

##################

June 13, 1927 authority was given to expend $175.00 on repairs to Floodgate - total cost of same to be not more than $350.00 and to be shared on a fifty-fifty basis - Indians and Whites
$175.00 Department cheque received and deposited in "Trust Account" on July 25 1927.
$23.08 Department cheque No 4801 received September 19 1927 - no record of deposit - possibly cashed.

Statement shows Payroll	297.75
Accounts	98.42
	$ 396.17

no record of cheque from whites (John R Green) for their share of this $198.09.
Cheques were issued for $295.17 so the balance must have been paid out of cash received.

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$250.00 Department cheque #3462 received for expenditure on Roads deposited August 9 1927 - Cheque No 11069 for like amount sent to Ottawa April 4 1928 - amount not expended.

$250.00 Department Cheque No 1345 deposited June 11 1928
Cheque 11278 for like amount sent to Ottawa March 4 1929 - not spent.

$250.00 Department cheque No 1571 deposited May 20 1929
Cheques were issued to individual Indians totalling $250.00 for labor as per payrolls.
Additional vouchers Nos 239/47 in 1929/30 were forwarded to Ottawa on account of this work and were paid by cheque direct from Ottawa.

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Department of Indian Affairs - Duncan, B.C.

Chemainus Reserve No 13

Timber Cut and removed as per Stumpage and Royalty Accounts of the Forestry Department

S & R No.	Date	Total	#1 Fir	#2 Fir	#3 Fir	#2 Cedar	#3 Cedar	Balsam	Pieces	Amount due	Amount paid
121841	Sep.25/29	214976		119921	93457			1596	203	441.94	441.94
121842		210557		136499	70301			3757	223	434.76	434.76
122408	Oct.14	90029			51640			38389	105	180.06	90.03
122481	16	106274			8342	42508	55037	387	199	212.55	106.27
122482		434854		268972	157598			8284	476	896.60	434.35
123223	Nov.7	70378		11116	8056			51206	72	141.86	70.37
123224		78289			3317	15480	55354	4138	107	156.58	78.28
123225		136237		1337	2330			132570	150	272.61	136.23
123226		328063		213061	106334			8668	314	677.43	328.06
124026	Dec. 4	170373	1134	123190	38941			7108	155	353.64	170.37
124028		201835	3451	148348	46455			3581	197	402.23	202.26
124029		78622		932		53369	21321	3000	88	157.34	78.62
124027	5	51936			642			51294	54	103.87	51.93
124720	Jan. 8/30	341436	4198	212064	115894			9280	383	706.17	341.43
124721		45604		16097	26077			3430	74	92.81	45.60
124753	10	see below									
125198	Feb. 8	108755		3177	3791	12147	87772	1868	153	217.83	
125199		205793	6463	132125	67205				214	428.03	205.79
125200		134170		77020	57150				187	276.04	134.17
126734	Apl. 3	304788	15828	191851	90604		3080	3425	399	636.68	
126735		110376		42601	48927			18848	186	225.01	
127364	25	86800			887			85913	133	173.60	
127365		84323	4953	51762	26328	880	400		125	176.39	
127366		50082		13072	28727			8283	85	101.47	
		3644550	36027	1763145	1053003	124384	222964	445027	4282	7465.50	
120544	2ug.20/29	21445 lineal		poles		Nagel Pole Company			524	536.12	536.12
121588	Sep.20/29	11485				A A Plummer			292	287.13	287.13
124733	Jan.10/30	30425							731	760.63	
124860	21	7345							179	183.63	
130771	Aug.14	48055				Plummer Craig			1123	1201.37	
		118755							2849	2968.88	
125168	Feb. 8/30	9551 lineal		piling					167	191.02	191.02
128390	May 27	4190							67	83.80	
128676	June 5	3585							60	71.70	
128919	13	2150				G H Gates & Son			36	43.00	
		19476							330	389.52	

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Department of Indian Affairs - Duncan, B.C.

Chemainus Reserve No 13

Timber Cut and removed as per Stumpage and Royalty Accounts of the Forestry Department

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125200		134170		77020	57150				187	276.04	134.17
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126735		110376		42601	48927			18848	186	225.01	
127364	25	86800			887			85913	133	173.60	
127365		84323	4953	51762	26328	880	400		125	176.39	
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128676	June 5	3585							60	71.70	
128919	13	2150				G H Gates & Son			36	43.00	
		19476							330	389.52	

REPEAT
REPETITION

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Department of Indian Affairs - Duncan, B.C.

Songhees Reserve Road (Graveyard)

$275.00 wired from Ottawa to credit of account "A H Lomas, In Trust" in Bank of Montreal November 18 1924.

Cheques drawn on above account total $318.55

One to A H Lomas $275.00 one for 16.10 one for 7.50 and one 19.95
Statement shows

Labor	$231.45	
Supplies	23.60	
Refund	19.95	to Receiver General
	$275.00	

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Roadwork

$3000.00 was wired from Ottawa to Bank of Montreal and credited to account " A H Lomas, In Trust" on December 31 1921.
Payrolls and vouchers were submitted to Department in March 1923 totalling $3000.00 as follows:

Payrolls	2374.30
Supplies etc	193.22
Receiver General - refund	432.48

Cheques were issued from "Trust Account" for the above supplies and remittance to Ottawa and others to A H Lomas for cash. These cheques total $2842.46 so there must have been paid out of other sources $157.54 as no other cheques bear any indication they were for this work.

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$432.48 was asked for the beginning of the following fiscal year and Depa tment cheque for this amount was received and deposited in the same account July 20 1923.
This was apparently never expended as cheque No --- $432.48 was sent to Ottawa payable to Receiver General on March 18 1924.

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$500.00 Department Cheque No 1329 was deposited in account "A H Lomas, In Trust" May 26th 1925.
$500.00 was deposited on June 10 1925. There is no notation on the deposit slip but presumptionis that it was the balance asked for to be expended under this appropriation at this time, viz. $1000.00

The statement shows payrolls	864.10	
Supplies and expense for cartage &c	57.70	
Receiver General refund	78.20	cheque No 11571
	$1000.00	

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Department of Indian Affairs - Duncan, B.C.

Estate of the late Leo Charley

November 29 1926 receipt signed A H Lomas - given to A C Johnson $300.00 for purchase of sorrel team.

Receipt to A H Lomas signed Charlie Quitquarton
$120.00 funeral expenses.
30.00 Dr Garner
150.00 Ellen Leo receipt signed "Ellen Leo" December 7 1926
$300.00

December 16 1926 receipt signed A H Lomas - given to Emile Charlie for $60.00 purchase of wagon.

Receipt signed by Mrs Louis Underwood, widow of the late Leo Charlie dated July 12, 1929 covers the following
$12.00 cash re wagon
10.00 cash paid in May 1928 (see item of $40.00)
18.00 cash paid to Billy Thorne - see receipt on file from him
10.00 cash to Tommy George (no receipt) Tommy George claims never paid to him
10.00 cash to Madeline Gabourie (no receipt on file)
$60.00

May 15 1928 Receipt signed A H Lomas - to J Critchley for $30.00 for harness purchased

May 20 1928 Receipt to A H Lomas signed Mrs Leo Charlie for $40.00 covering the above item of $30.00 and cash on account of wagon as noted in settlement above $10.00

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Department of Indian Affairs - Duncan, B.C.

Estate of Chief Charley Cutsawout

Koksilah Band

When the late W R Robertson turned over the Cowichan Indian Agency to his successor, Mr A H Lomas, in October 1921, he turned over certain monies and took Mr Lomas' receipt therefor, (see copy of receipt on 'general statement'). Among this money was an amount of $438.03 which apparently was never disbursed as there is now on file in the office in Duncan lawyers' letters making claim for same.

The 'widow' known variously as 'Mrs Chief Charlie'; 'Mrs Quem' and Mrs Charley Cutsowet' through her lawyers, Aikman & Shaw, Victoria, claims this money and also further sums coming to her from the Canadian National Railway Right of Way payments (see file) $390.50. They do not make mention of the other amount under this last file $170.00 (see file) but there is no record of it ever having been paid over to her.

Another claimant is Masheal Sinsaynok, a nephew of Chief Charley and raised by him. He claims, through his lawyers, Harrison & McIntyre, Nanaimo, that he is entitled to all the estate of Chief Charley as the 'widow' had not lived with him for years as his wife and it was only towards the end of his life that she remained with him permanently and then only because she was blind and needed someone to support her. This Chief Charley did and Masheal claims she was but a 'dependent'.

However the case shows an amount of $438.03 shortage in addition to that shown on other files. Who is entitled to it I do not know.

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Estate Daniel Cushion

Will of Daniel Cushion dated July 22 1921 shows the following estate:

Balance in Canadian Bank of Commerce, Nanaimo	408.60
Victory Bond	100.00
Lot next to church lot on Reserve	

October 28 1921 Order from Ottawa approving will and appointment of A H Lomas as Administrator

Will states as follows

$100. for coffin
100. for tombstone
100. for clothing
burial expenses to be paid out of remaining cash - balance over to be paid to Lilly Stubbins
100. Victory Bond to sister Mary Brown
Lot to Edward Brown

Statement from Canadian Bank of Commerce shows:

Balance as at 20th January 1921	$408.60	
Interest 31st May 1921	5.92	
Interest to November 9 1921	4.83	
		$419.35
Withdrawal by cheque November 9 1921		419.35 favor

A H Lomas

No record of this having been deposited in bank in Duncan.

Statement of disbursements:

Cheque on "Trust Account"	100.00	Alex Henderson - monument (receipt on file)
	60.35	David Spencer Nov 9 1921 (no cheque. How paid? cash?)
Cheque on "Trust Account"	56.00	Lilly Riddell March 6 1922
	48.00	William Brown - grave digging &c November 9 1921
	155.00	McAdie Undertaking Co November 9 1921
	$419.35	
	100.00	Dominion of Canada Victory Bond No 003628-003629 - November 9 1921 to Mary Brown

In August 24, 1921 voucher #123 favor McAdie Undertaking Co $15.00 sent to Ottawa ? ? ? cheque direct from Ottawa.

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Department of Indian Affairs - Duncan, B.C.

Estate of Dan Daniels

Gravel: The City of Duncan report having paid the following amounts for gravel taken from this estate.

May 10 1927	7.70	cheque payable to	Department of Indian Affairs
Jun 6 1928	50.70	do	Indian Agent
Feb 25 1929	92.70	do	Indian Agent
Jun 2 1930	59.00	do	Indian Agent

No record of any of these amounts having been deposited in account in Bank of Montreal "A H Lomas, In Trust"

The only record of payments having been made to any heirs of this estate on above account are

#1132 August 21 1928	Addie Daniels	gravel account		10.00
#11273 February 26 28	David Antoine	do		10.00
#124543 May 23 30	Addie Daniels	do		10.00
#124544	David Antoine	do		10.00

Total receipts from City $210.10
Total payments out as above 40.00

This file shows a shortage of apparently $170.10

This can't be right
Dan Daniels of Cowichan Lake Band

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Department of Indian Affairs, Duncan, B.C.

Estate of Leo George.and Mary his ~~wife~~ mother

The first item on this file is a letter to B C Permanent & Loan Company of Victoria enquiring regarding interest coupons on two bonds, one $2000. in the name of Leo George and the other $400. in the name of Mary George his mother.

Mch 24 1923 $72.00 interest - no receipt - memorandum that $12.00 was paid to Solomon April 4 1923 and $60. April 5 1923.

$72.00 for interest coupons was received each March and September during the years 1923, 1924 and 1925 - receipts on file signed Mary her mark x $12.00 and Leo George his mark x - usually without witness. Presumption is that these amounts were all paid over o.k. as Leo was alive during this period and knew what was coming to him and usually got it.

October 17 1925 $400.00 bond in name of Mary was paid and cheque for that amount sent to A H Lomas and deposited in account " A H Lomas, In Trust - Savings Account No 2539". This account is a separate one from the main operating "Trust Account" Particulars of withdrawals from this account are shown on a separate file attached hereto - marked Estate of Mary George.

March 13 1926 $57.50 interest coupons - one receipt Leo George his mark x no witness
September 10 1926 $55.00 - no receipt
March 3, 1927 $55.00 Receipt signed Solomon George for $29.72 less account Dr Watson 2.50 for permit - also acknowledging cheque $25.23 which apparently was issued May 23 1927
Sept 12 1927 $55.00 receipt signed Emily George
March 2 1928 $55.00 no receipt

There is no record of any monies belonging to Leo or on his account being deposited in the account in Bank of Montreal "A H Lomas, In Trust" but during the above period cheques totalling $163.47 were issued marked "Leo George.

One cheque was also issued $10.00 A H Lomas for estate Mary George.

Leo George dies February 12 1928 leaving three children Solomon: Emily and Alex.

$2000.00 debenture was ordered disposed of and on March 5 1928 letter to B C Permanent & Loan Company agreeing to accept $1980.00 therefor. $1980.00 deposited in account "A H Lomas, In Trust" on March 9 1928

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Department of Indian Affairs, Duncan, B.C.

Estate of Leo George and Mary his mother

There was an account in the Bank under name of W H Gibson amounting to about $300.00 and out of this money the funeral expenses were apparently paid. There is a statement showing these to have been $313.75.

$1980.00 proceeds of sale of $2000. bond

Cheques were issued to Solomon George on various dates and for various amounts totalling $281.63
Receipts on file show further payments apparently in cash amounting to $65.00 - total $346.63

Cheques were issued to Emily George on various dates and for various amounts and for accounts for goods purchased on her account amounting to $176.74
Receipts on file show additional payments apparently in cash amounting to $82.50 and an account of Cowichan Merchants $25.00 - making the total received by Emily to have been $284.24

Cheques were issued to A H Lomas on various dates for various amounts and were marked for "estate Leo George" or "Emily George" or for "Leo George children" but I presume these are covered by the receipts on file for cash payments.

Feb 3 1930 cheque was issued to Powel & Kibler for an account for clothing for Alex $17.40
There is no record of further payments having been made either to Alex or on his account.

$1980.00	Proceeds of bond	
	Paid out to Solomon George	$346.63
	Paid out to Emily	284.24
	Paid out for Alex	17.40
648.27		
$1331.73		

This file shows an apparent shortage of $1331.73 but it is not complete and this amount may not be correct

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Estate of Mary George - mother of Leo

$400.00 Proceeds of sale of Bond
.50 Exchange on cheque
$399.50 deposited in account in Bank of Montreal, Duncan, Savings Account 2539. October 17 1925

Savings Account No 2539 - shows
$399.50 deposited November 16 1925
17.80 Sundry interest credits to May 8 1928
$417.30
Cheques of various amounts were issued on this account - last entry May 8 1928 closing account.

Receipts on file show as follows:

June 16 1926	5.45	Emily - interest
June 18 1927	30.00	Louis Gabourie - cementing grave
July 27	50.00	Emily George (out of Trust Fund 2539)
	10.00	Leo George bu mark x
	1.00	Emily
	.50	Leo George
Dec. 15	50.00	Emily George
Jany 7 1928	5.00	Joseph Elliott - wood
	22.77	Funeral supplies
	50.00	Funeral expenses - wages
	40.00	R H Whidden
	14.95	Cowichan Merchants
	35.00	Headstone
	1.50	T Shaddick - cartage of headstone
Feb. 17	32.55	Joe Duncan- balance of monies held in trust.
	348.72	

This file shows a possible shortage of $38.58

No claims have been made for this shortage so it may have been paid out and no receipts on file.

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Estate of Willie Jack - Songhees

$1091.40 cheque from E E Wooton - deposited in account "A H Lomas, In Trust" in Bank of Montreal, Duncan, February 10 1923
1.25 exchange thereon
$1090.15 net deposit.

Payments out to "Caroline"

Sundry cheques issued	25 monthly for 30. each		750.00
	1		20.00
	1		60.00
	1		25
	1		10.15
Nov 25 1925	Cowichan Merchants account	5.00	865.15
May 26 1925	do	5.00	
	? ? ?	5.00	15.00
Four receipt vouchers show cash paid to Caroline - signature by mark x and witnessed by Miss K Robertson			120.00
Three vouchers show cash paid to Caroline signature by mark x and witnessed by A H Lomas (cheque 30th July 1925 A H Lomas (marked "Caroline" included in this (amount presumably			30.00
Exchange paid on cheque E E Wooton			1.25
			$1091.40

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Estate of Samuel James

March 25 1930 $200.00 was paid to A H Lomas by Emile for purchase of land held by this estate.

$200.00 deposited in Bank of Montreal, Duncan, in separate account being Savings Account No 6342.
Investigation shows this account still open - no other entries but the one deposit - no withdrawals - balance therein $200.00

April 10 1930 $150.00 was paid into the office and retained in the Office cash box for a considerable time. This was to be on account of purchase of the same property by Johnny Billy.

$150.00 deposited in Bank of Montreal, Duncan, in separate account being Savings Account No 6471
Investigation shows this account still open - no other entries but the one deposit - no withdrawals - balance therein $150.00

Mr Graham, Indian Agent, Duncan, has the matter in hand and will decide which of the intending purchasers is to get this land and will then return to the other his deposit.

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Estate of Tom James

Died September 21, 1924 - Will dated 28th August, 1924
Approved by Inspector General on November 13 1924.
Executors: W H Gibson and A H Lomas

An account was opened in the Bank of Montreal, Savings No 4491 "Estate of Tom James" signatures required for withdrawals were to be that of both executors on each withdrawal.

The record of this account follows:

Deposits:	1925 March 12	239.22	being	Department Cheque #3926	59.22
			and	Department Cheque #7990	180.00
	Sept. 9	59.22	being	Department Cheque #3814	
	1926 May 5	180.00	being	Department Cheque #8977	
	1928 Aug. 30	.25	transferred from account of "A H Lomas, In Trust"		
		1.95	various entries of interest		
		$480.64			

Withdrawals:	Sundry cheques for debts approved as per list	87.14
	Sundry funeral expenses as per list	138.25
	Caroline: payments on her account	62.75
	Hazel: payments on her account	52.50
	Wh H. Gibson ? ? ?	20.00
	Department at Ottawa for credit of Hazel	120.00
		$480.64

Account closed August 30 1928.

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Rents are still being received on account of this estate from two sources, viz: Cowichan Golf Club, rent payable yearly in September and Vancouver Milling & Grain Company in February. As these cheques are made out to the Department of Indian Affairs the procedure is to send the same to Ottawa and voucher for the return of same payable to the Executors in Trust. The record of these follows:

August 11 1926	Voucher 175 Department Cheque #4273	$65.80	
	Reecipt of file signed "Caroline"	21.93	
	Cheque No 11760 Oct 29 1926 payable to Receiver General for Hazel	43.87	no record of any deposit therein to cover cheque
March 19 1927	Voucher No 506 Department Cheque # 2170	$180.00	
	June 13 1927 Cash to Caroline	60.00	
#	No record of what became of Hazel's amount of $120.00		
August 23 1927	Voucher 191 Department Cheque 4653	$65.80	
	November 14 Cash to Caroline	21.93	
	Money Order to Ottawa for Hazel	43.87	
Feby. 17 1928	Voucher 497 Department Cheque No 9787	$180.00	
	June 1 1928 cash to Caroline	60.00	
	Money order to Ottawa for Hazel	120.00	
August 8 1928	Voucher 222 Department Cheque 4213	$65.80	
	No record of payment to Caroline		21.93
#	No record of payment to Ottawa re Hazel		43.87

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Estate of Tom James (2)

February 1 1929	Voucher 678 Department Cheque 10079	$180.00	
	April 2 1929 cash to Caroline	60.00	
	Deposit in "A H Lomas Trust Account" and cheque withdrawal to Ottawa for Hazel		
August 21 1929	Voucher 306 Department Cheque 4525	$ 120.00	
	in the amount of	$65.80	
	No record of payment to Caroline		21.93
	No record of payment to Ottawa for Hazel		43.87
	Sundry receipts show the following payments marked for Hazel 20. 15. 2.25 1.50 and 10. making a total of $48.75 being overpayment on this amount of 4.88		
# February 1 1930	Voucher 781 Department Cheque 9734	$180.00	
	Deposited in "A H Lomas in Trust" account in Bank of Montreal	180.00	
	Cheque on same account No11495 payable to Receiver General for	120.00	for Hazel
#	No record of any payment to Caroline		60.00
August 5 1930	Voucher 295 Department Cheque 4485	$65.80	
	(This cheque payable to Miss K Robertson, Acting Indian Agent)		
	Sept 3 1930 Cash to Caroline	21.93	
	Money Order to Ottawa for Hazel	43.87	

The above record appears to be in order with the exception of the several items marked in the margin #

The voucher book shows that at various times vouchers have been sent in to Ottawa for withdrawals from the monies sent there for Hazel's account but as apparently the Department Cheques returned therefor were made out in Hazel's name I have made no investigation therein.

There are records showing payments to Hazel as follows:

December 1928 Postal Note 5.00
Cheque No 11217 on "A H Lomas In Trust" account for $5.00 marked "cash from Caroline"
July 15 1929 Cowichan Merchants $20.00
August 23 1929 Cowichan Merchants $5.00
June 20 1929 Robert Simpson Limited 8.03
26 Cowichan Merchants 10.00
8 Cheque No 11348 to G H Raley for Hazel for $10.00
October 18 1929 Cheque No 11418 to Hazel $5.00
June 12 1930 Cheque No 124819 to Hazel $10.00

Whether the money for these amounts came from Ottawa or were on account of the above monies withheld there is nothing to show.

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Department of Indian Affairs - Duncan, B.C.

Estate of Willie Joe

February 23 1929 Receipt signed A H Lomas for $80.00 to Paul White Nanaimo on account purchase of horse.

July 21 1930 Receipt signed A H Lomas for $20.00 to Paul White Nanaimo on account of purchase of horse.

Memorandum states that the purchase price of the horse was to be $110. and that consequently the balance remaining unpaid by White is $10.00 This is confirmed by White.

No record of this money having been paid out. Memorandum states certain monies were paid to Louis Gabourie for setting stone and cement on the grave of Willie Sinimatza but no amount stated and no receipt on file.

Tommy George (Big Foot Tommy) through his lawyers Messrs Jackson, & Baugh Allen, Victoria, B.C. is making claim for this amount of $100.00, as nearest heir. ? ? ?

This file showa a shortage of $100.00

Tommy George also claims

$60.00 for stumpage on piles @ 2¢ per foot lineal taken off his land by John Evans Jr. No monies have as yet been paid on this aaccount by Mr Evans - Mr Graham has the matter in hand and is trying to effect collection of the account.

$10.00 amount receipted for by Mrs Leo Charley as owing by the estate of the late Leo Charley to Tommy George - (see file Estate Leo George) Tommy states this amount never paid to him.

This file shows shortage of $10.00

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Department of Indian Affairs - Duncan, B.C.

Estate Charley Sulsulth

Charley Sulsulth, an Indian of the Cowichan Band, living at Fulford Harbor, Salt Spring Island, on the Indian Reserve there, was reported missing on 12th March 1923, his wife also being reported missing. Investigation was made and although their bodies were not found it was decided they were drowned as their canoe was found either floating or stranded. Letter on file from A H Lomas to Otway Wilkie, Provincial Constable at Victoria, March 28 1923 sets out facts as then known. No direct heirs - nearest relatives Bob Klutwhalim (a brother ?) and some nephews and nieces. Above letter mentions a sum of $300. to have been found in the house by Prov. Constable Rogers, who conducted the investigation but the list of goods and chattels on file in the Duncan office makes no mention of any cash.

Bob Klutwhalim sometime in July or August of this year made application for this money at the Indian Office in Duncan which brought the matter to our attention. On it being brought to Mr Lomas' attention previous to the trial he admitted having received the money, which he stated was put in the "Trust Account". There is, however, no record of this having been so placed, at least no deposit which shows that amount 'earmarked' although on October 2 1923 there is a deposit of that amount $300. though nothing on the deposit slip makes mention of what it covers.

On further investigation a report was received from Constable D O Tweedhope #318, Ganges Detachment. In this report it is stated that $100. in gold and $200. in bills was found in a purse in the house, by Constable Rogers. This was by him handed over to one George Fisher (a nephew ?) as 'next of kin'. Subsequently Mr. Lomas, accompanied by a "tall man about 40 years old" went over to

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Estate of Charley Sulsulth (2)

to the Island and George Fisher have him the purse with the money still in it. The report states Mr Lomas counted the money and put it in his pocket handing the purse back to Fisher "as a keepsake".

There is no record of any claim having been made for this money by Fisher or any of the other nieces or nephews until Bob Klutwhalim made claim for it last July or August.

This file shows a shortage, therefore, of $300.00

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Copy of Receipt signed "A H Lomas"

October 14,1921 Whem W R Robertson, retiring Indian Agent, turned over the office to A H Lomas, newly appointed Indian Agent, he turned over certain cash and cheques and took from him a receipt bearing the above date for $566.29

On the back of this receipt is enumerated the particulars of the amount as follows:

438.03	Estate Charley Cussowet	
	Gold 15 20s	300.00
	2 10s	20.00
	Silver	2.50
	Copper	.03
	Refund cheque George	15.50
	Bills - 1 packet	50.00
	Bills - 1 packet	50.00
9.50	Cash re Genoa Bay Lumber Co	
.61	Mary Anna "Moses' daughter"	
10.00	Alex Hulkanim	
5.50	Charley Skocqualin	
101.15	New Ladysmith Lumber Co	
1.50	Mrs Sulqualim	
$566.29		

There is no record of any kind of what became of these amounts.

There is a claim now for the item $438.03 - see file marked "Estate Charley Cutsowout"
What the balance of the amount was for and what became of it is not shown.

This file shows a shortage but of how much one cannot tell.
record is taken of the shortage re Charley Cussowout in another file.

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Office Cash Box

Certain advances were made by A H Lomas by cheque out of the account in Bank of Montreal "A H Lomas, IN Trust" to certain Indians and others prior to his suspension.

Subsequent thereto monies came through from Ottawa in payment of vouchers sent in and these amounts as follows were refunded by those to whom the advances were made as follows:

James Jimmie	40.00
Andy Peall	5.60
Josie Jim	11.25
Edward Peall	9.38
W A McIntosh	40.00
	$106.23

This amount was deposited in the Bank of Montreal, account Department of Indian Affairs, in December 1930.

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"Joe Smaquaset"

Memoranda show that when Joe went to Yakima to bring his wife back to Duncan she left behind her certain monies buried. She told her children where it was and they located certain amounts and paid them over to Mr A H Lomas.

Receipts found in the desk in drawer on right hand - topside signed by Joe Smaquaset - witness A H Lomas for $december 23 1922 $50.00 and on February 26 1923 $58.00 apparently refer to this money.

Cheque dated February 26 1923 $58.00 drawn on account in Bank of Montreal "A H Lomas In Trust" favor of Joe Smaquaset - Yakima affair. Endorsed by same.

There were also two cheques drawn on this account previously thereto
December 22 1922 $76.00 favor A H Lomas for "Indian Smaquaset"
February 15 1923 $24.30 favor A H Lomas for "Smaquaset"
What these were for does not appear unless they too refer to the moneys found in Yakima.

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Mishael Suisaynock

Mishael came into the office in Duncan when the writer was there with reference to an amount of money claimed to be in the vault for safe keeping.

He produced a receipt - copy of which is given below:

" Department of Indian Affairs

Duncan

July 14th 30

Received from Mrs Machell the
sum of $40.00 to be kept in vault

A H Lomas
Indian Agent "

Mishael states that Mr Lomas paid to him in cash an amount of $20.00 on Saturday August 30, 1930 - no receipt therefor taken from him.

He states he has not received any of the balance $20.00

He has been in the Duncan Office periodically since then to see when he will get balance coming to him

This file shows a shortage of $20.00

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Department of Indian Affairs - Duncan, B.C.

"Stump puller"

Recommendation by A H Lomas to Department at Ottawa that it was advisable that Department purchase a stumppuller with chains etc and other equipment - also supply a certain amount of free powder to induce Indians to do more clearing of their land which at present showed stumps of trees cut and taken away.

$400.00 Department Cheque #3875 deposited in account "A H Lomas, In Trust" in Bank of Montreal, Duncan, April 1 1924

Letter on file states this was an accountable cheque for purchase of stumppuller - approximate cost $300.00 balance for chains etc

Letter at the end of fiscal year 1924-5 asking for an accounting

Letter in reply from A H Lomas stating it was expected stumpuller etc would be delivered in May following and asking that the money be left here in order to avoid sending it back for the end of the fiscal year and re-vouchering for it again in the new year.

Letter from Department agreeing to this.

No further correspondence on file

No record of stumppuller ever having been bought.

This file shows a shortage of $400.00

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Department of Indian Affairs - Duncan, B.C.

Yakima — Indians Stranded - no funds

$250.00 wire from Ottawa to Bank of Montreal October 17 1922

Cheque October 17 192 A H Lomas 250.00

October 25 1922 redeposit $235.00

March 29 1923 cheque to Receiver General 250.00 refunding the amount as it was found on investigation that there was no need for expenditure of any of this sum. Reported stranding of indians there proved to be an error.

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Department of Indian Affairs - Duncan, B.C.

Leases

Cowichan Reserve — Theik — Charles Klein

December 6 1926 - Logging Right of Way - 10 ft wide approximately 1000 feet long - rent $25.00 yearly
Lease for one year only - $25.00 sent to Ottawa - acknowledged December 22 1926 by letter

##########

Cowichan Bay — Baxter & Company

May 11 1929 - dumping ground - Frank Jack holdings - one year
Receipt signed Frank Jack by mark x for rental $16.00 31 July 29

August 14 1929 - booming ground - one year $40.00 rent
Receipt signed Joe Jack by mark x October 4 1929 $40.00 rent

December 3 1929 asks for one year's renewal January 1 1930 to January 1 1931 - offers 7.00 per month - letter December 3 1929 enclosed cheque for first month's rental $7.00. This was returned in letter asking for cheque for $84.00 being one year's rental as applied for.
No record of any reply - no record of cheque having been received.

##########

J J Finnerty

June 18 1928 Received from J J Finnerty $25.00 being six months' rent of property belonging to "Katherine" from March 1 1928.
June 12 1930 received $75.00 being eighteen months rent of same property - duration of lease two years - expired.
Record shows these amounts sent to Ottawa and returned to Katherine
Cheque 3924 $25.00 - cheque 3032 $75.00

##########

Koksilah — B Young

$40.00 per year - two years - Willie Louie - to May 1 1929
Rent paid and sent to Ottawa and returned to Willie - cheques 1360 for $40.00 and 745 $40.00
$80.00 per year - two years paid to May 1 1931 and sent to Ottawa and returned to Willie - cheques 2266 $60.00 and 1196 $80.00
lease apparently still in force

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Department of Indian Affairs - Duncan, B.C.

Leases (2)

Cowichan Reserve | Kil paw las | Paul Leynard

January 30 1928 - Right of Way - 6 month's term - rental $15.00
Cheque paid and sent to Ottawa - returned to Robbie Daniels
Voucher No 456 - cheque 9582. Temporary Discontinued

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Cowichan | Ben Churchill

Lease to Ben Churchill from April 1 1928 - rent $200.00 per year payable quarterly in March: June: September and December.
Rentals paid regularly up to October 1 1930 and sent to Ottawa - cheques having been returned payable to Mrs Sammie Charlie.
Lease still in force.

####################

Cowichan | Charles Pitt

Temporary lease - one year to November 13 1929 - Stephen Alex
$50.00 paid and sent to Ottawa - returned cheque No 6669.
discontinued

Lease - $40.00 yearly - Johnny George - payable $40.00 April and October each year - all paid to September 1 1930 - cheques sent to Ottawa and returned payable to Johnny George.
still in force

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City of Duncan - rent of pipe line - $5.00 paid to April 5 1923
sent to Ottawa and returned to Mrs Maude Daniels - discontinued

####################

Grassie & Anderson - Gray Bros.

Lease - Mrs Charley Quitquarton - $120.00 yearly payable half-yearly. all rents paid to October 15 1927 when additional property was placed under lease and yearly rental thereafter to be $240.00 payable half-yearly. All rents paid up to August 1 1930 and sent to Ottawa - cheques being received back for Mrs Charley. still in force

####################

Albert Andersen

Lease - Mrs Charley Quitquarton - September 15 1929.
$60.00 yearly - paid to September 15 1930. - sent to Ottawa and returned to Mrs Charley Quitquarton.

still in force

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Leases (3)

Cowichan Reserve — Cowichan — Vancouver M & Gr Compan

Lease from February 1925 - Estate of Tom James - $180.00 yearly. rents paid to February 1931 and sent to Ottawa - cheques having been returned - primarily to Tom James - latterly to executors of Estate of Tom James - ~~xxxx~~ A H Lomas - see file of Estate of Tom James. still in force

##########

Cowichan — A R Wilson

Lease - Mrs Maude Daniels - Estate Dan Daniels - April 15 1922 $50.00 yearly - two years' rental paid ($100.00) and sent to Ottawa in separate amounts of $50.00 and returned by cheques to Mrs Maude Daniels. temporary discontinued

##########

Cowichan — Cowichan Merchants Ltd

Lease - warehouse site - Estate Charley Quitquarton - rental $60.00 yearly - rental all paid to January 1931 and sent to Ottawa and returned by cheques payable to Chief Charley formerly and now to Mrs Charley still in force

Lease of Parking space - same estate $60.00 per year - rent paid for two years to May 1925 - sent to Ottawa and returned with cheque. lease discontinued Property now leased Gray Bros

##########

Chemainus Reserve No 12 — Victoria L & M Co Ltd

Lease - Right of Way - $20.00 yearly - all rents paid and sent to Ottawa up to January 1931. still in force

##########

Timberland Lumber Co

Lease - foreshore - J G Robson - Timberland Lumber Company Rental $160.50 yearly paid to January 1930 - then relinquished

Lease - right of way - pearly rental $100.00 per year from July 1923. Rental $100.00 yearly paid to July 1930 - relinquished

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Leases (4)

Chemainus Reserve No 12 — Canadian Colleries

Lease - Right of Way - - yearly rental $30.00
Rents all paid and sent to Ottawa to August 31 1930.
still in force

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Chemainus Reserve No 13 — Benjamin Morgan

Leqse - Right of Way - Pole Road - one year - Rental $50.00 haly-yearly
Two cheques paid $50.00 each and sent to Ottawa.
discontinued

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Cowichan Lake — William Grosskleg

Lease - millsite - Lake Cowichan - from January 1928.
$42.50 half-yearly rental paid for one and a half years to June 30 1929 and sent to Ottawa.
Grosskleg then sold his mill to D Mottishaw - since then no record of any rentals having been collected. Mill still there and agent in Duncan trying to collect.
Grosskleg applied for discontinuance of his lease - no record of its having been transferred to Mottishaw.
Operative yet

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F C M Boulton

Lease - A Livingston property - $24.00 haly yearly rentals paid from April 20 1923 to December 31 1930 - all sent to Ottawa and cheques returned payable A Livingston.
still in force

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Malahat Reserve — Oliphant Timber Company

Lease - Right of Way - June 1923 - $125.00 one year's rental collected and sent to Ottawa. Company out of business - no further rentals collected - lease discontinued

##################

HollingsBros - Peden
Quadra Land Company

Lease - Right of Way - at first $50.00 per year - two year's rental $100. collected from Hollings Bros and sent to Ottawa - paid to July 19 1924.
Rental then to be $100.00 yearly - Quadra Land Company. Rentals paid to July 1928 and sent to Ottawa.
Temporary Right of Way overother property leased March 1926

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Leases (5)

Malahat Reserve — Quadra Land Co - continued

$50.00 first payment sent to Ottawa by W E Ditchburn January 1926.
$100.00 subsequently sent by Duncan office paying rental for years 1927 and 1928.
April 20 1928 - new lease made covering both properties - total rantal now to be $100.00 yearly.
$100.00 to July 19 1929 was paid and sent to Ottawa.
$100.00 to July 19 1930 was paid together with $25.00 additional for an attidional piece of property to be included. $125.00 sent to Ottawa - negotiations still on with reference to the additional $25.00. see correspondence

lease still in force

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H R McMillan Company

Lease - Right of Way and landing
$150.00 paid January 18 1929 and $150.00 paid February 25 1930.
Rents therefore paid to January 1931 - sent to Ottawa.

still in force

##########

Esquimalt Reserve — J H Todd & Sons

Lease - cannery site - 2 acres and foreshore
$100.00 yearly rental paid until February 22 1931 - all sent to Ottawa.

still in force

##########

Penelakut Reserve — Bayne Bay - Portier Pass — Union Oil Company

Lease - Mooring for barge - $25.00 yearly paid for two years to January 18 1931.
Lease - Right of Way and shed - $25.00 yearly paid for two years to January 18 1931.
New arrangement now that total for both leases to be $50.00 yearly.

still in force

##########

Home Oil Company

Lease - mooring for barge - $25.00 yearly paid for two years to January 1931 - sent to Ottawa

still in force

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Leases (6)

Penelakut Reserve — Tsussie — Hong Hing Company

Lease - property belonging to Old Bob: Chief Edward; Dan Johnson. 2 years duration $240.00 per year - paid for 1928 and 1929 and sent to Ottawa - individual cheques returned payable to above named property owners.

discontinued

Lease - property belonging to Chief Edward and Dan H Johnson 2 years duration - $140.00 per year - paid for 1928 and 1929 and sent to Ottawa - individual cheques returned payable to above named property owners.

discontinued

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Qualicum Reserve — Horace Johnson

Temporary lease - Right of Way - three months duration. $300.00 cheque sent to Ottawa - returned voucher 507/8 cheque 929/30

discontinued

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Saanich Reserve — Panquachin — R J Gwynne

Rental - surplus water - $18.00 yearly for 1923; 1924 and 1925. sent to Ottawa and returned by cheques 3868; 5238; 3812.

discontinued

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Cowichan Reserve — Theik — Baxter & Company

Temporary lease - one year - Frank Johnny - $84.00 paid and sent to Ottawa - returned cheque No 872 payable to Frank Johnny.

discontinued

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J Hutchinson

Rental - pumping outfit - $5.00 annual paid for 1924 1924 1925 and 1926 and sent to Ottawa and returned by cheques payable to James Kapeal

C Klein

Temporary Right of Way - $25.00 paid for one year 1927 and sent to Ottawa - returned by cheque No 7893.

both discontinued

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Leases (7)

Songhees — W A Blaydon

Lease - one year - store and living rooms - Mrs Emma Gunion - $20. mo
1921 & 1922 - two cheques $60.00 each received and sent to Ottawa
cheques sent back payable to Mrs Gunion. no record of balance

Lease - two years 1922 and 1923 - Edward B Leonard - $240.00 sent
to Ottawa in quarterly cheques of $60.00 - cheques received back
payable to Mrs Gunion.

James Fulton

Lease - five years - renewed for further term
June 1st 1923 - rental $10.00 per month
Payments made quarterly $30.00 and sent to Ottawa - cheques being
received back for Mrs Gunion. Final payment made in 1929 and
letter to Department asking for cancellation of lease - April 29 1930

Fourteen cheques were issued on the account "A H Lomas, In Trust"
although very few if any of the amounts for rentals paid were deposited.

now discontinued

####################

Hallalt — E J Pinson

Lease - Machael Louis - 4 acres - 5 years from November 15 1922

Five remittances of $75. sent to Ottawa and cheques therefor received
back for Machael Louis

Renewal for further period of five years.
Three remittances of $75.00 sent to Ottawa and cheques therefor
received back for Machael Louis.
Rent paid to November 15 1930. still in force

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Cowichan — Cowichan Golg Club

$784.57 yearly rental paid up to July 21 1924
$833.63 yearly rental paid since that date. Paid to July 21 1931.
Sent to Ottawa - cheques returned in favor of the individual owners
of property under lease.

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Bank of Montreal account "A H Lomas, In Trust"

Date	Deposit	Explanation	Remarks
1921			
Dec. 31	3000.00	None	Amount wired from Ottawa in connection with roadwork on Songhees Reserve.
1922			
Jan. 10	2400.00	None	Maybe part of $2500.00 cheque sent to W E Ditchburn and by him endorsed to A H Lomas in connection with payment to Chemainus Band re timber
Apl. 21	122.60	50.00 Department Ch 72.60 do	Expense advance travel A H Lomas Expense Ch travel
May 31	300.00	Dept Ch 1324	Cowichan Lake Band Distribution
July 8	1500.00	Dept Ch 2387	Nanaimo Band Distribution
Sept. 7	27.00	Cash 22.00 Ch 5.00	
Oct. 17	250.00	Wire from Ottawa	Stranded Indians at Yakima (returned to Ottawa ch Mch 29/22
25	535.00	235. cash 300.00 Dept ch	Hallalt Band
1923			
Jany 27	700.00	425.00 275.00 Dept Ch	Maybe Dept Ch 5803 Chemainus Band Distribution Hallalt Band
Feby 10	1090.15	1091.40 1.25 exchange	Willie Jack Estate
Mch. 31	100.00	cash	
May 1	2000.00	Dept Ch 234 or 423	Nanaimo Band Distribution
14	4350.00	350.00 Dept Ch 1081 4000.00 Dept Ch 1080	Esquimalt Band Distribution Nanaimo Band Distribution
July 20	432.48	Dept Ch 2243	Songhees Reserve
Sept 29	100.00	Hollings Bros	Malahat Reserve - two years rental of Right of Way July 1922 to 1924
Oct. 2	300.00		Might be Charley Sulsulth Estate
Dec. 1	1700.00	Dept Ch 5118	Nanaimo Band Distribution
	18907.23	forward	

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Bank of Montreal account "A H Lomas, In Trust" (2)

Date	Deposit	Explanation	Remarks
1924	18907.23	forward from previous page	
Apl. 1	400.00	Dept. Ch. 3875	Advance for stump-puller etc.
3	30.00	Cash	Maybe Fulton rental Gunion lease
8	20.00		
9	100.00	Dept. Ch. 1	Advance Expense Travel
19	450.00		
May 14	2000.00	Dept Ch 607	Nanaimo Band Distribution
June 4	725.00	100.00 cash 100.00 ? 200.00 Dept Ch 1497 325.00 Dept Ch 1299	 Comox Band Distribution Panquachin Band Distribution
July 9	19.10	4.10 15.00	
19	25.00	64.57 cheque 39.57 cash withdrawn	
31	7.50		
Aug.11	64.65	18.25 46.40	
23	125.00		
Sept 8	105.50		
11	33.18		
Oct. 8	15.00		
11	213.44		
Nov.12	1735.00	35.00 cash 1700.00 Dept Ch 5171	 Nanaimo Band Distribution
17	14912.00		Canadian National Railway Right of Way distribution Cowichan and Somenos Bands
18	275.00	Dept Ch	Songhees Cemetry
Dec. 2	200.00		
8	1060.20		Malahat Cedar Poles sale Carey & Amphlett cheque
1925			
May 23	499.40	500.00 Sidney Mills .60 exchange	Penelakut Band Kuper Island logs
	41922.20	forward	

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Bank of Montreal Account "A H Lomas, In Trust" (3)

Date		Deposit	Explanation		Remarks
1925		41922.20	forward from previous page		
May	26	800.00	300.00	Dept Ch 1306	Penelakut Band - advance for purchase of team
			500.00	Dept Ch 1329	Songhees Reserve roadwork
June	10	999.70	500.00	Dept Ch	Songhees Reserve roadwork
			500.00	Sidney Mills	Penelakut Band
			.30	exchange	Kuper Island logs
July	9	781.19	782.14	Sidney Mills	Penelakut Band
			.95	exchange	Kuper Island logs
Aug.	31	1605.00	Dept Ch 3487		Malahat Band Distribution
Sept	17	218.02			
Oct.	1	1500.00	Telegram from Ottawa		Cowichan River Protection Work
	2	2985.51	2000.00	Dept Ch	Cowichan River Protection Work
			985.51	Dawson & Thomas	Puntledge Reserve Sale of timber
	27	2283.03	#719	Dawson & Thomas	Puntledge Reserve Sale of timber
	29	725.99	726.89	Dawson & T	Puntledge Reserve
			.90	exchange	Sale of timber
Nov.	16	50.00	cash		
Dec.	9	3839.04	Dawson & Thomas		Puntledge Reserve Sale of timber
	29	3550.00	Dept Ch 6945		Comox Band Distribution
1926					
Jany	25	56.60	109.00		
			52.40	withdrawn	
Mch.	29	372.53	71.43		
			28.10	Federal Lmbr	Penelakut Band timber
			273.00		
Apl.	12	180.00	Tom James Est Ch		Deposited in error see cheque withdrawing same and redeposit in "Estate Thomas James"
		600.00	Dept Ch 368		Chemainus Band Distribution
June	21	857.88			may be Dawson & Thomas ? ?
Aug.	18	1336.72	Dawson & Thomas		Penelakut Band Sale of timber
Oct.	6	800.00	Dept Ch 2232		Quamichan Breakwater repairs
Dec.	7	3970.00	2870.00	Dept Ch 6723	Malahat Band Distribution
		69433.41	1100.00	Dept Ch 6100	Nanaimo Band Distribution

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Bank of Montreal account "A H Lomas, In Trust"

Date		Deposit	Explanation	Remarks
1927		69433.41	forward from previous page	
Mch.	3	32.00	cash	
Apl.	1	100.00		
May	10	650.00	Dept Ch 920	Nanaimo Band Distribution
July	25	165.00	Dept Ch 3443 175.00 less cash 10.00	Tsawout Seawall Repairs
Aug.	9	1942.00	1692.00 Thompson & Clark 250.00 Dept Ch 3462	Penelakut Band Kuper Island Timber East Saanich Road Improve'ts
	31	160.00	Dept Ch 4407	Nanaimo Band Rodds & ditches
Sept	1	50.00	Telegram Victoria	Sandy Joe
	2	1350.00	Dept Ch 4193	Malahat Band Distribution
	26	3000.00	1500.00 Dept Ch 4778 1500.00 Dept Ch 4851	Comox Band Distribution Nanaimo Band Church Construction advance
Nov.	14	1500.00	Dept Ch 6377	Nanaimo Band - Church Constr.
Dec.	21	650.00	Dept Ch 6340	Nanaimo Band Distribution
1928				
Jany	5	2000.00	Telegram Ottawa	Nanaimo Band - Church Constr.
Feb.	15	250.00	Dept Ch 8211	Cowichan Lake Band Distribut'n
Mch.	13	1980.00	Can Perm Corp'n	Leo George Estate Sale of bonds
May	9	650.00	Dept Ch 1060	Nanaimo Band Distribution
June	9	50.00	Cash	
	11	250.00	Dept Ch 1345	East Saanich Road Improve'ts
July	4	25.00	Cash	Maybe Finnerty 6 month's rent for Katherine
	14	25.00	Department Ch 1400	
	23	100.00	Dept Ch 1572 45.58	A.H.L. for Fuel & light
	26	297.40	297.75 Baxter & Co .35 exchange	Cowichan Reserve No 1 Cedar Poles
Aug.	10	1514.33	Dept Ch 3453 1071.63 J W Kean 443.25 exchange .55	Halhalt Band Distribution Penelakut Band Kuper Island timber
		86174.14	forward	

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Bank of Montreal Account "A H Lomas, In Trust" (5)

Date	Deposit	Explanation	Remarks
1928	86174.14	forward from previous page	
Sept 1	.25	cash	apparently to offset transfer of like amount to account of "Estate of Tom James"
13	306.25	306.60 Baxter & Co .35 exchange	Cowichan Reserve No 1 Cedar Poles
	439.75	440.30 J W Kean .55 exchange	Penelakut Band Kuper Island timber
Oct.11	500.00	Telegram Ottawa	Cowichan River Protection Work
Nov.30	40.00	cash	
Dec. 4	4902.88	1039.02 Thompson 1.35 Ex. & Clark 1200.00 Dep Ch 6687 1300.00 Dep Ch 6761 677.07 Scottish .80 exchange 627.98 J W Kean .80 exchange 61.91 Scottish 15 exchange	Penelakut Band Kuper Island timber Malahat Band Distribution Nanaimo Band Distribution Skutz Falls timber Penelakut Band Kuper Island Timber Skutz Falls timber
1929			
Mch. 2	1178.82	879.37 J W Kean 1.10 exchange 300.90 Thompson & C .35 exchange	Penelakut Band Kuper Island timber Penelakut Band Kuper Island Timber
28	1724.97	1727.12 Thompson & C 2.15 exchange	do
Apl. 2	120.00	cash	Probably from "Estate of Tom James" as there is cheque for like amount sent to Ottawa for Delia James
May 20	250.00	Dep Ch 1571	Tsawout Band Roadwork advance
27	28.50	Thompson & Clark	for Indian George for salvage
Jul.30	782.76	do 783.76 1.00 exch.	Penelakut Band Kuper Island Timber
Aug 19	633.25	304.48 Thompson & 329.57 Clarke .80 exchange	do
Oct 12	7162.11	4683.37 Thomson & C 5.90 exchange 489.37 Bevan 482.72 Bevan 189.07 Bevan 823.25 Plummer 501.23 Dept Ch	do Cowichan Reserve No 1 timber do do 1. exch do Hallalt Band Distribution
	104243.68		

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Bank of Montreal Account "A H Lomas, In Trust" (6)

Date	Deposit	Explanation	Remarks
1929	104243.68	forward from previous page	
Oct. 21	875.57	876.67 Plummer	Cowichan Reserve No 1 timber
		1.10 exchange	
Dec. 10	2490.99	774.09 Bevan	do
		566.90 Bevan	do
		900.00 Dep Ch 6596	Nanaimo Band Distribution
		250.00 Dep Ch 6464	Tseycum Band adv re erect piles
1930			
Feb. 8	1746.06	832.28 Thurston &	Chemainus Reserve No 13 timber
		391.15 Flavelle	do
		524.88 do	do
		2.25 exchange	
Mch. 15	1289.46	Thurston & Flavelle	do
22	180.00	Dept Ch 9734	Estate Tom James
May 8	1569.66	385.56 Thufston	Chemainus Reserve No 13 timber
		.45 exchange	
		928.80 Bevan	Cowichan Reserve No 1 timber
		255.75 Dep Ch 278	Lyackson Band Distribution
12	405.87	Bevan	Cowichan Reserve No 1 timber
29	1502.25	900.00 Dept Ch 1821	Nanaimo Band Distribution
		602.25 Bevan	Cowichan Reserve No 1 timber
	$ 114303.54	total of deposits in this account at the time of suspension of A H Lomas as Indian Agent at Duncan, B.C.	

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Bank of Montreal account "A H Lomas, In Trust" (7)

In the following record of cheques drawn on this account those during the period from January 10 1922 until February 11 1924 were drawn on the ordinary blue form of cheque in use by customers of the Bank of Montreal - no number on cheques. Subsequently thereto a form of cheque printed by the Indian Department and in use in offices of the department was used. These cheques bore consecutive numbers.

Date 1922	Check No	Amount	Payee	Explanation on cheque
Jan.10		100.00	Alex. Henderson	Re estate Daniel Cushion
19		53.19	Harry Smith, Indian	
		141.84	Moses Semo, Indian	
		35.46	Tommy Dick, Indian	
		70.92	Tom Semo, "	
		70.92	Indian Alexis	
		17.73	Edward Sweeney	
		124.11	Eli Sampson	
		106.38	Matice Johnny	
		35.46	Louis Jim	
		35.46	Jim Claune	
		17.73	August Frenchy	
		88.65	Joe Whatwholatze	
		70.92	Patrick Lewis	
		35.46	Jack Norris	
		35.46	Frenchy	
		17.73	Alex Kaskalano	
		141.84	Louis Alex	
		17.73	Modeste Bob	
		70.92	Mrs Frank Semo	
		53.19	Casey Gibson	
		53.19	Johnny George	
		159.57	David Jack	
		141.84	Philip Frenchy	
		17.73	George Gibson	
24		35.46	Charley Sullsumpton	
27		35.46	Joseph Semo	
		124.11	James Mitchell	
		35.46	Francis Ambrose	
		35.46	Jimmy Moodie	
Feb. 7		53.19	August Charley Harris	
		35.46	Cash	(endorsed A H Lomas)
		1.00	voucher by bank for cheque book	
		159.57	Charley Harris	
		53.19	Hazel	
		35.46	Mitchell Michael	
		106.38	Harry Mitchell	
11		17.73	A H Lomas	? ? ?
15		25.00	A H Lomas	Advance for travelling
20		141.84	George Mitchell	
21		35.46	Skookum Joe	
Mch 4		16.50	Cash	Madeline 5.50 Billy Joe 11.00
6		56.00	Lilly Riddle	Estate Daniel Cushion
9		50.00	A H Lomas	Advance for travelling
18		40.00	A H Lomas	Advance for travelling
		2806.16	forward	

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Bank of Montreal account "A H Lomas, In Trust" (8)

Date	Cheque No	Amount	Payee	Explanation on cheque
1922		2806.16		forward from previous page
Apl.	4	16.00	Simon Johns	
		718.60	Cash	(Songhees Road) ? ? ?
	13	48.50	Cash	
	18	360.60	A H Lomas	(Songhees Road) ? ? ?
May	3	779.60	A H Lomas	do ? ? ?
	4	38.49	E G Prior & Co	
	10	191.20	A H Lomas	Songhees Road
	15	73.96	A H Lomas	
	22	84.00	A H Lomas	Saanich Bridge C Joseph George Sheppard
	27	22.20	A H Lomas	Lucien Peter
June	5	40.00	A H Lomas	Advance travel
	xxxxx	10.00	H Willie	(also for cash advance travel
	9	15.00	A H Lomas	Adv West Coast Dan
	10	7.40	Henry Jack	for 2 children
	12	26.00	A H Lomas	
	16	104.40	Lemon & Gonnason	(Songhees Road)
		21.00	A H Lomas	Songhees
	20	5.03	E G Prior & Co	Songhees
	24	17.00	A H Lomas	
	27	9.25	F Halhed	Launch hire
	28	148.50	A H Lomas	Cowichan Lake Indians
		136.25	Alfred David Livingston	Clooose
July	8	23.30	A H Lomas	Songhees
	12	5.00	Harry Willie	(travel expenses)
	13	45.30	Hudson Bay Co Land Dept	
Aug.	10	1300.00	A H Lomas	Nanaimo distribution
	12	32.00	A H Lomas	do
	16	29.00	A H Lomas	do
	25	45.00	A H Lomas	Alex Johnny Nanaimo
	26	26.40	A H Lomas	
Sept	7	134.00	A H Lomas	
Oct.	17	250.00	A H Lomas	
	27	31.50	A H Lomas	
Nov.	7	16.25	A H Lomas	
	13	28.00	A H Lomas	
Dec.	14	31.00	A H Lomas	
	18	40.00	A H Lomas	Travel
	22	76.00	A H Lomas	Indian Smaquaset
1923				
Jan.	3	25.00	J Marsh, Central	Garage Dec. Acct
	9	75.00	Receiver General	(Pinson Rent)
	27	22.00	A H Lomas	
Feb.	8	28.55	A H Lomas	Halalt
	9	200.00	Madeline Norris	Improvements Hayes property
		375.00	A H Lomas	Halalt Band
	12	30.00	Caroline Jack	Estate Willie Jack
	15	24.30	A H Lomas	Smaquaset
	20	20.00	A H Lomas	Adv Travel
	26	58.00	Jos Smaquaset	Yakima affair
Mch.	8	46.00	A H Lomas	
	13	15.50	A H Lomas	
		8711.24	forward	

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Bank of Montreal account "A H Lomas, In Trust" (9)

Date	Cheque No	Amount	Payee	Explanation on cheque
1923		8711.24	forward from previous page	
Mch. 14		30.00	Caroline, Indian	Estate Willie Jack
15		25.00	A H Lomas	Advance travel
17		425.00	A H Lomas	Dist Chemainus Bay Band
19		10.00	James' Marsh	(Garage account) ? ?
26		432.48	Receiver General	(Songhees Road)
29		250.00	Receiver General	
Apl. 5		34.99	John May	Old Nanaimo School repairs
16		30.00	Caroline Jack, Indian	
21		11.25	A H Lomas	timber
24		65.01	Receiver General	
May 11		27.00	A H Lomas	Adv travel
14		25.00	A H Lomas	
		30.00	Caroline Jack	Estate Willie Jack
16		10.00	New England Cafe	Travel
21		20.00	Henry James	Nanaimo acct 176
23		21.00	A H Lomas	
29		20.00	A H Lomas	
June 2		5400.00	A H Lomas	
5		221.90	Isaac Jones	
7		9.10	Henry James	
8		54.95	Jas Marsh, Central Garage	May ac car
		61.20	Billy Yacklim	
12		26.00	A H Lomas	
14		18.50	A H Lomas	Nanaimo dist
15		30.00	Caroline Jack	June allowance
18		10.00	A H Lomas	advance travel
23		203.70	Alex Johnny	
		17.00	A H Lomas	Nan Ac
July 4		26.93	Jas Marsh, Central Garage	
6		24.50	A H Lomas	
8		11.50	A H Lomas	
10		30.00	A H Lomas	Adv travel
14		30.00	Caroline Jack	Willie Jack estate
18		8.25	A H Lomas	
19		11.40	A H Lomas	Nanaimo
Aug. 1		33.91	Jas Marsh, Central Garage	
10		20.00	A H Lomas	Travel
15		11.00	A H Lomas	Quamachin ac
16		30.00	Caroline Jack	Estate Willie Jack
20		26.00	A H Lomas	Saanich Tom
29		7.25	A H Lomas	
Sept 1		17.71	Jas Marsh, Central Garage	Aug ac
		29.10	A H Lomas	Nanaimo dist
4		15.00	Paul White	Gravel Nanaimo River
6		29.10	Nanaimo dis	A H Lomas
10		17.80	A H Lomas	
14		12.60	A H Lomas	
17		92.70	Receiver General	
18		30.00	Receiver General	(Maybe James Fulton rent re Gunion lease)
21		11.00	A H Lomas	Comox
25		21.40	A H Lomas	Mrs Wm Esquimalt
Oct. 3		100.00	Receiver General	Malahat
5		20.00	A H Lomas	

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Bank of Montreal account "A H Lomas, In Trust" (10)

Date	Cheque No	Amount	Payee	Explanation on cheque
1923		16.897.47		forward from previous page
Oct. 8		25.00	A H Lomas	Travel
11		5.00	New England Cafe	Bob
15		60.00	Caroline Jack	Aug & September adv
16		11.00	A H Lomas	
24		13.50	A H Lomas	
27		7.25	A H Lomas	
Nov. 2		21.09	Jas Marsh	Oct ac
8		26.00	A H Lomas	
13		22.00	A H Lomas	Travel
14		11.75	A H Lomas	
21		46.00	A H Lomas	Gunion & Pinson
22		27.00	A H Lomas	
28		30.00	Caroline Jack	Nov. allowance
Dec. 3		34.61	Jas Marsh, Central Garage	
10		24.50	A H Lomas	
17		30.00	Caroline Jack	December
24		27.00	A H Lomas	B Quinstock
28		12.25	A H Lomas	
1924				
Jan. 8		30.00	A H Lomas	
12		25.00	Helen Bros	Travel exp
16		15.00	Charley Quittquarton	
		30.00	Caroline	January ac
23		25.00	A H Lomas	Travel
30		15.00	A H Lomas	Travel
Feb. 1		1405.00	A H Lomas	
Mch.18		432.48	Receiver General	
Apl. 1		55.40	A H Lomas	Baptiste James
3		30.00	Receiver General	Fulton rental
10		18.00	A H Lomas	
12		16.20	A H Lomas	
16		5.00	H Willie	(Travel ex)
17		30.00	Caroline	April allowance
		5.00	Helen Bros	(Travel Exp)
19		123.00	A H Lomas	
22		57.00	A H Lomas	Leo George
23		80.00	Chief Joe Nimnim	Dawson Right of Way
26		17.00	A H Lomas	Adv travel
		25.00		Missing in January
29		10.00	A H Lomas	Travel
30		20.00	Chief Joe Nimnim	Isaac Jones ac
		.25		no voucher
May 1		30.17		no voucher
5		300.00	Receiver General	Dawson Right of Way - Comox
8		5.00	Minister of Finance	Marriage Act 56544
		25.00	A H Lomas	Travel
9		7.50	Helen Bros	(Travel)
		26.00	A H Lomas	
14		25.00	A H Lomas	
15		30.00	Caroline	May allowance
17		10.00	Chief Charley Quitquarton	re David Cole children
		22.00	A H Lomas	
21	2035[42]	20.00	Robbie Daniels	
27		25.00	A H Lomas	Adv Travel
30		30.00	Peter Joe	Gasoline Launch "Silva"

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Bank of Montreal account "A H Lomas, In Trust" (11)

Date	Cheque No	Amount	Payee	Explanation on cheque
1924		20356.42	forward from previous page	
May 31		15.00	Helen Bros	(Travel)
June 4		1800.00	A H Lomas	Nanaimo Band
5		55.80	Johah Bob	Nanaimo Distribution
6		200.00	A H Lomas	Comox Band
9		10.00	Helen Bros	adv travel
		13.60	Louis Martin	2 shares distribution less $5.00 J Wyse
13		16.00	A H Lomas	Travel
15		18.60	Fred Edwards	Nanaimo distribution
17		30.00	Caroline Jack	June allowance
19		11.50	A H Lomas	
24		20.00	A H Lomas	
July 2		6.50	J Marsh	car hire Sammy Bob
7		20.70	Chief Charley	D Cole children
8		18.60	Mrs Louis Martin	2 children
		37.20	Louis Martin	4 children
		9.30	Mrs Roger Smith	for Hilda James
11		5.00	A H Lomas	
15		7.50	New England Hotel	(travel)
17		20.00	Caroline Jack	
		.04		stamp
		.02		stamp
21		10.00	A H Lomas	re Nanoose Bob
26		37.70	Receiver General	Nanaimo
Aug 12		15.10	A H Lomas	Harry gravel
15		7.00	A H Lomas	Joe Duncan
18		28.13	J Marsh	July
23		13.50	A H Lomas	Joe
		25.00	A H Lomas	Walter Joseph, Esquimalt
28		18.25	McMorrin Garage	Tires
30		36.00	A H Lomas	
		30.00	Receiver General	Elliott
Sept 8		37.51	J Marsh, Central Garage	
10		15.50	A H Lomas	Joe
11		26.66	Mary Mahon	rent Qualicum res
		6.66	Thomas O'Connell	Annie Qualicum Tom rent
12		26.00	A H Lomas	Riddle
26		6.25	A H Lomas	James
Oct. 3		14.50	A H Lomas	
		8.10	Mrs Jack Semo	Mary Teeocktewot
10		31.63	J Marsh	Sept Car ac
11		35.00	A H Lomas	H Dickie
13		10.63	Cowichan Merchants	D Cole children
14		11.00	A H Lomas	James Capeal
15		30.00	Caroline	Oct
16		18.00	Receiver General	Water rent Paquachin Res
		4.25	A H Lomas	Eli
17		5.00	Joe Smaquaset	
		10.00	A H Lomas	Travel
20		22.50	A H Lomas	
23		12.00	A H Lomas	
30		6.00	A H Lomas	D Cole children
		16.00	A H Lomas	
Nov 12		75.00	Receiver General	Pinson lease
14		15.00	A H Lomas	Travel

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Bank of Montreal account "A H Lomas, In Trust" (12)

Date	Cheque No	Amount	Payee	Explanation on cheque
1924		7333565	forward from previous page	
Nov 15		10.00	D Ford, P.M.	stamps
		30.00	Caroline	Nov allowance
17		16.00	A H Lomas	
18		755.63	Old Louis Indian	
		210.00	Mrs Alex	C N R
		75.00	Indian Macheal	
19		10.00	A H Lomas	Travel
		275.00	A H Lomas	Songhees Cemetry
21		497.38	Elsie George	C N R
		489.38	Jimmie Yellah	C N R
24		731.40	Daniel Sushair	C N R
		442.88	Walter George	C N R
		16.10	Evans Coleman & Evans	Songhees
		1378.25	Charley Seeamaton	C N R
		157.50	Louis George	C N R
		7.50	John Meston Co	Songhees
25		994.25	Felix Wilseem	C N R
		250.63	Frank Wilseem	C N R
		1554.00	Louis Underwood	C N R
		11.00	A H Lomas	Judia Joe
		1570.50	Johnny Bear	C N R
29		11.00	A H Lomas	
Dec. 1		2152.50	Albert Charlie	
		200.00	Atkinson Motor Co	A Louis car
2		41.61	J Marsh	Nov ac
		1112.75	Peter Joe	C N R
8		15.00	A H Lomas	Travel
		1650.00	A H Lomas	Nanaimo Band
		19.95	Receiver General	Songhees Cemetry
10		45.00	Receiver General	Elliott Saw
11		278.85	A H Lomas	cash for Malahat Band
12		782.70	Receiver General	Malahat Band (Cedar Poles)
15		30.00	Caroline	Dec allowance
19		8.10	J H Raley	Hilda James
		20.00	Thos O'Connell	Robin Tommy ac
20		15.00	Receiver General	Elliott saw
		12.00	A H Lomas	
1925				
Jan 5		10.00	D Ford, Post Master	Stamps
		28.47	Jas Marsh	Dec ac
6		30.00	Ellen Dick	
		30.00	Receiver General	Gunion lease
13		15.00	A H Lomas	
14		8.00	A H Lomas	Indian D Williams
15		25.00	Caroline Jack	Jan ac
		5.00	Thos O'Connell	(Willy Billy)
		746.00	Mrs Alex Hulkanim	C N R
16		5.00	Cowichan Merchants	Caroline Seymour
		10.00	Leo Helen	(travel)
19		21.00	A H Lomas	Travel
22		21.54	Shawnigan Lake Lbr	Co Esquimalt
		70.34	Geo Mitchell & Son	Ltd Esquimalt
23		16.20	Receiver General	Nanaimo Band
30		416.45	A H Lomas	Jack Semo C N R 444.00 less 27.55 car license

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Bank of Montreal account "A H Lomas, In Trust" (13)

Date	Cheque No	Amount	Payee	Explanation on cheque
1925		#6671.41	forward from previous page	
Jan 30		27.55	Jas Maitland Dougall	Williams license
		58.50	Horace Johnson	Ind. D Williams ac
Feb 3		33.70	G T Mitchell & Son	Tsawout fencing
10		7 50	A H Lomas	
		18.75	Indian Joseph Harry	3 shares Panquachin
11		82.00	A H Lomas	Panquachin
	11501	.43	Receiver General	Refund distribution Malahat Band Feb 1925
	2	12.50	Receiver General	Refund of absentees - Distribution Panquachin
	3	18.75	Sylvester Williams	3 shares Panquachin
14	4	3.30	Geo Mitchell & Sons	Fencing Tsawout graveyard
	5			canaclled
23	6	122.20	A H Lomas	Travelling expenses
	7	10.00	David Ford, postmaster	postage stamps office
24	8	25.00	A H Lomas	Travelling expenses
25	9	.25	Receiver General	Refund Tsawout Band
Mch. 3	11510	41.00	James Marsh	ac Ford 11-199 February
13	1	25.00	A H Lomas	Travelling
16	2	30.00	Caroline Jack	allowance for Marsh
23	3	20.00	James Marsh	car agents travel exp
26	4	20.00	AH Lomas	Travel expenses
30	5	20.83	Sam Thomas	work Cedar Poles Malahat
Apl. 6	6	16.00	Evans Bros	Bridge Comeakin
15	7	30.00	Caroline Jack	April ac
16	8	20.00	A H Lomas	adv agent's travel expense
21	9	25.00	A H Lomas	do
28		7.55	Corfield Motors	
May 2	11520	22.41	Jas Marsh	expense Ford 11-199 April
5	1	13.50	Wm Waldon	2 box stumping powder Ellio
23	2	110.00	A H Lomas	August James Kuper Is log
15	3	30.00	Caroline Jack	May ac
23	4	30.00	A H Lomas	Eddie Edwards Kuper Is log
	5	56.35	Robin Tommy	sare Nanaimo Distribution
26	6	5.00	Receiver General	J Hutchinson rental
27	7	20.00	A H Lomas	water priv Comeakin
28	8	300.00	Evans Bros	Travel expense
	9	37.50	Johnny Williams	adv from Dept purchase horses Kuper Is logging
	11530	120.00	Michael Cooper	share Panquachin Distr.
	1	44.10	Workmen's Comp Bd	adv Songhees roadwork
June 2	2	13.84	Electric Service Depot	Comox Logging operation
	3	8.05	R H Whidden	gas oil Dept car May
4	4	10.00	David Ford	Henry James Nanaimo Distr
	5	288.45	A H Lomas	postage
	6	56.00	Michael Cooper	wages New Songhees Road
9	7	20.00	A H Lomas	do
10	8	80.00	August James	Travel expense
	9	25.60	Receiver General	Kuper Island logging
	11540		cancelled	Refund Nanaimo Distr 9.50 and No 61 Stanley & Roy
13	1	25.00	A H Lomas	Travel Expense
15	2	30.00	Caroline Jack	June ac estate
		#2693.02		

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Bank of Montreal account "A H Lomas, In Trust" (14)

Date	Cheque No	Amount	Payee	Explanation on cheque
1925		4269 02	forward from previous page	
Jun 15	11543	8.00	Hilda James	1 share Nanaimo Band
16	4	20.00	A H Lomas	Travel
	5	15.00	Leo Mitchell	Kuper Is logging
17	6	14.24	Bert Higgins	Comox Logging lub oil
30	7	4.75	John Meston Co	tools Songhees Roadwork
	8	6.00	Evans Coleman & Evans	pipes do
	9	44.45	Geo T Mitchell	supplies do
July 6	11550	30.00	Receiver General	Gunion Songhees rental
8	1	200.00	Western Grocers Limited	Kuper Is Logging
13	2	26.20	August James	Final settlement do
15	3	30.00	A H Lomas	Caroline Jack July ac
	4	25.00	A H Lomas	Travel expense
17	5	7.25	W Waldon	E Elliott stumping powder
	6 to 11570		used on Courtney account - see list	
23	1	78.20	Receiver General	refund Songhees new road
24	2	30.00	A H Lomas	Travel expense
	3		used on Courtney account - see list	
25	4	10.00	David Ford	Postage stamps
	5		used on Courtney account - see list	
	6		do	
30	7	402.30	E D Connelly	Team 375. hay 27.30 Kuper Island logging
	8	8.50	C V Henson	1 bx stump powder to Thomas
Aug. 1	9	10.43	Electric Service Depot	gas & oil July
6	11580	10.00	A H Lomas	Travel
7	1	20.00	A H Lomas	Comox ac
	2		used on Courtney Account	
3	3	20.00	A H Lomas	Travel expense
18	4	250.00	A H Lomas	Dist Eddie Edwards operation Kuper Island timber
	5		used on Courtney account	
21	6	12.70	Johnny Baptiste	full settlement do
22	7	20.00	A H Lomas	Travel
26	8	5.00	Bob Cleehwhalen	Estate Tom James for cash loaned
28	9	20.00	Sarah George	Adv Golf club rental
	11590		cancelled	
	1	178.20	Wm Dyke	Eddie Edwards Kuper Is logging
30	2	17.00	Ralph Wright	repairs do do
	3	192.60	Alex Peter	8 shares Malahat distribution
	4	321.00	Baptiste James	5 do do
	5	256.80	Peter	4 do do
Sep 2	6	256.80	Harry Steele	4 do do
	7	128.40	Indian Samuel	2 do do
	8	385.20	Joseph Harry	6 do do
	9	17.00	Machell Susunock	adv hops
	11600		cancelled	
	1	20.00	Jack George	adv Comox lumber
	2	10.00	Johnny James	Comox logging adv
	3	10.00	George Mitchell	do
11	4	25.00	A H Lomas	Travel expense
	5	10.00	D Ford, postmaster	postage stamps
14	6	30.00	H E Evans	Baptist James Malahat

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Bank of Montreal account "A H Lomas, In Trust" (15)

Date	Cheque No	Amount	Payee	Explanation on cheque
1925		H5899 04	forwardfrom previous page	
Sep 14	11607	436.25	Vic Lbr & Mfg Co	August James Kuper Is Log
	8 to		used on Courtney account	
	11617		do	
Oct. 3	8	2000.00	Horsfall & Co	Quamichan River Protection
	9		used on Courtney account	
5	11620	30.00	Caroline Jack	Sept ac
	1	11.84	Thos Pitt	car repairs
	2		used on Courtney account	
6	3		do	
	4	1499.10	Horsfall & Co	Quamichan River Protection
16	5	30.00	Caroline Jack	Oct ac
	6		used on Courtney account	
	7		do	
17	8	25.00	A H Lomas	Travel
21	9	30.00	Receiver General	Gunion lease Songhees
23	11630	.90	Receiver General	refund Quamichan River P
27	1	25.00	A H Lomas	Travel
31	2	34.60	Electric Service Depot	Oct auto supplies
	3		used on Courtney account	
Nov. 2	4	3268.53	Receiver General	Puntledge Reserve #2 timber
6	5	15.70	A L Henri	Leo George Ac supplies
7	6	10.00	David Ford Pm	postage stamps
	7	20.00	A H Lomas	Travel
	8		used on Courtney account	
16	9	30.00	Caroline Jamhs	Nov allowance Willie Jack
17	11640	75.00	Receiver General	Pinson rental Halalt Res
	1 to		used on Courtney account	
	3		do	
Dec. 3	4	28.88	Thos Pitt	Nov ac auto repairs
9	5	3838.05	Receiver General	Puntledge Reserve #2 timber
14	6	4.00	Mark Johnny Lackyea	1 share Nanaimo distributior
15	7	30.00	Caroline Jack	allowance Dec
	8	4.00	Hilda James	1 share Nanaimo Dec 1925
21	9	8.00	Receiver General	Refund Nanaimo Distributi on
				& Stanley & Roy #61 on rol
22	11650	10.00	Lester Joseph	J Hedley sent on collection
	1	20.00	A H Lomas	Travel
24	2	50.00	A H Lomas	J Duncan loan & advance
29	3	64.20	Old Mrs Jim	Malahat Distribution
1926				
Jan. 4	4	25.00	A H Lomas	Travel expense
		3.00		no voucher Oct 31
		1.25		mo voucher Oct 31
7	5	10.00	David Ford pm	Postage stamps
8	6	203.00	Joe Nimnim	2 shares Comox distribution
(Jock George)	7	203.00	George Mitchell	2 do do
	8	609.00	George Mitchell	6 do do
	9	101.50	Nellie Henrickson	1 do do
	11660	101.50	Mrs Frank Billy	1 do do
	1		cancelled	
	2	101.50	Andy Frank	1 do do
	3	710.50	Isaac Frank	7 do do
	4	101.50	Mrs Mary Johnson	1 do do
	5	101.50	Johnny Jamieson	1 do do

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Bank of Montreal account "A H Lomas, In Trust" (16)

Date	Cheque No	Amount	Payee	Explanation on cheque
1925		59 750.34		forward from previous page
Jan. 8	11666	101.50	Charley Jamieson	1 share Comox distribution
	7	101.50	Annie Joe	1 do do
	8	101.50	Agnes James	1 do do
	9	101.50	Albert Johnson	1 do do
	11670	304.50	Mrs George Hardy	3 do do
	1	101.50	Mary Billie	
	2	183.00	Willie Billy	2 do do less 20. cash
	3	25.00	A H Lomas	
	4	45.20	Thos Pitt	Dec carac
	5	15.31	Electric Service Dept	gas ac Dec
11	6	20.00	A H Lomas	Office
15	7	30.00	Caroline Jack	January allowance W Jack est
	8	25.00	A H Lomas	Office
18	9	30.00	Receiver General	Gunion rental Songhees Res
23	11680	30.00	A H Lomas	Travel expense
Feb. 9	1	20.00	J E Foster	Danny Williams motor car
		30.70	No Voucher	accident cl E2124
12	2	52.40	Henry Williams	cheque pd in by W Brooks re poles
16	3	10.15	Caroline Jack	Willie Jack estate
	4	10.00	David Ford	postage
Mch. 9	5	20.00	A H Lomas	travel expense
	6		used on Courtney account	
17	7	25.00	A H Lomas	Office
	8 to		used on Courtney account	
	11693		do	
25	4	20.00	A H Lomas	Travel
29	5	50.00	A H Lomas	Kuper Island distribution
31	6	19.88	Cowichan Agr Society	3 bxs stump powder
	7	20.90	Thos Pitt	Mch car ac
Apl. 1	8	53.55	A H Lomas	Kuper Island distribution
	9	15.00	Jos Duncan	advance spraying
	11700	14.61	Receiver General	refund bal ac ch No 3
	1	300.00	Receiver General	refund Kuper Is Dep ch 1306
9	2	10.00	David Ford pm	postage
13	3	3.90	Registrar of County Court	copy deposition
		180.00	Tom James Estate	Rex vs M Underwood
7	4	30.00	Receiver General	Mrs Gunion rental
15	5	84.00	Wm Roberts	21 bm chains Comox logging
19	6	.96	Receiver General	refund ex voucher 434
20	7	5.00	Minister of Finance	Marriage license fee 85102
21	8	25.00	A H Lomas	Travel
	9	25.00	J N Jaynes	repairs car 11033
24	11710	10.00	Joe Duncan	advance spraying ac
27	1	40.00	Old Bob	Harris Boat
	2	20.00	Grant Colborne	adv travel
May 3	3	34.69	Thos Pitt	exp dept car April
13	4	20.00	A H Lomas	travel expense
21	5	25.00	Joe Duncan	advance spraying trees
27	6	20.00	A H Lomas	Office
22	7	15.00	A H Lomas	travel
29	8	30.00	A H Lomas	agent's expenses
June 1	9	10.00	David Ford pm	postage
5	11720	20.00	A H Lomas	adv Joe Duncan spraying
		62236.59		

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Bank of Montreal account "A H Lomas, In Trust" (17)

Date	Cheque No	Amount	Payee	Explanation on cheque
1926		62 236.59	forward from previous page	
Jun 8	11721	20.00	A H Lomas	Jamieson case
21	2	30.00	A H Lomas	travelling
19	3	6.00	Hilda James	1 share Nanaimo distribution
28	4	6.00	Emma	1 do do
29	5	36.00	David Jack	Chemainus Band pro rata share self and family
July 2	6	18.59	Thos Pitt	car ac June
9	7	24.00	Receiver General	refund absentees and over from distribution dept ch 879
13	8	25.00	A H Lomas	Travel
14	9	30.00	Receiver General	Gunion rental Songhees
19	11730	45.00	A H Lomas	Chemainus Band distribution
27	1	80.00	Patrick Charley	sale of horse J Turner
Aug. 3	2	10.00	D Ford pm	postage
Jul 28	3	20.00	Cash	travel expense
Aug. 5	4	58.67	Thos Pitt	car rep & gas July
13	5	5.00	Receiver General	J Hutchison rental pump ground
14	6	25.00	A H Lomas	travel
16	7	20.00	A H Lomas	Chemainus Band distribution
18	8	24.00	A H Lomas	Chemainus Bay distribution
19	9	10.00	A H Lomas	travel
	11740	18.00	Thos O'Connell	3 shares Nanaimo distribution Louis Martin's children
24	1	6.00	Alfred Martin	1 share Nanaimo distribution
	2	22.50	A H Lomas	Office
25	3	100.00	Receiver General	Timberland Lmbr Co rental
30	4	20.00	Joe Duncan	adv Golf Club rent
Sept 8	5	10.29	Forest Branch	Scale bills 85505 Qualicum
22	6	30.00	Receiver General	Gunion rental Songhees
Oct. 1	7	28.68	Thos Pitt	Department car Sept
4	8	35.00	A H Lomas	Travel
5	9	9.00	Machell	wood Koksilah Fletcher
6	11750	25.00	A H Lomas	adv wages Breakwater
20	1	35.00	A H Lomas	Indian Exhibits Fall Show
15	2	22.50	A H Lomas	Travel expense
18	3	6.00	E Stock	(expenses)
16	4	15.00	Esther Tom	Halalt compensation fruit trees
19	5	800.00	McDonald Pile Dr Co	Repair diversion dam Quamichan Village
22	6	40.00	A H Lomas	ac Leo George
23	7	41.60	Henry Williams	stumpage 2080 ft poles
25	8	100.00	Edward Halbertson	Kuper Island Hope timber
26	9	10.00	David Ford pm	postage
29	11760	43.87	Receiver General	2/3 share Golf rental Tom James Estate
Nov. 1	1	6.00	Anna Punset	1 share Nanaimo distribution
5	2	26.25	Thos Pitt	rep dept car & gas October
9	3	75.00	Receiver General	Pinson rental Halalt Res
15	4	30.00	A H Lomas	adv travel expense
	5	20.00	Cowichan Golf Club	refund Joe Duncan rent
	6		used on Courtney account	
	7		do	
27	8	20.00	A H Lomas	travel
Dec. 2	9	39.37	Thos Pitt	car expenses Nov 1926
6	11770	25.00	Receiver General	Rental right of way Theik Res #2 Mr Klein
.		64.389.91		

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Bank of Montreal account "A H Lomas, In Trust" (18)

Date	Cheque No	Amount	Payee	Explanation on cheque
1926		6438991	forward from previous page	
Dec. 7	11771	20.65	A L Henri	ac Leo George
9	2	374.40	Alex Peter	Malahat Band distribution
	3	499.20	Steele Harry	do
	4	499.20	Peter Joseph	do
	5	624.00	Joseph Harry	do
	6	281.90	Baptiste James	do
	7	25.00	A H Lomas	re B James Malahat
14	8	342.10	Begg Motor Co Ltd	Baptiste James motor car deduction from distribution
	9	25.00	A H Lomas	Travel exp
16	11780	40.00	A H Lomas	Leo Charley est
	1	5.50	Joe Duncan	adv Leo George wood
19	2	249.60	Samuel	Malahat Band timber dues
20	3	1050.00	A H Lomas	Nanaimo Band distribution
	4 to 11793		used on Courtney account	
21	4	40.00	Mgr Bk of Commerce	Comox lbr acc
23	5	10.00	David Ford	postage stamps
1927				
Jan. 3	6	2.50	J R McAdam	auto hire
6	7	47.23	Thos Pitt	gas & repairs Dept car Dec
10	8	20.00	A H Lomas	Travel exp
11	9	5.00	Hilda James	Nanaimo distribution
	11800	8.00	David Charlie	Quamichan River protection
12	1	15.00	A H Lomas	Travel
14	2	20.00	A H Lomas	cash travel
	3	1.00	Receiver General	Cowichan Agr Society rental
18	4	15.00	A H Lomas	travel
19	5	7.50	Joe Nimmim	expenses trip Comox to Duncan
25	6	10.00	A H Lomas	travel
26	7	15.00	A H Lomas	adv Seehlton estate
27	8	5.00	Joe Duncan	advance for travel
Feb. 1	9	20.00	Nanaimo Motors Ltd	Johnny Billy car
4	11810	45.52	Thos Pitt	Dept car ac January
7	1	5.00	Jimmie Yellah	Charlie
8	2	108.60	A H Lomas	final adjustment Nanaimo Pay L
11	3	550.00	A H Lomas	Chemainus Bay Band Distribut'n
12	4	15.00	Receiver General	refund do
	5	9.00	Caroline	2 shares do
19	6	30.00	Receiver General	Gunion rental Songhees
Mch. 1	7	7.50	Cash	travel
2	8	30.00	Receiver General	Qualicum Res right of way
24	9	180.00	Receiver General	Van Milling & Grain lease Tom James estate
Apl. 1	11820	14.25	E P Phillip	tire & tube
5	1	15.00	Joe Duncan	adv for blankets Gov Gen visit
8	2	35.00	A H Lomas	Travel exp
11	3	6.63	W Waldon	L Underwood powder
	4	10.00	A H Lomas	est Mary George
14	5	2.00	Modeste Bob	bal Chemainus Bay Distribution
21	6	60.00	Receiver General	Grassie & Anderson lease Charlie Quitquarton
27	7	40.00	Receiver General	An rental Willie Louie's 8 ac
May 10	8	2.88	Peter Joe	adv wire

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Bank of Montreal account "A H Lomas, In Trust" (19)

Date	Cheque No	Amount	Payee	Explanation on cheque
1927		6983.27	forward from previous page	
May 10	11829	30.00	A H Lomas	travel exp
	11830	46.20	Kilby	Gus Campbell customs
	1		cancelled	
14	2	30.00	A H Lomas	Travel
18	3	30.00	Receiver General	Gunion rent Songhees
	4	50.00	A H Lomas	Peden rental Malahat
20	5	20.00	A H Lomas	Travel exp
23	6	25.22	Solomon George	Bal Leo George debenture less doctor's ac
26	7	20.00	A H Lomas	travel esp Kuper Island
June 4	8	15.00	A H Lomas	travel expense
7	9	30.18	Thos Pitt	car exp May
	11840	25.00	A H Lomas	travel expense
16	1	20.00	A H Lomas	do
July 5	2	18.00	A H Lomas	do
7	3	10.00	A H Lomas	do
8	4	7.50	cash	do
14	5	5.00	A H Lomas	do
28	6	10.00	A H Lomas	do
	7	12.00	Cash	Breakwater repair Saanich
29	8	32.85	David Ford	P.O.O. Gus Underwood wages do.
Sept 1	9	50.00	A H Lomas	advance from W S Heroz for Sandy Joe hop pickers
Aug. 3	11850	31.32	Thos Pitt	car exp July
5	1	20.00	A H Lomas	travel
3	2	12.12	D R Hattie	Peter Joe fencing
8	3	2.57	J W Crawford	Saanich seawall
	4		cancelled	
	5	2156.78	Receiver General	Puntledge res timber
9	6	36.00	Louis Pilkey	Tsawout Res seawall
	7	36.00	Johnny Claxton	do
	8	75.60	Joe Kelly	team & wagon Saanich seawall
	9	19.80	Philip Kelly	Tsawout seawall
19	11860	32.45	Sidney Mills Ltd	timber Saanich seawall
	1	20.00	A H Lomas	Travel exp
22	2	11.00	James Capeal	
	3	20.00	A H Lomas	Nanaimo school
23	4	10.00	D Ford	postage
25	5	15.00	Louis Underwood	horse sale
	6	59.90	Geo T Mitchell & Son	Seawall Saanich
31	7	10.50	Geo White	Nanaimo roads & ditches
	8	10.50	Robbin Tommy	do
	9	8.75	Sam Smith	do
	11870	10.50	Jack Wilson	do
	1	8.75	Solomon Jones	do
	2	10.50	Bob Seaward	do
	3	10.50	Eli Teeochquatt	do
	4	10.50	Edison White	do
	5	21.75	Paul White	do
	6	17.75	Billy Yacklim	do
	7	12.25	Johnny White	do
	8	10.50	Nelson Wilson	do
Sept. 2	9	20.00	Jimmy Bear	C Pitt rental

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Bank of Montreal account "A H Lomas, In Trust" (20)

Date	Cheque No	Amount	Payee	Explanation on cheque
1927		13042.51	forward from previous page	
Sept 2	11880	25.00	A H Lomas	adv travel exp
	1	32.20	Thos Pitt	Auto gas & rep Aug
8	2	20.00	A H Lomas	travel
9	3	1.50	National Motor Co	storage Miss Hagan
14	4	25.00	A H Lomas	wages Nanaimo Church Building
20	5	17.25	Receiver General	refund road work Nanaimo
21	6	2.64	Duncan Garage	repair car
22	7	20.00	A H Lomas	travel
26	8	70.00	A H Peterson	Cow Golf Club re Joe Duncan
	9	100.00	T Booth & Son	advance supplies Comox Indians
Oct. 3	11890	31.05	Thos Pitt	Dept car Sept
4	1	56.25	H M Rae	Nanaimo Mission Building
	2	64.66	H Cooper	do
	3	81.89	Billy Yacklum	do
	4	46.25	John Wilson	do
	5	9.57	Nelson Wilson	do
	6	9.57	George Wyse	do
	7.	43.06	Weldon Wesley	do
	8	22.33	Sam Smith	do
	9	43.06	Harry James	do
	11900	12.76	Moses Wilson	
0 14	1	3.00	Canute Semo	work on school yard
	2	15.00	A H Lomas	travel
17	3	10.00	Rev Father Guertz	adv Hardy children
22	4	31.60	Charlie Jamieson	timber distribution less 10. (Comox) T Booth ac
	5	83.20	Johnnie Jamieson	do Maru & Johnny
	6	114.80	Joe Nimnim	do less 10.
	7	38.20	Jock George	do do
	8	31.60	Anna Joe	do do
	9	239.60	George Mitchell	do do
	11910		cancelled	
	1	31.60	Andy Frank	do do
	2		cancelled	
	3		cancelled	
	4	239.60	Isaac Frank	do do
	5	41.60	Agnes	do
	6	73.20	Willy Billy	do do
	7	31.60	Albert Johnson	do do
	8	156.40	Mrs Geo Hardy	do do
	9	41.60	Mary Billy	do
24	11920	20.00	A H Lomas	travel exp
	1	10.00	Provincial Secretary	two marriage licenses
27	2	35.00	Joe Hermenz Grigg	Jock George's car on order
	3	5.00	Rev Father Guertz	Launch hire
28	4	30.00	Receiver General	Mrs Gunion's rental
29	5	15.00	A H Lomas	travel
31	6	1200.00	A H Lomas	Malahat Band distribution
Nov. 1	7	57.66	Thos Pitt	car expenses Nov
3	8	75.00	Wm Halliday	re Whonnock adv
12	9	44.20	Billy Yacklum	wages Nanaimo Church
	11930	31.20	Weldon Wesley	do
	1	44.80	John Wilson	do
	2	26.00	Harry James	do
		16553.01		

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Bank of Montreal account "A H Lomas, In Trust" (21)

Date	Cheque No	Amount	Payee	Explanation on cheque
1927		16.553.01	forward from previous page	
Nov 12	11933	22.20	Harry Cooper	wages Nanaimo Church
	4	26.00	Mose Wilson	do
	5	44.80	George White	do
	6	66.50	D Ross	do
	7	114.39	H McRae	do
	8	68.44	M McRae	do
	9	16.00	Nelson Wilson	do
15	11940	20.00	A H Lomas	travel
	1	4.75	J R McAdam	taxi hire police duties
21	2	20.00	A H Lomas	travel expense
23	3	75.00	Receiver General	Pinson lease Halalt
Dec. 6	4	35.51	Thos Pitt	Dept car Nov
7	5	24.00	W E Ditchburn	Nanaimo Distribution D Wyse
8	6	15.20	Billy Yacklum	labor Nanaimo church
	7	39.20	Weldon Wesley	do
	8	62.40	Geo White	do
	9	62.40	N Nelson	do
	11950	33.60	Jock Wilson	do
	1	6.00	F Davidson	do
	2	67.50	K Gordon	do
	3	30.00	Receiver General	Mrs Gunion lease Songhees
	4	152.25	D Ross	labor Nanaimo Church
	5	75.00	M McRae	do
	6	165.00	H McRae	do
13	7	20.00	A H Lomas	travel expense
16	8	4.00	Dominic Joe	work Comeakin school
19	9	40.00	Johnny Bear	rental Charles Pitt
21	11960	6.00	Sarah Ann Good	Nanaimo Band distribution
	1	48.00	Louis Good	do
	2	12.00	Willie Good	do
	3	12.00	Albert Wesley	do
	4	12.00	Billy Yacklum	do
	5	54.00	Bob Sayward	do
	6	6.00	Sam Smith	do
	7	24.00	Joe Wyse	do
	8	6.00	Simon	do
	9	12.00	Wilkes James	do
	11970	6.00	Mary Sulkamet	do
	1	12.00	James Qutston	do
	2	36.00	Louis Martin	do
	3	66.00	Mrs Joe Peter	do
	4	78.00	Jimmy Joe	do
	5	6.00	Moses Wood	do
	6	12.00	Mrs Lucy Manson	do
	7	30.00	Jack Wilson	do
	8	42.00	Thos O'Connell	do (alex Johnny arrangement
	9	12.00	Jimmy Paynuts	do
	11980	30.00	Paul White	do
	1	54.00	George Paul	do
	2	30.00	Mrs Joe Tom	do
	3	12.00	Jimmy Hatelock	do
	4	12.00	Harry Wanesea	do
	5	6.00	Alex Jones	do
	6	24.00	Edward Brown	do
	7	48.00	Isaac Jones	do

78.571.15

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Bank of Montreal account "A H Lomas, In Trust" (22)

Date	Cheque No	Amount	Payee	Explanation on cheque
1927		78.571.15		forward from previous page
Dec 21	11988	42.00	Robbin Tommy	Nanaimo Band distribution
	9	42.00	Harry James	do
	11990	6.00	Emma	do
	1	18.00	Eli Teeochqualt	do
	2	24.00	Andy Wesley	do
	3	18.00	Mrs Johnny Whoakaynim	do
	4	6.00	Mrs Willie Brown	do
	5	48.00	Johnh Bob	do
	6	6.00	Sarah Good	do
	7	30.00	Abraham Lackyea	do
	8	12.00	George Wyse	do
	9	6.00	Ernest Manson	do
	12000	42.00	Johnny Paul	do
	11001	12.00	Frank Johnny Tom	do
	2	24.00	Billie Joe	do
	3	18.00	Weldon Wesley	do
	4	6.00	Fred Edwards	do
	5	24.00	Alfred Jimmy Joe	do
	6	18.00	Russell Isaac Jones	do
	7	42.00	Matice Johnny	do
	8	42.00	Tom O'Connell	do family Johnny Tom
	9	12.00	Henry James Jr	do
	11010	2.40	Receiver General	refund timber money Comox Band
24	1	6.00	Annie Mollock	Henry share Nanaimo distribut'n
1928				
Jan 5	2	10.00	David Ford postmaster	postage
7	3	44.38	Thos Pitt	car expense December
10	4	25.00	A H Lomas	travel expense
12	5	15.00	A H Lomas	do
14	6	67.37	D Ross	wages Nanaimo Church
	7	74.10	MMcRae	do
	8	70.35	H McRae	do
18	9	20.00	A H Lomas	Nanaimo distribution
19	11020	42.50	Receiver General	Grosskleg rental Cowichan Lake
27	1	30.00	A H Lomas	Dist Nanaimo Indians
	2	28.00	Receiver General	refund absentees Nanaimo Band
	3		cancelled	
28	4	462.45	McRae Bros	acc A B Cushing Nanaimo Mission
	5	527.19	Nanaimo Lmbr Co	Lbr do
	6	349.32	B & M Lumber Co	Lbr do
31	7	15.00	Receiver General	P Leynard rent Cowichan Bay
Feb 3	8	4.75	J R McAdam	car hire January
	9	29.09	Thos Pitt	rep car January
6	11030	15.00	A H Lomas	travel
7	1	40.57	A W Wilgress	construction New Church Nanaimo
	2	25.00	H Rutledge	do do
	3	118.35	Paul Bennett	do do
	4	223.55	Mrs P McCabe	do do
	5	98.80	Straits Lumber Co	do do
	6	4.95	A Wilsonson	do do
	7	90.00	J Barsby	do do
	8	290.00	Moore & Whittington	do do
	9	88.75	Henry C Bottley	do do
	11040	81.887.02	cancelled	

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Bank of Montreal account "A H Lomas, In Trust" (23)

Date	Cheque No	Amount	Payee	Explanation on cheque
1928		$1887.02	forward from previous page	
Feb. 7	11041	229.25	J H Parley	construction New Church Nanaimo
	2	111.50	John Lewis & Son	do do
20	3	20.00	E Stock	travel expense
22	4	20.00	A H Lomas	car Leo George estate
24	5	20.00	A H Lomas	travel
Mch. 3	6	341.95	Milton Street Lbr Co	Nanaimo Mission Church
13	7	26.24	Thos Pitt	car acct February
	8	35.00	A H Lomas	travel expense
15	9	240.00	Receiver General	Tussie reserve leases
13	11050	29.14	Thos Pitt	car acct January
16	1	10.00	David Ford postmaster	Postage
	2	15.00	A H Lomas	travel
17	3	4.25	Peteo Peat	refund county court action
	4	15.00	A H Lomas	advance Joe Duncan wood
19	5	6.00	G G Henderson	Pound fee Leo horses
20	6	25.00	A H Lomas	travel expenses
22	7	10.00	Thos O'Connell	P.O.O. re Agassiz girl
	8	15.00	A H Lomas	Leo George estate
23	9	35.00	Jimmie Yellah	refund on Motor car U.S.A.
24	11060	40.00	Receiver General	C Pitt Rental Johnny George
26	1	10.00	A H Lomas	advance Leo George children
27	2	50.00	A H Lomas	travel and incidentals
31	3	2.80	Duncan Garage	ac Willie Good Nanaimo car
	4	4.00	J R McAdam	car hire March
	5	29.96	Thos Pitt	gas & repairs
		.50		interest on overdraft
Apl. 2	6	15.00	A H Lomas	Incidentals re station supplies from Calgary
3	7	17.46	Duncan Utilities	Electric light
	8		cancelled	
4	9	250.00	Receiver General	refund Tsawout road advance
	11070 to 4	96.97	J J Westminster cancelled	
	5	40.00	Receiver General	Billie Louis & B Young lease
	6	1.60	Receiver General	refund Cowichan Lake distribut'n
10	7	6.00	Hilda James	Nanaimo Band Distribution
13	8	10.00	A H Lomas	4 ricks wood Joe Duncan
	9		cancelled	
		.50		interest overdraft
	11080		cancelled	
May 8	1	25.95	Thos Pitt	car expense April
11	2	7.75	J R McAdam	car hire for April
14	3	25.00	A H Lomas	travel
15	4	25.00	Cash	travel expense
	5		cancelled	
June 5	6	15.00	A H Lomas	travel expense
May 20	7	5.00	Indian Reuben	Expenses Portier Pass
	8	40.00	Joe Wheelulutze	estate Leo Charlie
	9	156.00	John Lewis & Sons	Painting Nanaimo Mission
	11090	15.00	A H Lomas	travel expense
23	1	10.00	David Ford postmaster	Postage
June 6	2	10.00	A H Lomas	advance Joe Duncan
	3	25.00	Ernest Hardy Indian	Comox Timber - trust fund
	4	25.00	Isaac Frank	trust fund two children K I Sch
		$4054.84		

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Bank of Montreal account "A H Lomas, In Trust" (24)

Date	Cheque No	Amount	Payee	Explanation on cheque
1928		8404.84	forward from previous page	
June 8	11095	38.38	Thos Pitt	car acct May 1928
12	6	10.00	Madeline Gabourie	advance Golf rent
	7	25.00	A H Lomas	travel expense
May 31		.50		Interest overdraft
Jun 14	8	25.00	John Evans	Sammy Charlie horse hire
15	9	12.50	A H Lomas	advance Caroline
18	11100	8.00	J R McAdam	car hire May
	1	5.00	Emily George	advance
	2	17.50	A H Lomas	travel expense
19	3	25.00	Receiver General	Finnerty rental Comeakin
22	4	5.00	G H Raley	advance Hazel James school
23	5	10.00	A H Lomas	travel
27	6	25.00	Rev J Guertz	5 children Hardy & Frank
	7	.75	canaelled	Tom James Estate
		.59	telegram	
Jul.13	8	220.00	Begg Motor Co Ltd	Baptist James
16	9	22.50	Thos Pitt	car acct June
24	11110	20.00	A H Lomas	travel
	1	18.93	Alex Johnny Indian	cedar poles
25	2	7.00	R D Harvey	Baptist James & Sammy Bob poles
	3	18.93	Robbie Daniels	wages cedar poles Sammy Charlie
26	4	14.90	Mrs Samuel James	gravel Clemclemlitz Res
	5	3.00	Cowichan Taxi Service	Ambulence to hospital
	6	20.00	A H Lomas	travel expense
		18.00		error in deposit
Sep 25	7	15.00	A H Lomas	travel expense
Aug 6	8	25.00	A H Lomas	travel expense
8	9	22.93	Thos Pitt	car acc July
	11120	5.18	Langton Motors	gas ac
21	1	25.00	A H Lomas	advance Emily George
9	2	11.00	A H Lomas	Baptist James
13	3	7.50	Mrs Samuel Charlie	advance re cedar poles
	4	279.75	David Sulseemath	wages ac cedar poles
	5	26.74	Cowichan Merchants	Emily George clothing
14	6	2.00	James Maitland Dougall	Prov Govt License car
	7	10.00	Emily George	advance for clothing
15	8	6.00	C G Powell	Sammy Charles
	9	20.00	A H Lomas	travel expenses
20	11130	10.00	D Ford postmaster	postage stamps
	1	22.50	A H Lomas	Nanaimo distribution 6 shares
21	2	10.00	Addie Daniels	Daniel's estate gravel
	3	9.70	Hillcrest Co	Sammy Charles lumber ac
	4	20.00	A H Lomas	travel expense
22	5	42.50	Receiver General	W Grosskleg rent Cowichan Lake
27	6	10.00	Walter Elliott	advance on cedar poles
	7	10.00	E Stock	re Elliott cedar poles
29	8	35.00	W A McIntosh	Prize Vancouver Exhibition
30	9	2.50	Chris Semo	burial horse Comeakin
	11140	5.00	Hazel James	advance Tom James estate
31	1	24.18	Thos Pitt	car acct August
Sept 1	2	10.00	Josie Jim	poles taken by mistake Elliott
4	3	4.50	J R McAdam	taxi hire Constable Joe
11	4	5.30	Langton Motors	car repair
12	5	306.25	David Sulsemult	cedar poles
15	6	75.00	A H Lomas	car Josie Jim poles
17	7	15.00	Solomon George	adv interest
		8699.33		

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Bank of Montreal account "A H Lomas, In Trust" (25)

Date	Cheque No	Amount	Payee	Explanation on cheque
1928		85.699.33	forward from previous page	
Sep 18	11148	20.00	Mrs Geo Hardy Indian	advance for son George
	9	4.00	Brien's Drug Store	drugs supplied Comeakin Band
22	11150	15.00	A H Lomas	travel expenses
Oct. 1	1	25.00	A H Lomas	travel expense
	2	6.00	Magnus Colvin	R Daniel labor
	3		cancelled	
3	4	7.00	James Mearns	R Daniels labour
	5	85.00	Cowichan Golf Club	adv Joe Duncan & Madeline
	6	55.00	Cowichan Golf Club	adv Sarah George & James Jim
4	7	1.00	Receiver General	Rental Agricultural grounds
	8	25.00	A H Lomas	travel expense Comox
6	9	9.00	F B Carberry	Flood-gate Heynipsen
	11160	140.00	Receiver General	rental Tsussig Res Hibbertson & Johnson
9	1	650.00	Receiver General	refund Nanaimo Band
	2	6.00	J R McAdam	car hire September
12	3	63.74	Thos Pitt	repairs & gas August
	4	25.00	Isaac Frank Indian	adv daughter's share Comox
13	5	15.00	Solomon George	advance
	6	25.00	E Stock	travel expenses
16	7	22.50	A H Lomas	agent expenses
	8		cancelled	
20	9	15.00	A H Lomas	travel expenses
22	11170	20.00	A H Lomas	Quamichan breakwqter - petty
26	1	10.00	E Stock	travel expense agent
	2	11.00	D R Hattie	Hardware Quamichan dyke
Nov. 2	3	50.82	Hillcrest Lumber Co	Lumber Floodgate & Quamichan Breakwater
	4	11.00	J R McAdam	taxi hire October
5	5	23.24	Thos Pitt	car expenses October
6	6	9.00	Chas Pitt	fencing re Dept Stallion
	7	64.00	John Evans	labor as foreman on breakwater repairs Quamichan
	8	5.60	Phil Jaynes	Hardware Cowichan breakwater
	9	6.45	R Sanderson	do do
	11180	25.00	A H Lomas	travel expense
8	1	50.00	A H Lomas	travel expense
10	2	10.00	Joe Duncan	advance wood
	3	15.00	A H Lomas	advance wages Indians Cowichan River breakwater
13	4	28.00	David Charles	Cowichan River Breakwater
14	5	10.00	Joe Stetson	2½ days labor Heynipson floodgt
	6	25.00	A H Lomas	Cowichan breakwater labor & exp
	7	7.50	Emil Charlie	burial horse on Ind Res
15	8	1.50	Dominic Joe	Comeakin School grounds labor
	9	15.00	A H Lomas	travel expense
17	11190	3.50	Michael Susenoch	Cowichan River Breakwater
19	1	20.00	Mrs George Hardy	ac Elsie Hardy
	2	20.00	David Sultament	Cowichan River Breakwater
	3	15.00	A H Lomas	Cowichan River breakwater
	4	10.00	David Ford postmaster	stamps
22	5	8.00	Johnny Williams Indian	del wood Koksilah School
	6	15.00	A H Lomas	travel expense

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Bank of Montreal account "A H Lomas, In Trust" (26)

Date	Cheque No	Amount	Payee	Explanation on cheque
1928		87403.18	forward from previous page	
Nov. 22	11197	35.00	Robt Miller	Cowichan River breakwater
24	8	25.00	A H Lomas	fuel supplied by Indian Joe
23	9	15.00	E Stock	agent's expenses
Dec. 4	11200	75.00	Receiver General	rental Halalt Res - Pinson
5	1	8.75	Arthur Joe	Heynipsen floodgate
	2	3.00	Dominic Joe	Comeakin School yard labor
	3	7.50	J R McAdam	taxi rental November
	4	13.05	Langton Motors	car expense November
	5	25.44	Thos Pitt	car and gas
7	6	15.00	A H Lomas	travel expense
	7		cancelled	
	8	18.02	D R Hattie	Quamichan Breakwater
	9	8.75	Mrs Peter Jack	wages Heynipsen dyke
11	11210	12.00	J Russell	time and costs car accident Chase River
10	1	15.50	F Carberry	hauling lumber breakwater & wd
12	2	25.00	A H Lomas	travel expense
11	3	250.00	Rev Ronald Beaton	In trust Mrs Geo Hardy Comox Ba
13	4	12.00	Sammy Charley	cedar poles labor
15	5	20.00	A H Lomas	travel expense
19	6	1150.00	A H Lomas	cash Malahat Band Distribution
20	7	5.00	Hazel James	Xmas advance Caroline
21	8	1300.00	A H Lomas	Nanaimo Band distribution
18	9	50.00	A H Lomas	assistance Caroline
22	11220	6.00	Moses Ward Indian	Nanaimo distribution
	1	12.00	Albert Wesley	do
	2		cancelled	
	3	42.00	Alex Johnny	do
	4	24.00	Paul White	do 4 shares
	5		cancelled	
	6	12.00	Harry Wanasea	do
	7	18.00	Mrs Johnny Whokaynum	do
	8		cancelled	
	9	42.00	Johnny Paul Indian	do
	11230	18.00	Frank Jimmy Tom	do
	1	18.00	Weldon Wesley	do
	2		cancelled	
	3	48.00	Thos O'Connell	pro rata shares @ 6.00 per capit due family Mrs Johnny Tom
31	4	25.00	A H Lomas	travel expense
	5	4.00	James Maitland Dougall	1929 license Dodge & Ford
	6	10.00	J Evans Jr	Cowichan River breakwater
	7	7.50	Sammy Charles	cedar pole contract
1929				
Jan. 2	8	15.00	Solomon George	Leo George Estate
4	9	20.00	A H Lomas	travel
7	11240	15.00	Joe Duncan	adv wages Indian Joe to Dr Keys
8	1	20.00	A H Lomas	incidental expenses
10	2	20.00	Rev Father Guertz	adv Isaac Frank Comox
11	3	30.24	Thos Pitt	car expenses December
	4	15.00	A H Lomas	expense travel
14	5	45.00	A H Lomas	adv Joe Duncan & travel
	6	50.00	Joe Duncan	advance Golf Rent
15	7	5.00	James Jimmy	Fuel supplies
16	8	15.00	A H Lomas	travel expenses
		91028.93		

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Bank of Montreal account "A H Lomas, In Trust" (27)

Date	Cheque No	Amount	Payee	Explanation on cheque
1929		91.028.93	forward from previous page	
Jan. 18	11249	35.00	A H Lomas	Malahat Band
19	11250	20.00	A H Lomas	advances wood & piling
21	1	30.00	A H Lomas	Transport & board & lodging for Dora Fisher to Kuper Is Sch
24	2	20.00	A H Lomas	travel and incidental expenses
	3	3.00	J A Goldsmith	Dora Fisher transport to K I S
	4	5.00	Joe Duncan	do
25	5	10.00	Harris Indian	Sammy Charles pole ac
29	6	25.00	A H Lomas	Travel expense Victoria
30	7	20.00	A H Lomas	Caroline estate
Feb. 1	8	5.00	Moody Joe	burying horse on roadside
	9	10.00	D Ford postmaster	postage
2	11260	8.50	J R McAdam	car hire December
4	1	27.04	Thos Pitt	car repair & gas January
9	2	20.00	A H Lomas	Fuel
5	3	15.00	Cash	travel expense
8	4	15.00	E Stock	travel expense
11	5	30.00	A H Lomas	travel & incidental expenses
12	6	30.00	A Albany	Mrs Gunion rental
13	7	45.00	A H Lomas	Malahat Band distribution
18	8	50.00	A H Lomas	Travel Victoria & Saanich & Beecher Baybreserves
21	9	24.00	Isaac Frank	refund on case Rex vs Johnny Simpson order Judge Barker
22	11270	12.00	G H Raley	2 shares Nanaimo Distribution Stanley & Roy
23	1	22.00	Receiver General	refund Nanaimo Distribution
25	2	4.00	I R McAdam	Taxi hire January
26	3	10.00	David Antoine	adv re City gravel Smomenos
	4	20.00	Joe Duncan	advance salary cheque
Mar. 9	2[illegible]	25.00	A H Lomas	travel & expenses
2	6	10.00	Solomon George	advance
4	7	6.00	Receiver General	water rental Beech Songhees Res Dec Jan Feb & Mch
	8	250.00	Receiver General	refund Tsawout Res Roadwork
8	9	23.33	Thos Pitt	gas & repairs February
16	11280	15.00	Solomon George	advance Leo George estate
11	1	1.50	Lawn Mower shop	reps & filing pruning saws etc
16	2	30.00	A H Lomas	advance travel & incidentals
18	3	15.00	A H Lomas	advance Panquachan Band Saanich
21	4	25.00	A H Lomas	travel expenses
23	5	4.00	Willie Joe	wages assisting Lemo fencing
	6	1.00	B C Rapid Transit Co	Ft on cable Cowichan agency
	7	10.00	Joe Duncan	advance spraying ac
27	8	23.90	Gray Bros	rep Dept car
28	9	23.29	Thos Pitt	gas & repairs
27	11290	18.60	Receiver General	refund Dept Ch 2813 Sept 28
28	1	49.60	Jimmy Abbott	Halalt Band distribution
	2	49.60	Micheal Louie	do
	3	24.80	Solomon Lewis	do
	4	74.40	Louis Morris	do
	5	148.80	Edward Norris	do
	6	173.60	Matthew Norris	do
	7	49.60	Peter Louie	do
		92.596.49		

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Bank of Montreal account "A H Lomas, In Trust" (28)

Date	Cheque No	Amount	Payee	Explanation on cheque
1929		92596 49		forward from previous page
Mch. 28	11298	501.23	Receiver General	Halalt Band including refund
	9	305.58	Receiver General	refund Cowichan River Breakwatr
30	11300	18.33	Solomon George	interest Trust Monies
Apl. 2	1	120.00	Receiver General	credit Hazel James Cowichan Agy
10	2	240.00	Receiver General	rental re Tsussie Res
13	3	25.00	A H Lomas	travel expense
20	4	18.30	Wm Waldon	3 bxs powder from Cow Agri Soc
15	5	18.75	A H Lomas	adv stump pwdr Thorne & Peter J
26	6	35.00	A H Lomas	Beecher Bay trip & adv powder
	7	10.00	Joe Duncan	advance spraying
24	8	25.00	A H Lomas	travel Saanich & Beecher Bay
29	9	30.00	Island Finances	Henry Tuchely car
30	11310	100.00	A H Lomas	Heynipsen Dyke works
May 2	1	15.00	James Maitland Dougall	Fine Henry Steele Malahat illegal fishing
3	2	22.95	Thos Pitt	motor car ac April
4	3	10.00	D Ford pm	postage stamps
	4	6.60	W Waldon	1 bx stumping powder
6	5	6.00	Edward Pielle	1 day team Comeakin Floodgate
	6	36.00	Geoffrey Lomas	6 days labor Heynipsen do
	7	69.50	O C Brown	Heynipsen for labor
7	8	10.50	Peter Jack	do
	9	14.00	C Jack	do
	11320	3.50	Henry Trochley	do
9	1	25.00	A H Lomas	adv travelling expenses
	2	140.00	Receiver General	Rental Halalt Res to Feb 1 1930
11	3	30.00	Joe Duncan	adv spraying orchards
17	4	25.00	A H Lomas	travel expenses
16	5	20.75	J R McAdam	taxi hire dyke works & police
21	6	28.80	Louis Pelkey	Tsawout Res roadwork
	7	28.80	Kellog	do
	8	28.80	Johnny Claxton	do
	9	19.20	Johnny Semo	do
	11330	48.40	Silvester	do
	1	16.00	Ignatius	do
	2	6.40	Sandy	do
	3	28.80	August	do
	4	28.80	Baptiste	do
	5	16.00	Alex	do
	6	20.00	A H Lomas	travel expense
27	7	20.00	E Stock	travel expense
28	8	4.00	Hilda James	Nanaimo distribution
	9	40.00	A H Lomas	10 shares do
29	11340	25.00	Isaac Frank	children's share do
	1	2.86	Mrs J Doige	
June 1	2	20.00	Jennie Tom	5 shares Nanaimo distribution
	3	3.90	Mrs J Doige	relief milk for Mrs E Edward
4	4	30.00	Peter Louis	Halhalt graveyard labor
	5	28.50	Baptiste George	Salvage logs Kuper Is logging
7	6	12.25	J R McAdam	taxi hire May
	7	28.20	Thos Pitt	twenty-eight
8	8	10.00	G H Raley	for Hazel James
10	9	82.80	Alfred D Livingston	3 shares Cowichan Lake band
8	11350	20.00	E Stock	travel expenses
		95375.99		

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Bank of Montreal account "A H Lomas, In Trust" (29)

Date	Cheque No	Amount	Payee	Explanation on cheque
1929		95375.99	forward from previous page	
June 10	11351	27.60	Lucy	Cowichan Lake Band distribution
	2	27.60	Gilbert Livingston	do
	3	27.60	Annie	do
	4	55.20	Dan Daniels	do
	5	18.30	Solomon George	interest advance
12	6	25.00	A H Lomas	travelling expense
	7	25.00	A H Lomas	travelling expense
19	8	42.50	Receiver General	Grosskleg rent Cowichan Lake
25	9	4.00	Stanley James	Nanaimo distribution 1 share
24	11360		cancelled	
	1	15.00	A H Lomas	advance wood
July 3	2	10.00	Johnny Page	advance fare etc U.S.A.
	3	26.00	E Stock	travel expense
5	4	30.00	A H Lomas	advance wages Halalt Cemetry
	5	53.34	D R Hattie	Halhalt reserve improvement
8	6	50.14	Thos Pitt	tires & car repairs June
9	7	9.50	J R McAdam	taxi hire Constable Joe
8	8	20.00	A H Lomas	travel expense
9	9	50.00	Receiver General	Churchill rental Quamichan Res
16	11370	15.00	Elsie Hardy	Comox Band distribution
19	1	25.00	Moses George	adv Skutz Timber
	2	10.00	James Maitland Dougall	adv Johnny Billy car lic
	3	20.00	E Stock	advance agent's travel exp
22	4	10.00	D Ford postmaster	Postage
Aug. 2	5	4.00	Wm Martin	Nanaimo Distribution 1 share
5	6	25.00	Solomon George	advance Leo George estate
22	7	40.27	Thomas Pitt	car expense July
6	8	12.00	J R McAdam	car hire Constable Joe
7	9	30.00	A H Lomas	travel Kuper Island
8	11380	50.00	W A McIntosh	advance salary cheque
10	1	15.00	Solomon George	re Leo George Estate
	2	10.00	H Bailey	trip Porteous Pass
9	3	15.00	E Stock	travel and incidental
14	4	25.00	A H Lomas	travel
17	5	15.00	Emily George	adv Leo George estate
	6	10.00	Solomon George	adv Leo George estate
19	7	20.00	A H Lomas	wood Joe Duncan
	8	4.00	Sammy Charlie	bad grass fire near Golf Club 1 day's wages
21	9	60.00	Peter Louis	wages Westholme graveyard
22	11390	4.00	Wm Thorne	fighting fire near Golf links
26	1	26.00	A H Lomas	adv Mrs Charley
23	2	15.00	Emily George	adv Leo George estate
27	3	20,00	Elizabeth Charlie	adv on Golf rent
28	4	40.00	Alex Peter	Malahat distribution
31	5	100.00	Sandy Joe	adv Hop pickers
	6	10.00	Josie Jim	adv cedar poles
Sept 4	7	4.75	J R McAdam	taxi hire August
	8	14.83	Thos Pitt	gas & repairs August
	9	14.07	Gray Bros	gas & repairs August
6	11400	25.00	A H Lomas	travel expense
7	1	15.00	E Stock	advance Joe Duncan wood
9	2	20.00	Josie Jim	advance poles
		96316.69		

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Bank of Montreal account "A H Lomas, In Trust" (30)

Date	Cheque No	Amount	Payee	Explanation on cheque
1929		963169	forward from previous page	
Sep 11	11403	6.10	W Waldon	1 bx stumping powder
12	4	20.00	Emily George	adv Leo George estate
	5	15.00	A H Lomas	travel exp
20	6	20.00	A H Lomas	travel exp
16	7	50.00	A H Lomas	Expense ac
13	8	15.00	E Stock	travel expense
25	9	25.00	A H Lomas	travel expense
Oct. 1	11410	1.00	Receiver General	An rent Agricultural Society
3	1	4.50	J R McAdam	taxi hire Constable Joe
7	2	50.00	A H Lomas	travel exp
	3	56.69	Thos Pitt	car exp September
10	4	28.50	Archie Sherman	launch hire Mayne Island
12	5	15.00	A H Lomas	travel expense
14	6	25.00	A H Lomas	travel & incidental exp
16	7	92.00	A H Lomas	adv Cowichan Res logging
18	8	5.00	Hazel James	advance rentals
19	9	4.48	Travelers' Aid Society	ticket telegrams etc Machael girls
	11420	25.00	A H Lomas	travel exp
21	1	10.00	A H Lomas	travel exp
23	2	50.00	A H Lomas	travel Vic fuel etc
25	3	20.00	Joe Duncan	wood supply agent
26	4	10.00	D Ford pm	postage stamps
30	5	7.00	Cowichan Merchants	cement for Mrs Ssenuatzs grave
31	6	25.32	Thos Pitt	repairs gas etc dept car 23088
Nov. 7	7	20.00	A H Lomas	travel exp
1	8	10.68	Neil McIver	groceries on Mayne Is trip
2	9	50.00	H L Helen, Sec Cowichan Golf Club	advance Joe Duncan
6	11430	3.80	Travellers' Aid Society	re assistance Indian girl Macheal at Seattle U S A
16	1	3.50	J R McAdam	taxi hire Consable O'Connell
19	2	100.00	Josie Jim	money held in trust to build house
16	3	40.00	A H Lomas	travel exp & fuel Ind Con Joe
17	4	10.00	Emily George	adv Leo George estate
23	5	20.00	A H Lomas	travel expenses
26	6	52.00	A H Lomas	adv lumber nails etc Mary Latimer house
28	7	56.00	A H Lomas	advance Mary Latimer
Dec. 6	8	13.50	J R McAdam	taxi hire Nov
9	9	21.57	Thos Pitt	dept car exp Nov
	11440	75.00	Receiver General	Pinson rent Halalt reserve
	1	30.00	Arthur Albany	Gunion linal rental Fulton
10	2	23.50	Cowichan Ag Society	4 boxes powder
13	3	10.00	A H Lomas	incidental exp
	4	10.00	Chief Edward Jim	1 share Nick. Leo distribution
14	5	30.00	A H Lomas	B C Electric poles Tseycum Res Fuel
16	6	900.00	A H Lomas	Nanaimo band distribution $4.00
	7	20.00	Edward Hallortson	refund Hong Hing rent Tsussig
	8	20.00	Dan Johnson	do
19	9	30.00	W A McIntosh	adv keep of stallion
		98.447.33		

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Bank of Montreal account "A. H. Lomas, In Trust" (31)

Date	Cheque No	Amount	Payee	Explanation on cheque
1929		98449.33	forward from previous page	
Dec 21	11450	250.00	A H Lomas	Tseycum distribution B C Elec Light Co poles
30	1	82.00	A H Lomas	Expense travel & fuel
1930				
Jan. 2	2	35.96	Thos Pitt	gas & repairs
6	3	45.00	A H Lomas	travel exp
11	24.00	Thos	O'Connell	Nanaimo Band dist 6 shares
	5.	20.00	Emily George	advance Leo George est for clos
9	6	27.50	J R McAdam	auto hire December
10	7	25.00	A H Lomas	travel exp
11	8	50.00	A H Lomas	travel & incidentals light etc
21	9	20100	Wm Swinerton	Skutz log jam 4 days
	11460	20.00	A H Lomas	travel expenses
14	1	25.00	A H Lomas	travel exp Victoria late Martha Davis inquest
27	2	4.00	William Martin	Nanaimo Band distribution 1 sh
28	3	25.00	Solomon George	adv Leo George estate
22	4	40.00	A H Lomas	exp connection with late Martha Davis manslaughter case
29	5	25.00	A H Lomas	travel expense Victoria Rex vs Prather
Feb 1	6	10.00	David Ford pm	postage
	7	28.00	Robin Tommy	Nanaimo Band Dist 7 shares
	8		cancelled	
3	9	17.40	Powel & Kibler	late Leo George estate Alex Geo
4	11470	18.00	Receiver General	renewal & rental Nanoose re Abernethy Lumber Co
	1	39.00	Miss Rose Hagan	Nanaimo Distribution Cecelia Jim & two children
	2	49.48	Thos Pitt	gas & repairs January
5	3	25.00	A H Lomas	travel exp Victoria
7	4	4.00	Thos O'Donnell	Nanaimo dist Mrs Joe Tom
8	5	5.00	Mary Joseph	rental on Songhees
	6	50,00	A H Lomas	travel exp
20	7	50.00	A H Lomas	travel exp
24	8	201.35	George Quehshaston	lumber Skutz Falls Res No 2
25	9	45.50	A H Lomas	Fuel light & travel
28	11480	5.25	Kirkham Ltd	destruction Indian horse
Mch 3	1	10.00	Solomon George	adv Leo George estate
4	2	152.00	Matthew Norris	Halalt Band distribution
	3	95.00	Edward Norris	do
	4	57.00	Louis Norris	do
	5	38.00	Peter Louis	do
	6	38.00	Michael Louis	do
	7	50.00	A H Lomas	travel
10	8	19.00	Jimmy Albert	Halalt Band distribution
	9	17.22	Thos Pitt	
	11490	23.00	J R McAdam	rep dept car & gas February
	1	25.00	Solomon George	adv Leo George estate
11	2	92.50	A H Lomas	Halalt Band
14	3	11.80	W Waldon	2 boxes stumping powder
19	4	120.00	Receiver General	Gray Bros lease to Aug 1 1930
	5	120.00	Receiver General	Vancouver M & Gr Co for Trust account Hazel James
		100583.29		

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Bank of Montreal account "A H Lomas, In Trust" (32)

Date	Cheque No	Amount	Payee	Explanation on cheque
1930		100583.29	forward from previous page	
Mch.22	11496	20.00	Solomon George	estate Leo George
	7	19.00	Sherman Lewis	(this cheque was outstanding (at the time the account was (closed when Mr Lomas was (suspended. It was subsequent (ly ordered paid by Mr Ditch- (burn - Sept 25 1930.
24	8	84.00	Receiver General	rental for portion of Thick reserve for log dumping
25	9	16.00	Receiver General	Nanaimo Band distribution refun
Apl. 1	11500	120.00	Receiver General	refund 3 shares Malahat Band
3	no no.	30.00	Solomon George	
	mq no.	40.00	A H Lomas	travel
		1.60	Exchange chgd of	Thurston Flavelle cheque depos'd (above cheques marked no no. (were on the ordinary fwrm of (blue cheque commonly used.
Apl. 3	124501	3.00	Receiver General	refund Tseycum Band Saanich
	2	44.94	Thos Pitt Ltd	car repairs & gas March
5	3	24.00	Joe Stetson	clearing river for Vice/regal party
8	4	68.00	Wm Thorne	2 canoes & mats for do
	5	10.00	D Ford Postmaster	postage (office)
5	6	75.00	A H Lomas	adv to indians & exp do
9	7	61.15	George Qu ash ton	balance on Skutz Res timber
	8	55.06	Receiver General	refund acct ch agent's exp trav
10	9	14.00	William Thorne	team to take canoe to Lake for Vice Regal party
	124510	11.80	W Waldon	2 bxs powder Thos Whusnalock
	1	6.30	Neil McIver	groceries for Indians clearing river for Vice-Regal party
12	2	20.00	B Young	refund stud fees
14	3	5.20	John Bazile	Lyackson Band distribution
10	4	45.00	A H Lomas	travel expense
14	5	52.00	Andrew Tom	Lyackson distribution 10 shares
	6	10.40	Max Tom	do 2
	7	41.60	Philip Tom	do 8
	8	36.40	George Tom	do 7
	9	5.20	Dick Norris	do 1
	124520	26.00	Timothy Dick Norris	do 5
	1	10.40	Modest Dick	do 2
	2	26.00	Anthony Johnny	do 5
	3	15.60	Johnny Norris	do 3
	4	10.40	Max Johnny Norris	do 2
	5	15.60	August Peter	do 3
17	6	7.75	J R McAdam	taxi hire March
	7	60.00	L C Brockway	Johnny Williams tombstone ac
	8	25.00	A H Lomas	travel expenses
26	9	15.00	James Jimmie	advance clearing land "Leo"
30	124530	21.64	Thos Pitt Ltd	car expenses April
May 7	1	9.38	Edward Peal	2½ days work on Cecelia Leo land
	2	15.00	James Jimmy	adv 4 days work do
Apl 23	3	15.00	A H Lomas	advance wood etc
		101774.71		

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Bank of Montreal account "A H Lomas, In Trust" (33)

Date	Cheque No	Amount	Payee	Explanation on cheque
1930		1017/4.71	forward from previous page	
May 8	124534	15.00	Chief George	adv for Hay W A McIntosh re land clearing "Cecelia Leo
	5	13.13	Enid Jim	3½ days do
	6	11.25	Josie Jim	3 do do
	7	5.63	Andy Peal	1½ do do
10	8	5.00	James Jimmy	ady on do
	9	40.00	A H Lomas	travel expenses & advances
16	124540	10.00	Lambeth Joseph	moneys left by Michael Cooper
	1	30.00	W A McIntosh	adv re land clearing Leo
13	2	62.00	A H Lomas	Merchant's account Nanaimo distribution & other advances
23	3	10.00	Addie Daniels	advance gravel
	4	7.50	David Antoine	do
	5	50.00	A H Lomas	adv wages Leo clearing
26	6	15.00	Solomon George	
	7	4.00	Adam Bill	Nanaimo Band 1 share
	8	10.00	Emily George	adv re Leo George estate
	9	8.00	Jimmie Tom	Nanaimo Band 2 shares
27	124550	40.00	A H Lomas	adv wages W A McIntosh
28	1	13.50	G McAffee	lumber for well Tsussie Indians
	2	44.00	Jimmie Joe	Nanaimo Dist 11 sh
26	3	15.00	A H Lomas	travel
28	4	36.00	Bob Seyward	Nanaimo Distribution 9 shares
	5	8.00	Jimmie Paynuts	do 2
	6	20.00	Alfred Jimmy Jr	do 5
29	7	4.00	Fred Edwards	do 1
June 4	8	28.00	Alex Johnny	do 7
May 29	9	8.00	Harry Wawanesea	do 2
30	124560	20.00	A H Lomas	adv for berry pickers
June 5	1	23.24	Thos Pitt Ltd	car expenses May
	2	30.00	A H Lomas	travel Nanaimo & Courtney
May 29	3	30.00	A H Lomas	car expenses & repair & travel
June 6	4	4.00	Sammy Smith	Nanaimo distribution 1 share
	5	4.00	Jimmy Hatelock	do 1
	6	4.00	Mrs Wm Brown	do 1
7	7	16.25	J R McAdam	car hire May
	8	4.00	Sarah Ann Good	Nanaimo distribution 1 share
	9	36.00	Louis Good	do 9
	124570	8.00	Wm Good	do 2
	1	8.00	Albert Wesley	do 2
	2	8.00	Billy Yacklum	do 2
	3	16.00	Joe Wyse	do 4
	4	4.00	Simon	do 1
	5	8.00	Wilkens James	do 2
	6	4.00	Mary Silkament	do 1
	7	4.00	James Queetson	do 1
	8	40.00	Mrs Joseph Peter	do 10
	124580	4.00	Moses Ward	do 1
	124578		cancelled	
	124581	8.00	Mrs Lucy Mansen	do 2
	2	20.00	Jack Wilson	do 5
	3	16.00	Paul White	do 4
	4	40.00	George Paul	do 10
	5	1026/72	cancelled	

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Bank of Montreal account "A H Lomas, In Trust" (34)

Date	Cheque No	Amount	Payee	Explanation on cheque
1930		10264.21	forward form previous sheet	
June 7	124586	4.00	Alex Jones	Nanaimo Distribution 1 share
7		16.00	Edward Brown	do 4
8		28.00	Mrs Robbie Tommy	do 7
9		24.00	Harry Jones	do 6
	124590		cancelled	
	1	8.00	Eli Tee och qualt	do 2
	2	20.00	Andy Wesley	do 4
	3		cancelled	
	4	32.00	Jonah Bob	do 8
	5	4.00	Sarah Gobd	do 1
	6	24.00	Abraham Lackyea	do 6
	7	8.00	George Wyse	do 2
	8	24.00	Johnny Paul	do 6
	9	20.00	Billy Joe	do 5
	124600	8.00	Harry James Jr	do 2
	1	12.00	Weldon Wesley	do 3
	2	16.00	David Wyse	do 4
	3		cancelled	
	4	28.00	Indian Johnny	do 7
	5	12.00	Solomon Jones	do 3
	6		cancelled	
	7		cancelled	
	8	11.80	Cow Ag Society	2 cases stump powder
	9	13.50	Gray Bros	repairs dept car
	124610	4.00	Abraham Lackyea	Nanaimo distribution 1 share
	1	4.00	Solomon Jones	1
	2	30.00	A H Lomas	travel expenses
	3	4.00	Johnny Paul	Nanaimo distribution 1 share
10	4	28.00	Isaac Jones	do 7
	5	8.00	Frank Johnny Tom	do 2
12	6	4.00	Thos O'Connell	do Leslie Tom
	7	75.00	Receiver General	Finnerty rental Comeakin
	8	8.03	Robert Simpson Ltd	for Hazel James Tom James Est
	9	10.00	Hazel James	adv trust funds Hazel James
20	124620	15.00	A H Lomas	travel expenses
13	1	20.00	A H Lomas	travel expenses & advances
17	2	50.00	Mgr Bank of Montreal	dft D B Makai refund
	3	60.00	Caroline	Estate Tom James
18	4	6.00	T J C Ball	fares for Elliott & Daniels to Okalla
21	5	10.00	Dan Daniels	adv fare & food to Alberni
18	6	98.00	A H Lomas	Nanaimo Band Distribution
23	7	1690.00	Receiver General	deposit rental & license fee (Thomson & Clark operations)
	8.	25.00	A H Lomas	Victoria & other expenses
20	9	20.00	A H Lomas	travel expenses
25	124630	15.00	A H Lomas	adv P White 10. 5. personal
26	1	65.00	A H Lomas	adv log jam Cowichan River Provincial Government
30	2	20.00	Emily George	Leo George estate advance
	3		cancelled	
July 3	4	31.20	Thos Pitt Ltd	car acc June
5	5	15.00	A H Lomas	travel & incidentals
8	6	23.00	J R McAdam	3 ricks wood & taxi hire

105298.74

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Bank of Montreal account "A H Lomas, In Trust" (35)

Date	Cheque No	Amount	Payee	Explanation on cheque
1930		105298.74		forward from previous page
July 8	124637			not used - still in book - blank
	8		do	do
16	9	25.00	A H Lomas	travel etc
8	124640	42.50	A H Lomas	adv Joe wood & travel
19	1	32.50	A H Lomas	adv Lashair deal
	2			not used - still in book - blank
		105398.74		
less		19.00		outstanding cheque
		105379.74		
		8923.80		Balance of this account transferred to account Department of Indian Affairs
		114303.54		

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Bank of Montreal account Department of Indian Affairs

1930 September 9th account opened by transfer from the account known as "A H Lomas, In Trust" of "A H Lomas, Trust Account"

Transfer amount			8923.80	
Sept 25	cheque No 11497	Sherman Lewis		19.00
Nov. 3	cheque	Miss K Robertson		152.00
	This cheque was issued to pay off the balance of the $900.00 distribution - see report Nanaimo Band			
Dec. 11	Deposit		106.23	
	Balance standing at credit of account			8859.03
			9030.03	9030.03

The above deposit was money refunded to the office for advances made previously under the following cheques

Cheque No	124537	Andy Peal		5.60
	124536	Josie Jim		11.25
	124531	Edward Peal		9.38
	124550	W A McIntosh		40.00
	124529	James Jimmy	15.00	
	32	James Jimmy	15.00	
	38	James Jimmy	5.00	
	cash	James Jimmy	5.00	40.00
				$106.23

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Canadian Bank of Commerce Courtney "A H Lomas, Trust Account"

Date	Cheque No	Amount	Payee	Explanation on cheque	
1925					
Jul 21	11556	5.00	J M Mitchell	Agmt Comox Logging Co	
	7	660.35	T Booth & Sons	provision ac Comox logging op	
	8		cancelled		
	9	312.00	W J C Hannah	Engineer's wages	do
	11560	10.35	Blunt & Ewart	repairs	do
	1	150.20	Graham & Monterieff		do
	2	21.75	F Dack	repairs - hardware	do
	3	50.00	Johnny Jamieson	wages adv	do
	4	35.00	Albert Johnson	do	do
	5	40.00	Isaac Frank	do	do
	6		cancelled		
	7	364.55	I Rickson	store acc	do
	8	30.00	Mrs Jack George	wages acc	do
	9	40.00	Joe Nimnim	do	do
22	11570	28.10	Forest Branch	scale fee	do
25	5	987.50	Bert Higgins	yarding	do
	6		cancelled		
	3	21.60	Gwilt L Co	planks	do
Aug 11	11582	19.50	Geo Hawkins	wages	do
20	5	50.00	Geo Mitchell	do	do
Sep 28	11608	10.00	A H Lomas	travel	
	9	42.00	Johnny Jamieson	wages	do
	11610	60.00	Jack George		do
	1	48.00	George Mitchell (MO)		do
	2	22.00	Alex Johnson		do
	3	10.00	Joe Nimnim		do
	4	20.75	I W McKenzie & Sons		do
	5	15.00	A H Lomas	cash for A Johnson	do
	6	75.75	Bert Higgins	final extras	do
	7		cancelled		
Oct. 3	9	12.50	C E McMillan	booming	do
6	11622	5.00	Mrs J Edwards	wages	do
	3	91.60	Mike Gatus	wages less store acc	63.65
	6	50.00	Andy Frank	wages final	
16	7	40.00	Isaac Frank	final wages	do
Nov. 3	11633	12.85	Graham & Monterieff	supplies	do
7	8	19.90	Joe Nimnin	repairs to graveyard	
17	11641	40.00	Wm Matthewson	rent Booming ground	do
	2		cancelled		
24	3	345.60	Receiver General	Royalty 345060 feet	do
1926					
Mch. 9	11686	32.00	Peacock & McKenzie	Willie Billie ac	do
19	8	7.50	Geo Mitchell	Comox	
	9	10.00	Jack George		do
	11690	10.00	Isaac Frank		do
	1	10.00	Andy Frank		do
	2	10.00	Johnny James		do
	3	10.00	Willy Billy		do
Nov 19	11767	26.90	Graham & Monterieff	account	do
Dec 21	11784	10.00	Joe Nimnim	adv lumber dues	do
	5	10.00	Jock George	do	do
	6	10.00	George Mitchell	do	do
	7	10.00	Andy Frank	do	do

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Canadian Bank of Commerce Courtney "A H Lomas, Trust Account" (2)

Date	Cheque No	Amount	Payee	Explanation on cheque
1926		3902.71	forward from previous page	
Dec 21	11788	10.00	Isaac Frank	adv lumber dues
	9	10.00	Charlie Jamieson	do
	11790	10.00	Anna Joe	do
	1	10.00	Willie Billie	do
	2	10.00	Albert Johnson	do
	3	10.00	Mrs George Hardy	do
Nov 17	11766	40.00	A H Lomas	
		.12	postages	
		5.36	Balance standing at credit of account	
		4008.19		

3968.19
40.00

Deposited August 1 1925 - timber cheque
Transferred from Duncan account by cheque dated December 22 1925

4008.19

$5.36 Balance standing at credit of this account

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The charge preferred against Lomas at present is as follows:

"At the City of Duncan in the County of Nanaimo "in the Province of British Columbia between the 10th day of "August, 1928, and the 29th day of May, 1930, ALFRED H. LOMAS "being then and there employed in the service of His Majesty "and being then and there by virtue of his said employment in "possession of certain moneys to the amount of $12,453.79, did "unlawfully steal the said moneys contrary to the Statute in "such case made and provided".

Lomas, on the charge, was arrested on Friday the 12th instant and immediately applied for bail which was fixed at the sum of $12,000.00 by the Magistrate at Duncan but being unable to obtain bail, was transferred to the Provincial Gaol at Oakalla for safe keeping.

The Superintendent of Provincial Police informs me that it is not at all likely that the accused will manage to obtain sureties that will be accepted on his bail bond and that in the meantime the preliminary hearing before the Magistrate has been adjourned for one week.

At present advised it may be necessary to apply for a further adjournment so that we may have full information as to the extent of the defalcation before adducing evidence on the present charge.

With reference to civil actions in order to recover the moneys, it would appear that any judgment obtained could not be recovered as Lomas is not known to be possessed of any property or moneys that could be obtained by way of execution or attachment. In fact, it is rumoured, that he has no means whatsoever.

However, we are awaiting a further report from the Indian Commissioner before taking any further action by way of civil proceedings.

We will keep you further advised as the situation develops.

We have the honour to be,
Sir,
Your obedient servants,

MORESBY O'REILLY & LOWE,

PER _____

WCM/WW:
ENCL.

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Brief for

INSTRUCTIONS FOR W. C. MORESBY, K.C., COUNSEL ON BEHALF OF THE CROWN ON INSTRUCTIONS FROM THE HONOURABLE THE MINISTER OF JUSTICE OF CANADA.

REX V. LOMAS:

The accused is charged under Section 359-C of the Criminal Code and the particulars of the charge as made is that Lomas, while in the employ of His Majesty, did steal the sum of $12,453.79. In drawing up the charge regard must be had to Section 868 of the Criminal Code which provides in substance that in every case of theft under Section 359, Paragraph C, "The property in any.....money may in any warrant by the Justice by whom the offender is charged be held for his Majesty..

The evidence to be adduced by the prosecution would show that Alfred H. Lomas was appointed Indian Agent at Cowichan Agency with office situated at the City of Duncan, British Columbia, in the month of ~~December~~ October, 1921, and at the time of his appointment was furnished with the printed instructions to Indian Agents in which instructions, inter alia, attention is drawn to a compliance with Sections 81 and 82 to be found on Page 19, which provides in substance that monthly returns of collections of timber dues should be sent to the Department immediately after the end of each month. As Indian Agent, Lomas ~~issued~~ arranged licenses to certain persons to cut timber on Chemainus Indian Reserve No. 13, situated on Vancouver Island, Province of British Columbia; Cowichan Indian Reserve No. 1, situated on Vancouver Island; and Kuper Island Indian Reserve No. 7, one of the islands in the Gulf of Georgia in the Province of British Columbia.

In respect of the timber cut by the persons to whom the licenses were issued, Lomas as Indian Agent received the

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12455-69

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moneys as follows:

KUPER ISLAND INDIAN RESERVE NO. 7:

1928. August 10	J. W. Kien	$443.25
September 13	" " "	439.75
December 4	" " "	627.98
" 4	Thomsen & Clark	1039.82
1929. March 2.	" " "	300.90
" 2	J. W. Kien	879.37
" 28	Thomsen & Clark	1727.12
July 30	" " "	783.76
August 19	" " "	329.57
" 19	" " "	304.88
October 12	" " "	4683.37
	TOTAL	$11,558.97

COWICHAN INDIAN RESERVE NO. 1:

1929. October 12	Bevan	$189.07
" 12	"	482.72
" 12	"	489.37
December 10	Dickie & Bevan	566.90
" 10	" " "	774.09
1930. May 8	Tzouhalem Logging Co.	255.75
" 8	" " "	928.80
" 12	H. W. Bevan (Dickie & Bevan)	405.87
" 29	Tzouhalem Logging Co.	602.25
	TOTAL.....	$4,694.82

CHEMAINUS INDIAN RESERVE NO. 13:

October 12, 1929	A. A. Plumber	$823.25
" 21 "	" " "	876.67
February 8, 1930	Thurston Flovelle Ltd.	524.88
	Carried For'd	$2224.80

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		Brought Forw'd	$ 2224.80
February 8, 1930	Thurston Flovelle Ltd.		391.15
" " "	"	" "	832.28
March 15	"	" "	1289.46
May 8	"	" "	385.56
		TOTAL.....	$5123.25

These moneys as and when received were deposited in the account in the Bank of Montreal, Duncan B. C. Branch, to the credit of A. H. Lomasx Trust Account. It will be shown that no compliance was made with the printed instructions above mentioned as to monthly returns of collections, nor were any moneys forwarded to the Indian Department in respect of moneys paid to Lomas for timber cut on the Indian Reserves, but it will be shown that Lomas from time to time drew cheques on the account that he had in the Bank of Montreal and converted the moneys so drawn to his own use without any authority from the Indian Department or anyone connected therewith.

Subsequently, namely the 22nd day of July, it was found that out of the money so received by him as aforesaid there only remained in the bank account the sum of $8,923.80, so that it will be seen that the total amount of moneys drawn by the accused from the bank and converted to his own use in respect of the moneys received on the timber operations totals $12,453.79. The bank books will be produced which will show the deposits made and fortunately a witness who was in the employ of the bank will be able to show the depositx taken from the accused's deposit slips ~~and~~ for marking the moneys so collected by him in respect of the timber operations. At this stage it will be pertinent to point out that the withdrawings from the bank commenced on or about the time of the deposit of the first moneys received, which

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was on August 10, 1928, being the moneys received from J. W. Kien amounting to $443.25, for timber operations on Kuper Island and were carried on up and until and possibly later than the 29th of May, 1930 when the last payment of $602.25 was received by the accused from the Tzouhalem Logging Company in respect of timber cut on the Cowichan Reserve.

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July 30	" " "	783.76
August 19	" " "	329.57
" 19	" " "	304.88
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May 8	" " "	"	385.56
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Form 6102, Replacing Form 2A-T.W.

CLASS of SERVICE DESIRED	
Day Message	
Day Letter	
Night Message	
Night Letter	

Patrons should mark an X opposite the class of service desired; OTHERWISE THE MESSAGE WILL BE TRANSMITTED AS A FULL-RATE TELEGRAM

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Send the following message, subject to the terms on back hereof, which are hereby agreed to

15/11901b

Indian Commissioner's Office,
Victoria, B.C.
October 1, 1930.

Duncan C. Scott, Esq.,
Deputy Supt. General of Indian Affairs,
O T T A W A .

LOMAS PLEADED GUILTY AND ELECTED FOR SPEEDY TRIAL BEFORE COUNTY COURT JUDGE BARKER AT NANAIMO YESTERDAY AND WAS COMMITTED TO THE PENITENTIARY FOR TWO YEARS AND A HALF

W.E. DITCHBURN,
Indian Commissioner for B.C.

Charge Indian Office.

RUSH

Telephone 6200

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158/3/19030.

October 2, 1930.

Dear Sir:

I am returning herewith evidence taken at the trial of Indian Agent Lomas at Duncan on the 25th of September, having made copies of same for my office fyle.

I beg to thank you for the use of the same.

Yours respectfully,

Enc.
WED/TH.

W.E. Ditchburn,
Indian Commissioner for B.C.

W.C. Moresby, Esq.,
Moresby, O'Reilly & Lowe,
205 Belmont Building,
Victoria, B.C.

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September 30, 1930.

Crown and Lomas was asked by the Magistrate if he wished to plead but he reserved any decision on this point.

The Magistrate therefore committed Lomas for trial before a Court of competent jurisdiction at Nanaimo and it is expected that the case will either come before His Honour Judge Barker of the County Court or the Assize Court during the present week or early next week. I have been given to understand that in all likelihood Lomas will plead guilty, but if he pleads not guilty I will have to go to Nanaimo again and give evidence.

Mr. C. W. O'Neill of Duncan has been requested to go through the files of the Indian office and make an audit. The information I have obtained has been placed in Mr. O'Neill's possession and I trust will be helpful to him, particularly the classification of the deposits made by Lomas as the details are pretty fully given up to as far back as June 1924 but for the years 1921-2-3 and up to June 1924 this is not the case.

I fear however it will be ascertained that Lomas is short in his accounts in other instances than those above cited. For instance in connection with timber cut from Skutz Indian Reserves 7 and 8. The files show he received from Scottish Palmer Company $ 788.98 , none of which was forwarded to the Department. He however did pay to an Indian named Geo. Quaashton, the alleged owner of No.7 Reserve the sum of $312.50 which he had no right to do. The balance of $ 476.48 was never forwarded to the Department. Then in 1924 Lomas received from the Department $14912.00 as compensation for the Canadian National right-of-way which he was to distribute among the Indian owners of the land through which the right-of-way passed and was to take receipts therefor. Receipts on file amounting to $13562.85 show that this amount was paid but there appears to be $1348.90 which he did not pay out and the files do not show that he made any returns to the Department of this amount.

A small amount of timber was cut from Qualicum Reserve and paid for but there is no evidence of this money being forwarded to Ottawa.

It is thought it will also be found in some instances that cheques which were issued to Mr. Lomas in payment of rentals were cashed by himself personally and the monies used for private purposes, but when getting an order on the Receiver General for some of these amounts he issued cheques against the trust fund. These and no doubt other delinquencies will be dealt with in Auditor O'Neill's report.

Your obedient servant,

W. E. Ditchburn.
Indian Commissioner for B.C.

WED/AC

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158
~~136~~/3/19010.

September 30, 1930.

Dear Sir: REX vs LOMAS.

Refering to your wire of the 2nd instant and letter of the 3rd in which you informed me that the Department of Justice had authorized employment of Moresby, O'Rielly and Lowe to prosecute Alfred H. Lomas, Indian Agent at Duncan, for converting Departmental funds to his private use, I beg to say that as per your instructions I notified the above mentioned legal firm of the desire of the Department and furnished Mr. Moresby with a statement showing in what respects Mr. Lomas had been found to have been short in his accounts up to that time. After a personal conference with Mr. Moresby he immediately got in touch with the Acting Superintendent of Provincial Police and as a result a warrant was issued for the arrest of Lomas on the 19th instant and he was charged under Section 359 of the Criminal Code with stealing $12,453.79. Lomas was placed under arrest and taken to Oakalla Prison pending a preliminary trial which was set for Thursday, the 25th instant, at Duncan, B. C., before Mr. Maitland-Dougall, S.M.

At the trial on Thursday last Mr. Moresby prosecuted and I was chief witness for the Crown and showed that between the 28th of August,1928,and 28th of May, 1930, Mr. Lomas as Indian Agent had received $21,377.49 for timber cut from Chemainus Indian Reserve No.13, Cowichan Indian Reserve No.1. and Kuper Island Reserve No.7; that he had not forwarded any of these funds to the Department at Ottawa as per Sections 81 and 82 of the printed Instructions to Indian Agents, a copy of the 1913 edition of which he had been furnished with at the time of his appointment. Instead of carrying out this procedure he had placed the various sums received in the Bank of Montreal at Duncan and drawn on the same with the result that I found on the 22nd. of July the bank balance was only $8923.80 and thus there was a shortage of $12,453.69 in connection with these three timber operations alone.

The ledger keeper of the Bank was also called as a witness to testify to the correctness of the bank account and as to Mr. Lomas' signature to cheques which he had issued, and also to the correctness of the list of deposits,which fortunately I had the Bank Manager give me information regarding the various items making up each deposit. Thus it was an easy matter to identify the deposits with the payments received.

As I had previously had Mr. J. D. Caldwell catalogue the cancelled cheques issued by Lomas, he also was called as a witness. This closed the case for the

Duncan C. Scott, Esq.,
Deputy Superintendent General,
Department of Indian Affairs,
Ottawa, Ont.

Crown .....

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September 15th, 1930.

OUR FILE I-145.

TO THE DEPUTY MINISTER OF JUSTICE,
OTTAWA, CANADA.

Sir:

YOUR FILE B.-28 INDIAN AFFAIRS, B.C.
REX VS. LOMAS.

We have the honour to confirm our nightlettergram to you of the 11th instant reading as follows:

"Re B Twenty-eight Indian Affairs Investigation so far discloses "sufficient to show shortage in excess of Twelve thousand Dollars "in connection with payments made Agent for timber operations stop "Preferring charge under Code Three hundred and fifty-nine stop "Would advise auditor be instructed to complete investigation "If authorized wire name of appointee."

In explanation of wiring your Department we beg to advise you that we received a letter from W.E. Ditchburn, Indian Commissioner for B.C. dated the 10th instant, a copy of which we enclose.

As the instructions in that letter disclosed that Alfred H. Lomas former Agent of the Department of Indian Affairs at Duncan, B.C., was short in his accounts to the extent of $12,453.79 in connection with payments made to him on timber operations as therein set forth and that the moneys had undoubtedly been taken and converted to his own use, we deemed it advisable to prefer a charge under Section 359 of the Criminal Code and cause the arrest of Lomas without any delay, as we had reason to believe that the exigency of the case demanded immediate arrest.

The writer has had several interviews with Mr. Ditchburn with a view to ascertaining the extent to which the defalcation will run, but it is practically impossible to obtain anything definite owing to the chaotic state of the files in the Duncan office and we felt that the only way in which a proper investigation could be made would be with the assistance of an auditor and accordingly sent the wire above mentioned.

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PARTICULARS FOR INFORMATION.

At the Town of Duncan in the County of Nanaimo in the Province of British Columbia between the 10th day of Aug 1928 and the 24th day of Aug 1930 ALFRED H. LOMAS being then and there employed in the service of His Majesty and being then and there by virtue of his said employment in possession of certain moneys to the amount of $12,453.79, did unlawfully steal the said moneys contrary to the Statute in such case made and provided.

Mr Moseley

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(C O P Y)

Balance of A. H. Lomas, In trust, account is $8,923.80 (Eight thousand, nine & twenty-three--80/100 at July 22, 1930.

BANK OF MONTREAL
Duncan, B.C.

(Signed) P. G. Fladgate,
Ledger Keeper.

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(COPY)

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194/25786.

July 22, 1932.

Dear Sir:

I beg to acknowledge receipt of your letter dated July 20th, file 61/L/3, with two cheques mentioned therein. These have been handed to the Indians mentiongd by you and their receipts, duly witnessed by Mr. Caldwell, are enclosed herewith. I should advise you that Dan Daniels stated that in his conversation with you recently, which was interpreted by Constable O'Connell, he was given to understand that the shares would be $11.00 each and expressed his disappointment that the amounts sent were so much less, these being $4.66 and $2.34, respectively, the former in favor of Dan Daniels and the latter in favor of Annie Wemyes. Mr. O'Connell, who was here today, was under the same impression as the Indian.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C

Encl.
P/AC

H. Graham, Esq.,
Indian Agent,
Duncan, B.C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

61/L/3

Duncan. B.C.

July. 20th. 1932

Dear Sir.

I will be very much obliged if you will have the enclosed cheques handed to Dan Daniels, and his Mother Annie Wensees, and have them sign the enclosed receipts in duplicat
Dan promised me that he would be in your office tomorrow morning Thursday 21st.
Please have receipts returned to me.

Yours truly.

H. Graham.

(H.Graham)
Indian Agent.

G. C. Perry Esq.
Asst. Indian Commissioner.
P. O. Box 666
Victoria. B.C.

DEPARTMENT OF INDIAN AFFAIRS
VICTORIA, B. C.
JUL 21 1932

INDIAN AFFAIRS
AFFAIRES INDIENNES
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194/24358.

March 15, 1932.

Dear Sir:- Re-A.H. Lomas Defalcation Account.

In connection with your letter of the 25th ultimo referring to Mr. O'Neill's report, in which it was pointed out he had made no mention of $857.88 which should have been credited to the Qualicum Band, I have to inform you this error was noted some time ago in this office, but at the time of receiving the tabulated statement from the Department the omission of this amount was not noticed. I, therefore, wrote to the Department on the 1st instant drawing attention to this discrepancy and am now in receipt of a further letter showing that the correction has been made and it is stated that the distribution of funds available will be made on the basis of 42.26% instead of 43.64%. I am attaching hereto for your information and future guidance a copy of letter received from the Department today together with an amended tabulation. You should, therefore, cancel the statement forwarded to you on the 10th February last.

You will observe that $570.49 credited to the Somenos Band will be held by the Department at my suggestion that this should be the case until such time as the Indians can agree among themselves as to who are to receive any of the compensation for the Canadian National Railway right-of-way.

Yours respectfully,

WED/KD.

Enclosures:-

W. E. Ditchburn.
Indian Commissioner for B. C.

H. Graham, Esq.,
Indian Agent,
Duncan, B. C.

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Copy.

4-152 X

Department of Indian Affairs,
Canada.

Ottawa, March 10th, 1932.

Sir:-

Re-A.H. Lomas' Shortages.

In reply to your letter of the 1st instant, number 194/24189, I beg to inform you that the error on page 51 of Mr. C.W. O'Neill's report has been corrected, and to the statement of Mr. Lomas' shortages we had added $857.88, on account of the Qualicum Indians. The distribution of funds available will be made on a basis of 42.26%, and I am enclosing amended statement of proposed payments from which you will observe that the Qualicum Band is entitled to $362.54.

The sum of $570.49, representing amount to be distributed among the Somenos Indians as compensation for right of way of the Canadian National Railway, will be held as suggested by you.

Your obedient servant,

"A. F. MacKenzie"

Secretary.

W. E. Ditchburn, Esq.,
Indian Commissioner,
Victoria, B. C.

RG 10, C-II-2, vol. 11297

INDIAN AFFAIRS
AFFAIRES INDIENNES

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Copy.

DEPARTMENT OF INDIAN AFFAIRS.

STATEMENT of Shortages of A.H. Lomas, Indian Agent, Cowichan Agency, on account Departmental advances and funds held in trust for Indians.

SHORTAGES OF ADVANCES.	Amount owed as certified by C.W. O'Neill Auditor.	Proposed Payments.
To Department of Indian Affairs	447.71	447.71
SHORTAGES OF FUNDS HELD IN TRUST FOR INDIANS.		
Chemainus	5,123.25	2,165.09
Cowichan	729.67	308.36
Heynipsen	4,695.77	1,984.43
Somenos	1,349.95	570.49
Cowichan Lake Band	27.60	11.66
Halalt Band	200.00	84.52
Penelakut Band	11,892.28	5,027.42
Qualicum Band	857.88	362.54
Estate of Charley Catsawout	438.03	185.11
" " Dan Daniels	170.10	71.88
" " Leo George	1,331.73	562.79
" " Mary George	68.58	28.98
" " Willie Joe	110.00	46.49
" " Charley Sulsulth	300.00	126.78
Mishael Suisaynock	20.00	8.72
FUNDS AVAILABLE FOR SETTLEMENT OF CLAIMS.		
Dec. 8/30, Fidelity Insurance Co., Claim 482.....$	2,000.00	
Apr. 23/31, Finance Department refunded amount at credit of A.H. Lomas in Retirement Fund.....	1,028.58	
May 14/31, Bank of Montreal, Duncan, B.C., Credit Balance....	8,859.03	
May 26/31, Canadian Bank of Commerce, Courtenay, B.C., Credit Balance....	5.36	
Jan. 1/32, Interest on $2,000.00...	100.00	
	$ 11,992.97 $27,762.55	$ 11,992.97

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

IN YOUR REPLY REFER TO
No. 4-152 X
ALSO TO THE DATE OF THIS LETTER
PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

/O'C

DEPARTMENT OF INDIAN AFFAIRS
CANADA

Ottawa, March 10th, 1932.

Sir:

Re A. H. Lomas' Shortages.

In reply to your letter of the 1st instant, number 194/24189, I beg to inform you that the error on page 51 of Mr. C. W. D'Neill's report has been corrected, and to the statement of Mr. Lomas' shortages we have added $857.88, on account of the Qualicum Indians. The distribution of funds available will be made on a basis of 42.26%, and I am inclosing amended statement of proposed payments from which you will observe that the Qualicum Band is entitled to $362.54.

The sum of $570.49, representing amount to be distributed among the Somenos Indians as compensation for right of way of the Canadian National Railway, will be held as suggested by you.

INCL.

COMMISSIONER'S OFFICE
MAR 15 1932
VICTORIA, B.C.

Your obedient servant,

A. F. MacKenzie.
Secretary.

W. E. Ditchburn, Esq.,
Indian Commissioner,
VICTORIA, B.C.

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DEPARTMENT OF INDIAN AFFAIRS.

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194/24190.

March 1, 1932.

Your file 842-J-3.

Dear Sir:-

I beg to acknowledge receipt of your letter of the 25th ultimo with further reference to the "A.H. Lomas Defalcation Account" and note your reference to the fact that in the Department's statement no mention is made of a credit to the Qualicum Indians for 34,315 lineal feet of piling.

In reply I beg to say that you are correct in stating that Auditor O'Neill was wrong in placing this amount at $ 85.79 and that the amount of $857.88 is shown in the bank deposits as having been made on the 21st June, 1926. This payment, however, was not made by Dawson and Thomas as surmised by Mr. O'Neill, but by J.C.H. Westwood, of Nanaimo, but the foregoing is only mentioned for your information. I am writing to the Department today drawing their attention to the fact that a portion of this $857.88 should be credited to the Qualicum Indians as the name of this band has been omitted from the list. I have also informed the Department that insofar as making any distribution of the $589.11 to the Somenos Indians, I consider this matter should be left in abeyance until such time as the Indians can agree among themselves as to who are to receive any of this compensation for the right-of-way.

I am returning herewith your file dealing with the Canadian National Railway right-of-way subject which you forwarded to me recently.

Yours respectfully,

WED/KD.

Enclosure:-

W. E. Ditchburn.
Indian Commissioner for B. C.

H. Graham, Esq.,
Indian Agent,
Duncan, B. C.

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194/24189.

March 1, 1932.

Your file 4-152X.

Dear Sir:-

I beg to acknowledge receipt of your letter of the 4th ultimo referring to the final distribution of funds in the "A.H. Lomas Defalcation Account" and your statement that this has been arranged on a basis of 43.64%.

In reply I beg to say that the cheque which you forwarded to me for $8.72, representing $20.00 in favor of Mishael Suisaynock, has been paid to this Indian and a receipt for the same is now on file in this office.

In connection with the sum of $589.11 representing 43.64% of $1,349.95 which might be distributed among the Somenos Indians as compensation for the right-of-way of the Canadian National Railway, I beg to say that I cannot recommend at the present time that this money should be distributed among the Indians in view of the fact that there is considerable dissension among them as to who should be the recipients of the same.

In your letter of the 4th ultimo you furnished a statement of A.H. Lomas' shortages, but I observe in the same that no mention is made of any credit to the Qualicum Band.

On page 51 of Auditor O'Neill's report you will note that he refers to 34,315 lineal feet of piling sold to O.W. Thames at 2½¢ per lineal foot and he puts the amount down as $85.79. This, however, is an error and should be $857.88. In the bank statement it is shown that this amount of money was deposited by Lomas on the 21st June, 1926, and received from J.C.H. Westwood, of Nanaimo, this sum being evidently in payment for the piling mentioned above. On going through the list of cancelled cheques I cannot find that Lomas ever paid any of this money to the Qualicum Indians and it appears to me, therefore, that a slight change should be made in your financial statement in order that a credit of a percentage of this $857.88 may be allowed for the Qualicum Indians.

Your obedient servant,

WED/KD.

W. E. Ditchburn.
Indian Commissioner for B. C.

The Secretary,
Department of Indian Affairs,
Ottawa.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Duncan, B. C.

February 12th, 1932.

780-J-3

Your File No.194/24000

Dear Sir:- Re. A. H. Lomas Defalcation Account.

I have yours of the 10th, instant to-gether with a copy of one from the Department and was very disappointed to read that the Department are only allowing the Indians 43.64% on the money due them.

As requested by you I am enclosing Canadian National Railway Company file re. right-of-way through Somenos Indian Reserve. You asked for my recommendation after consulting the Indians on this matter. I might state that ever since I came here this very matter has beena bone of contention and only recently I tried to bring the matter to a head by holding a meeting of the Somenos and Quamichan Indians, all of whom claim this land. Nearly every Indian of the Somenos Band claims lots up in this area from 40 to 80 acres, some of them stating that the land had been given to them by the first Agent Lomas, and others claim that the land had been willed or left to them by relatives, but not one of them can show anything as to how they came in possession of this, and there are a few of the Quamichan Indians who claim rights to similar areas in the same way. The Quamichan Band claim that this land was set aside when the reserve was surveyed out, and allotted as timber land for their Band . Some of the older Indians came forward and stated that they had complained to the Surveyor at the time of certain land being cut off in the vicinity of Quamichan village , and that they were given timber land at Glenora in place of this. There are only two Indians who have actual improvements and live in this vicinity, namely Glenora district, and I ruled recently that all this land was common land for fire wood purposes for members of the band who needed fire wood for their private use.

Under these circumstances I would be inclined to recommend that this money should remain to the credit of the Band in general.

Yours obediently,

H. Graham.

(H. Graham)
Indian Agent.

W. E. Ditchburn, Esq.,
Indian Commissioner for B. C.
VICTORIA, B. C.

COMMISSIONER'S OFFICE
FEB 13 1932
VICTORIA, B. C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Duncan, B. C.

February 25th, 1932.

842-J-3

Re. A. H. Lomas Defalcation Account.

Dear Sir:-

In connection with this account, it has been brought to my notice that there is an error in regard to Qualicum timber account, as shown in Mr. O'Neill's report, page 51, and he had pencilled correction in our copy here, under his signature.

"here it reads 491 piles, 34315lineal feet at 2½ cts amounts to $85.79- (should read- $857.87.)

Then under listing of Bank deposits, June 21st. 1926, this amount is shown as deposited- $857.88 which Mr. ONeill tagged as "May be Dawson and Thomas"??". While this entry apparently should be credited to shortage due to the Qualicum Band, for timber cut.

There is no doubt apparently but that this was simply a clerical error, and that Qualicum Band shortage should be shown as $857.88, and Mr. O'Neill has pencilled this correction in our Copy of his report.

Would you kindly take this matter up with the Department, so that this shortage can be taken care of.

Yours obediently,

H. Graham.

(H. Graham)
Indian Agent.

W. E. Ditchburn, Esq.,
Indian Commissioner for B. C.
Victoria, B. C.

COMMISSIONER'S OFFICE
FEB 26 1932
VICTORIA, B. C.

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RG 10, C-II-2, vol. 11297

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AFFAIRES INDIENNES

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194/24109.

February 22, 1932.

Your file No. 4-152X.

Dear Sir:-

I beg to acknowledge receipt of your letter of the 4th instant in which you enclosed C heque No. 9645 for $8.72 as full payment of the claim of Mishael Suissynock.

This cheque has now been delivered by Mr. Indian Agent Graham and the Indian's receipt for the same is on file in this office.

Your obedient servant,

AVH/KD.

W. E. Ditchburn.
Indian Commissioner for B. C.

The Secretary,
Department of Indian Affairs,
Ottawa.

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DEPT. OF INDIAN AFFAIRS

No. .....

$8.72

Victoria, B. C., Feb. 10, 1932.

Received from W. E. Ditchburn,

----Eight----72/100 *Dollars,*

for Dept. Cheque #9645
Mishael Suisaynock, Payment in full claim against
A.H. Lomas.

Witness, Kate Roberts

Signed in duplicate, Mishael Suisaynock X Her Mark.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Duncan, B. C.

February 19th, 1932.

811-J-3

Your File No.194/24000

Dear Sir:- Re. A. H. Lomas Defalcation Account

In reference to yours of the 10th, instant, I now enclose herewith receipt duly signed by Misheal Sinsaynock acknowledging Department cheque No.9645 for $8.72, in connection with above account.

Yours obediently,

H. Graham.

(H. Graham)
Indian Agent.

W. E. Ditchburn, Esq.,
Indian Commissioner for B. C.
VICTORIA B. C.

INDIAN COMMISSIONER'S OFFICE
FEB 22 1932
VICTORIA, B. C.

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National Archives of Canada
Archives nationales du Canada

194/24000

February 10, 1932.

Dear Sir:- Re-A.H. Lomas Defalcation Account.

I am herewith furnishing you with a copy of a letter and statement just received from Ottawa with reference to the above quoted subject in which it will be shown that it had been decided to pay the various claims on a 43.64% basis.

On page 75 of Auditor O'Neill's report it is shown that an amount of $20.00 is claimed by Michael Suisaynock as having been left in trust for him by a Mrs. Marshall with Mr. Lomas on July 14th, 1930. On the above basis the Department is paying $8.72 and Departmental Cheque No. 9645 for this amount is herewith enclosed which I beg to ask you will turn over to the Indian named and have him sign the attached receipt, after which please return it to this office for record.

It will be noted in the Departmental letter there is the sum of $589.11, representing 43.64% of $1,349.95, being money paid by the Canadian National Railway for its right-of-way through the Somenos Reserve. Reference to this is found on page 22 of Auditor O'Neill's report. I remember seeing a file on this subject in the Duncan Office when investigations were being made into Mr. Lomas' defalcations and I would be obliged if you would let me have it in order that I may look it over and be in a position to report to the Department as to whether this amount of $589.11 should be distributed among the Indians or held in trust for them. Your own recommendation after consulting with the Indians in this matter will be appreciated.

Yours respectfully,

WED/KD.

Enclosures:-

W. E. Ditchburn.
Indian Commissioner for B. C.

H. Graham, Esq.,
Indian Agent,
Duncan, B. C.

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Archives nationales du Canada

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Copy.

4-152X.

Department of Indian Affairs,
Canada.

WITH CHEQUE.

Ottawa, February 4, 1932.

Sir:-

I beg to say that the final distribution of funds in the "A.H. Lomas Defalcation Account" has been arranged on a basis of 43.64%. For your information I enclose herewith a statement of the account.

The amount due the six estates has been transferred to savings accounts at the Department, and can be disposed of for legitimate purpose. A cheque for $8.72 is enclosed herewith in favor of Mishael Suisaynock in payment of his claim of $20.00 as reported by Mr. O'Neill, Auditor.

The disposal of the amount payable on behalf of the Somenos Band - $589.11 - is somewhat in doubt. This money was paid by the Canadian National Railways for right of way, and the Auditor reports there is some dispute as to the disposal of the money. Kindly refer to Mr. Auditor O'Neill's report and advise the Department whether the said amount should be held at Ottawa to the credit of the Somenos Band or distributed on a proportionate basis to the Indians mentioned in the said report.

Your obedient servant,

"A. F. MacKenzie"

Secretary.

W.F. Ditchburn, Esq.,
Indian Commissioner,
Victoria, B. C.

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DEPARTMENT OF INDIAN AFFAIRS.

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

OUR REPLY REFER TO
No. 4-152X
ALSO TO THE DATE OF THIS LETTER
PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

WITH CHEQUE

DEPARTMENT OF INDIAN AFFAIRS
CANADA Ottawa, February 4, 1932.

Sir,-

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The amount due the six estates has been transferred to savings accounts at the Department, and can be disposed of for legitimate purpose. A cheque for $8.72 is inclosed herewith in favour of Mishael Suisaynock in payment of his claim of $20.00 as reported by Mr.O'Neill, Auditor.

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Your obedient servant,

A.F.MacKenzie
Secretary.

W.E.Ditchburn,Esq.,
Indian Commissioner,
Victoria,B.C.

COMMISSIONER'S OFFICE
FEB 10 1932
VICTORIA, B. C.

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DEPARTMENT OF INDIAN AFFAIRS.

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" " Willie Joe	110.00	48.00
" " Charley Sulsulth	300.00	130.92
Mishael Suisaynook	20.00	Paid 8.72

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Apr.23/31,	Finance Department Refunded amount at credit of A.H. Lomas in Retirement Fund ..	1,028.58
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COMMISSIONER'S OFFICE
FEB 10 1932
VICTORIA, B. C.

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TRIPLICATE FOR PAYOR

GENERAL RECEIPT

C 53772

$ 8859.03 xx

DEPARTMENT OF INDIAN AFFAIRS

OTTAWA, May 19 1931

Received from W. E. Ditchburn

the sum of Eight Thousand Eight Hundred Fifty Nine 03/100 Dollars,

being for Funds at credit of Kamloops Indn

Band of Montreal Duncan B.C.

COMMISSIONER'S OFFICE
MAY 26 1931
VICTORIA, B. C.

G. H. Boulley

Accountant.

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INDIAN AFFAIRS
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194/21100.

May 5, 1931.

Dear Sir:

Will you kindly let me know the exact amount standing to the credit of the trust account held in my name which was formerly in the name of Mr. Lomas but on instructions of the Department my name was substituted for that of the late Indian Agent.

On July 22nd last, the balance amounted to $8923.80 but on the 23rd October I issued a cheque for $152.00 against this account. Therefore the balance ought to be $8771.80. Please let me know if this is correct as I now wish to issue a cheque against the same in order that the money may be forwarded to the Department.

Yours respectfully,

W. E. Ditchburn.
Indian Commissioner for B.C.

WED/AC

The Manager,
Bank of Montreal,
Duncan, B.C,

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194
~~188/3~~/21139.

May 9, 1931.

Your fyle 22152-8 C.N.R.

Dear Sir:-

I beg to acknowledge receipt of your letter of the 29th ultimo referring to monies held in the Bank of Montreal, at Duncan, B. C., and the Canadian Bank of Commerce, at Courtenay, placed there by A.H. Lomas when Indian Agent of the Cowichan Agency, and your request that I forward these monies to the Department.

In reply I am herewith submitting a cheque for $8,859.03 on the Bank of Montreal at Duncan, but with regard to the $5.36 in the Canadian Bank of Commerce at Courtenay, I cannot remit this as that Bank was not authorized to change the account to my name and it would, therefore, be necessary for you to write to the Bank at Courtenay requesting that this amount be forwarded to the Department.

On July 22nd last when the account in the Bank of Montreal, at Duncan, was closed against Mr. Lomas, the amount on deposit was $8,923.80. On the 25th September, a cheque dated 24th March for $19.00 in favor of Sherman Lewis, an Indian of the Halalt Band, was presented and paid on my recommendation. On the 22nd October I issued a cheque for $152.00 in favor of Miss Kate Robertson, the Clerk at the Duncan Indian Office, to clean up the payments to the Nanaimo Band, the Department having requested that the pay books be returned.

On the 11th of December last, Mr. Indian Agent Graham on instruction of Mr. C.W. O'Neill, the Auditor, added to the amount in the bank by depositing $106.23 as per attached statement.

I am attaching hereto original statement of the Bank dated 22nd July, 1930, showing the balance of the A.H. Lomas Trust Account to have been $8,923.80, also the cancelled cheques Nos. 11497 and 124637, together with statement of the deposit made by Mr. Indian Agent Graham.

Your obedient servant,

WED/KD.

Enclosures:-

W. E. Ditchburn.
Indian Commissioner for B. C.

Duncan C. Scott, Esq.,
Deputy Superintendent General
of Indian Affairs,
Ottawa.

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National Archives of Canada
Archives nationales du Canada

Copy.

Duncan, B. C.,

"Memo"

Dec. 11th, 1930.

On advice and instructions of Mr. C.W. O'Neill, Auditor for Indian Department, the following monies deposited in Bank of Montreal in the account formerly held in the name of Alfred H. Lomas, in Trust.

These monies covered refunds collected after Mr. Lomas went out of office, these monies having been advanced from the above Trust Account, and refund was collected when payment was made through Department cheque.

"Re Cecelia Land clearing operations"

$ 5.60	From Any Peal, Indian
11.25	from Josie Jim, Indian
9.38	from Edward Peal
40.00	from James Jimmy.
$ 66.23	
$ 40.00	from W.A. McIntosh.
Total $106.23	

RG 10, C-II-2, vol. 11297

INDIAN AFFAIRS
AFFAIRES INDIENNES

National Archives of Canada
Archives nationales du Canada

No.

DUNCAN ~~Victoria~~ B.C. May 8 1931.

To the
Dominion Government

Bank of Montreal,

1/12

Pay to Department of Indian Affairs or ~~Bearer~~ Order

Eight Thousand Eight Hundred and Fifty Nine 03/100 Dollars

$8859.03

Indian Commissioner for B.C.

INDIAN AFFAIRS
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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Duncan, B. C.

May 7th, 1931.

230-I-3

Dear Sir:-

The Auditor from the Bank of Montreal here telephoned saying that you desired information in regard to $106.23 that was deposited in the Trust Account here in December last by Miss Robertson.

Enclosed you will find copy of a"Memo" made in connection with the same, which will give you full particulars in regard to the deposit.

Yours obediently,

H. Graham.

(H. Graham)
Indian Agent.

W. E. Ditchburn, Esq.,
Indian Commissioner for B. C.
VICTORIA, B. C.

COMMISSIONER'S OFFICE
MAY 8 1931
VICTORIA, B. C.

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(Copy)

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Duncan, B. C.

"Memo" Dec. 11th, 1931.

On advice and instructions of Mr. C. W. O'Neill, Auditor for Indian Department, the following monies deposited in Bank of Montreal in the account formerly held in the name of Alfred H. Lomas, in Trust.

These monies covered refunds collected after Mr. Lomas went out of office, these monies having been advanced from the above Trust Account, and refund was collected when payment was made through Department cheque.

"Re. Cecelia Land clearing operations"

$5.60	from Any Peal, Indian
11.25	from Josie Jim, Indian
9.38	from Edward Peal
40.00	from James Jimmy.
$66.23	
$40.00	from W. A. McIntosh.
Total $106.23	

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22152-8 C.N.R.

DEPARTMENT OF INDIAN AFFAIRS
CANADA

DUNCAN C. SCOTT
DEPUTY SUPERINTENDENT GENERAL
OTTAWA

April 29th, 1931.

Dear Sir,-

Your letter of the 22nd instant, reporting on the letter of Agent Graham, Duncan, B. C., has been received. Your suggestion to make a distribution to the Somenos Indians from funds held in the Bank brings up the question of the disposal of funds which are available against the defalcation of former Indian Agent Lomas.

According to the report of Mr. Charles W. O'Neill, Special Auditor, there is held in the Bank of Montreal, at Duncan, $8,359.03, and in the Canadian Bank of Commerce, Courtney, $5.36. You will please forward these moneys to the Department and they will be credited in a special account opened to receive funds which will be available to meet the shortages of Mr. Lomas. The Department has already received $2,000.00 from the Guarantee Company and from the Department of Finance money which was held in the Retirement Fund to the credit of Mr. Lomas. When all available funds are to hand the matter of distributing them proportionately to Bands interested will be considered by the Department.

Yours truly,

Duncan C. Scott

W. E. Ditchburn, Esq.,
Indian Commissioner,
Victoria, B. C.

COMMISSIONER'S OFFICE
MAY 5 1931
VICTORIA, B. C.

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1911

158/3/20095.

January 27, 1931.

Dear Sir:-

I beg to acknowledge receipt of your letter of the 12th instant relative to the account of Mr. C.W. O'Neill, for auditing the affairs of the Duncan Indian Office during the incumbency of A.H. Lomas as Indian Agent, and I may say I was surprised to know the account had been submitted to yourself instead of to the Department of Justice through the firm of Messrs. Moresby, O'Reilly & Lowe, who engaged him.

As to the employment of Mr. O'Neill, I had nothing whatever to do except to telephone him from this office on Mr. Moresby's instructions that he was to be employed to make the necessary audit and when going to Duncan a day or two later with Mr. Moresby, we both went to Mr. O'Neill's office and he was given a general outline of the work which would be required. No mention of the rate of remuneration to be paid was made in my presence as I took it that this point would be dealt with by the Agents of the Department of Justice. Since the receipt of your letter I have communicated with Messrs. Moresby, O'Reilly & Lowe as well as with Mr. O'Neill and I am furnishing you with copies of their letters to me. Mr. Moresby has informed me that he has forwarded the four copies of Mr. O'Neill's account to the Department of Justice bearing his approval.

The account is for $1,375.00, seemingly a large sum, but the work involved fifty-five days labour going through the fyles of the office covering a period of nine years. Mr. O'Neill has charged at the rate of $25.00 per day and absorbed the cost of typewriting the report of 123 pages. Had I not been in a position to give considerable assistance in the way of supplying data in connection with the three timber transactions, a history of the bank deposits, and a list of all cancelled cheques, Mr. O'Neill's work would have extended over a greater length of time and necessarily the account would have been much higher, but as it is I think he did a good job and the rate he has charged for his work cannot be considered excessive.

Your obedient servant,

WED/KD.

Enclosures:-

W. E. Ditchburn.
Indian Commissioner for B. C.

Duncan C. Scott, Esq.,
Deputy Superintendent General
of Indian Affairs,
Ottawa.

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Copy.

CHARLES W. O'NEILL
Public Accountant
Customs Broker.

P. O. Box 385,
Duncan, B. C.,
January 17, 1931.

Dear Mr. Ditchburn:-

I have your letter of even date and thank you for letting me know so promptly on your hearing from Ottawa. I have today written to Mr. Moresby expressing my regret at not having sent to him the report and statements. I have enclosed a copy of the four pages in the report and also the schedule of shortages; also copy of your letter to me and I have made out a new account to the Department of Justice and have forwarded it to him for his o.k.

In my letter to him I stated that if he wished a full copy of the report that possibly you would let him have your copy to send on to Ottawa with his report and I could give you the copy I retained for myself.

Regarding the rate of remuneration etc. mentioned in Dr. Scott's letter, you will remember that my first instructions came from you over the long distance telephone and I met you in the office at Duncan the next day, Wednesday. On Thursday afternoon you and Mr. Moresby met me in my office and we went over the investigation matters there and his instructions were to the effect that I was to pay particular attention to any possible claims that might arise owing to monies not having been paid out for the purpose for which they were intended. He stated that doubtless there were many cases where Indians would be making claims for money due them and he wanted me to investigate all these possible sources so the new agent would be in possession of all facts as far as they could be ascertained should any of these arise. This I think I have done as the report shows.

Nothing was said at all about remuneration and I took it for granted, as no doubt Mr. Moresby did too, that the rate to be charged would be that usually charged by Chartered and Public Accountants for investigations, which is Twenty-five dollars per day and expenses. As there were no expenses that I thought ought to be included except the typing of the report, which was done by my own staff, and which I am absorbing in my fee, I have made my account out for the actual time spent by me in the investigation and preparing of the report, i.e. fifty-five days at twenty-five dollars per day or $1375.00.

If Mr. Moresby would like me to run down to see him in the matter I shall be delighted to do so at his convenience and I hope when he makes his report he will endorse my recommendation that all the different offices should have periodic inspections.

With kind regards and again thanking you I am

Yours very truly,

(Sgd) C.W. O'Neill.

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COPY.

MORESBY, O'REILLY & LOWE

Barristers-at-law,
Solicitors, etc.

P.O. Box 787,
Victoria, B.C.,
January 22nd, 1931.

W.E. Ditchburn, Esq.,
Indian Commissioner for B. C.,
Victoria, B. C.

Dear Sir:- Re-Department of Indian Affairs and A.H. Lomas.

Replying further to your letter of the 17th instant I now beg to advise you that I have received from Mr. O'Neill a complete copy of his report which I am forwarding on to the Department of Justice.

With reference to the report I may say that a statement of the shortages appears on page five thereof. The shortages in respect of which a charge preferred against Lomas, on which he was convicted and sentenced, was confined to the moneys received by and paid to him for timber operations on Chemainus Indian Reserve #13, Cowichan Indian Reserve #1, and Kuper Island Indian Reserve #7, totalling approximately $21,377.49, referred to more particularly in your letter of September 10th, 1930.

Mr. O'Neill in his report finds that the shortages in connection with the timber operations on the three reserves were as follows:

Chemainus Indian Reserve #13.....	$ 5,123.25
Cowichan Reserve, total.....	6,518.69
Kuper Island Reserve, total.....	11,892.28
	$ 23,534.22

As there was a balance in the Bank of Montreal at Duncan, B. C., to the credit of the A.H. Lomas Trust Account amounting to $8,859.03, the amount of the charge preferred against Lomas was of course the difference between the total shortage as set forth in your letter of the 10th of September, and the balance in the bank, namely, $12,453.79.

Therefore it would appear from the auditor's report that in addition to the other shortages set forth on Page five there was another shortage in connection with the timber operations on the three reserves mentioned. Of course it will be necessary for me to point out to the Department of Justice the total amount of the shortages and obtain further instructions with reference to any further charges in connection therewith.

With reference to Mr. O'Neill's remuneration I may say that following upon instructions from the Department by telegram I notified Mr. O'Neill that his services were to be retained as an auditor and subsequently interviewed him at his office at Duncan along with yourself, when the nature of the investigation desired was outlined to Mr. O'Neill, and as you will recall, suggested to Mr. O'Neill that our own investigation disclosed that there were possibly other shortages which we desired to have definitely ascertained as to the amount thereof and also

with.....

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with respect to moneys withheld by Lomas payable to various members of Indian tribes residing in the territory under the supervision of the Cowichan Indian Agency.

At no time did I discuss with Mr. O'Neill the rate of remuneration to be paid him or that he should charge, presuming of course that such remuneration would depend upon the time that he would be necessarily occupied in his investigations and the rate allowed by the Department. I did not consider that I had the authority to enter into any arrangement with Mr. O'Neill as to the amount that he should be paid.

I have carefully examined his report and in my opinion it would appear that Mr. O'Neill has followed the instructions given to him as to the nature of his investigation, although I must confess I did not anticipate that the investigation would incur the amount of labour that is evident from the report itself.

Yours faithfully,

(Sgd) W.C. Moresby.

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MORESBY, O'REILLY & LOWE
BARRISTERS-AT-LAW
SOLICITORS, ETC.

OFFICES:
BELMONT HOUSE

W. C. MORESBY, K.C.
A. J. O'REILLY
R. C. LOWE

TELEPHONE 5505 Empire 2131

P. O. Box 787
VICTORIA, B.C.

COMMISSIONER'S OFFICE
JAN 23 1931
VICTORIA, B. C.

January 22nd, 1931.

W. E. DITCHBURN, ESQ.,
Indian Commissioner for B. C.,
VICTORIA, B. C.

Dear Sir:

RE DEPARTMENT OF INDIAN AFFAIRS
AND A. H. LOMAS:

Replying further to your letter of the 17th instant I now beg to advise you that I have received from Mr. O'Neill a complete copy of his report which I am forwarding on to the Department of Justice.

With reference to the report I may say that a statement of the shortages appears on page five thereof. The shortages in respect of which a charge preferred against Lomas, on which he was convicted and sentenced, was confined to the moneys received by and paid to him for timber operations on Chemainus Indian Reserve #13, Cowichan Indian Reserve #1, and Kuper Island Indian Reserve #7, totalling approximately $21,377.49, referred to more particularly in your letter of September 10th, 1930.

Mr. O'Neill in his report finds that the shortages in connection with the timber operations on the three reserves were as follows:

Chemainus Indian Reserve #13.....	$5,123.25
Cowichan Reserve, total.....	6,518.69
Kuper Island Reserve, total.....	11,892.28
Total	$23,534.22

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the charge preferred against Lomas was of course the difference between the total shortage as set forth in your letter of the 10th of September, and the balance in the bank, namely, $12,453.79.

Therefore it would appear from the auditor's report that in addition to the other shortages set forth on Page five there was another shortage in connection with the timber operations on the three reserves mentioned. Of course it will be necessary for me to point out to the Department of Justice the total amount of the shortages and obtain further instructions with reference to any further charges in connection therewith.

With reference to Mr. O'Neill's remuneration I may say that following upon instructions from the Department by telegram I notified Mr. O'Neill that his services were to be retained as an auditor and subsequently interviewed him at his office at Duncan along with yourself, when the nature of the investigation desired was outlined to Mr. O'Neill, and as you will recall, suggested to Mr. O'Neill that our own investigation disclosed that there were possibly other shortages which we desired to have definitely ascertained as to the amount thereof and also with respect to moneys withheld by Lomas payable to various members of Indian tribes residing in the territory under the supervision of the Cowichan Indian Agency.

At no time did I discuss with Mr. O'Neill the rate of remuneration to be paid him or that he should charge, presuming of course that such remuneration would depend upon the time that he would be necessarily occupied in his investigations and the rate allowed by the Department. I did not consider that I had the authority to enter into any arrangement with Mr. O'Neill as to the amount that he should be paid.

I have carefully examined his report and in my opinion it would appear that Mr. O'Neill has followed the instructions given to him as to the nature of his investigation, although I must confess I did not anticipate that the investigation would incur the amount of labour that is evident from the report itself.

Yours faithfully,

W. Ellis Ditchburn

WCM/MM:

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158/3/19997.

January 17, 1931.

Dear Mr. O'Neill:-

I have received a letter from Dr. Scott referring to your account for auditing the books in the Indian Office at Duncan, the amount being $1375.00. As the instructions for this audit were issued by the Department of Justice through their Agent, Mr. Moresby of Victoria, Dr. Scott says there is nothing before him to show just what arrangements were made as to the rate of remuneration and the account has not been certified by the legal firm or by myself. I observe the account is made out in the name of the Department of Indian Affairs, Parliament Buildings, Ottawa. This, however, should have been Department of Justice and the account rendered to Mr. Moresby for submission to Ottawa with necessary explanation. I have taken the matter up with Mr. Moresby this morning and expect to receive some information from him, but in the meantime Dr. Scott has asked me to inform you that the matter is in hand.

Possibly you may feel disposed to write me a note setting forth just what arrangements Mr. Moresby made with you in connection with the taking in hand of this audit and the rate at which you were to be paid.

Yours truly,

WED/KD.

W. E. Ditchburn.
Indian Commissioner for B. C.

C.W. O'Neill, Esq.,
Public Accountant,
P.O. Box 385,
Duncan, B. C.

I E H H D

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158/3/19996.

January 17, 1931.

Dear Mr. Moresby:- Attention Mr. Moresby.

In connection with the prosecution of Indian Agent Lomas, Cowichan Agency, you, acting as Agent for the Department of Justice, were authorized to employ Mr. C.W. O'Neill of Duncan to audit the books in the Indian Office.

I have received a letter from Dr. Scott, Deputy Superintendent General, in which he informs me that Mr. O'Neill rendered his account for $1375.00 as attached hereto. There is, however, nothing before the Department to show what arrangements were made as to the rate of remuneration, etc., and the account has not been certified by yourself acting for the Department of Justice and I have been asked to take the matter up with you for report.

I would appreciate it if you would write me on this subject stating what arrangements you made with Mr. O'Neill for the said audit. By rights Mr. O'Neill should have sent his account in to yourself for submission to the Department of Justice. Attached hereto please find four copies of Mr. O'Neill's account and if you are satisfied the amount is correct and in accordance with any arrangements you had with him, kindly attach your signature of approval thereto.

Yours respectfully,

WED/KD.

W. E. Ditchburn.
Indian Commissioner for B. C.

Enclosures:-

Messrs. Moresby, O'Reilly & Lowe,
Barristers, Solicitors, etc.,
Belmont Building,
Victoria, B.C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

DUNCAN C. SCOTT
DEPUTY SUPERINTENDENT GENERAL
OTTAWA

January 12, 1931.

Dear Mr. Ditchburn,-

I am inclosing herewith a copy of an account received from Mr. Charles W. O'Neill for his services as Auditor in the Lomas defalcations. You will notice that Mr. O'Neill's bill consists of the item; "To services rendered... fifty-five days...$1375.00"; no details being given. The instructions for this audit were issued by the Department of Justice through their Agent at Victoria, and I have nothing before me to show what arrangements were made as to rate of remuneration, etc., and the account is not certified by the legal firm or yourself. Would you kindly take this matter up with Messrs. Moresby, O'Reilly & Lowe and report. Would you kindly also inform Mr. O'Neill that we have the matter in hand.

Yours very truly,

Duncan C. Scott

W. E. Ditchburn, Esq.,
Indian Commissioner,
Victoria, B.C.

COMMISSIONER'S OFFICE
JAN 17 1931
VICTORIA, B. C.

INDIAN AFFAIRS
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COPY

Charles W. O'Neill
Public Accountant
Customs Broker

P. O. Box 385

Duncan, B.C., December 18, 1930.

The Department of Indian Affairs

Parliament Buildings,

Ottawa, Canada.

To conducting an investigation into the affairs of the office of this Department in Duncan from October 1921 to September 1930.

To preparing a complete report thereon - accompanied by schedules of the various files shown therein.

To typing in triplicate the report and submitting same to Ottawa.

To services rendered in the above - fifty five days $1375.00

C. W. O'Neill

RECEIVED

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MORESBY, O'REILLY & LOWE
BARRISTERS-AT-LAW
SOLICITORS, ETC.

OFFICES:
BELMONT HOUSE

W. C. MORESBY, K.C.
A. J. O'REILLY
R. C. LOWE

TELEPHONE [redacted] Empire 2131

P. O. Box 787
VICTORIA, B.C.

January 19th, 1931.

W. E. DITCHBURN, ESQ.,
Indian Commissioner for B. C.,
P. O. Box 666,
VICTORIA, B. C.

Dear Sir:

RE DEPARTMENT OF INDIAN AFFAIRS
AND A. H. LOMAS:

I am in receipt of your letter of the 17th instant with enclosures and beg to confirm my statement made to you following the receipt of your letter, namely, that I would write to Mr. O'Neill for a copy of his report and after considering same would make my report to the Department of Justice.

Yours faithfully,

R Moresby

WCM/MM:

COMMISSIONER'S OFFICE
JAN 20 1931
VICTORIA, B. C.

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INSURANCE OF ALL KINDS

PHONE 76
HOUSE PHONE 226

CHARLES W. O'NEILL

PUBLIC ACCOUNTANT

CUSTOMS BROKER

P. O. BOX 385

DUNCAN, B. C., January 17 1931

Dear Mr Ditchburn:

I have your letter of even date and thank you for letting me know so promptly on your hearing from Ottawa. I have to-day written to Mr Moresby expressing my regret at not having sent to him the report and statements. I have enclosed a copy of the four pages in the report and also the schedule of shortages; also copy of your letter to me and I have made out a new account to the Department of Justice and have forwarded it to him for his o.k.

In my letter to him I stated that if he wished a full copy of the report that possibly you would let him have your copy to send on to Ottawa with his report and I could give you the copy I retained for myself.

Regarding the rate of remuneration etc. mentioned in Dr. Scott's letter, you will remember that my first instructions came from you ofer the long distance telephone and I met you in the office at Duncan the next day, Wednesday. On Thursday afternoon you and Mr Moresby met me in my office and we went over the investigation matters there and his instructions were to the effect that I was to pay particular attention to any possible claims that might arise owing to monies not having been paid out for the purpose for which they were intended. He stated that doubtless there were many cases where Indians would be making claims for money due them and he wanted me to investigate all these possible sources so the new agent would be in possession of all facts as far as they could be ascertained should any of these arise. This I think I have done as the report shows.

Nothing was said at all about remuneration and I took it for granted, as no doubt Mr Moresby did too, that the rate to be charged would be that usually charged by Chartered and Public Accountants for investigations, which is Twenty-five dollars per day and expenses. As there were no expenses that I thought ought to be included except the typing of the report, which was done by my own staff, and which I am absorbing in my fee, I have made my account out for the actual time spent by me in the investigation and preparing of the report, i.e. fifty-five days at twenty-five dollars per day or $1375.00

If Mr Moresby would like me to run down to see him in the matter I shall be delighted to do so at his convenience and I hope when he makes his report he will endorse my recommendation that all the different offices should have periodic inspections.

With kind regards and again thanking you I am

Yours very truly

COMMISSIONER'S OFFICE
JAN 20 1931
VICTORIA, B. C.

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136/3/19167.

October 16, 1930.

Dear Sir:

I beg to acknowledge receipt of your letter of August 30th and also that of the 10th instant in connection with Vouchers 230, 233 and 261, Cowichan Agency, which were to be credited against Indian Agent Lomas' travelling expenses advance.

On September 9th I received the enclosed letter of explanation from Miss Robertson in connection with these accounts which shows that her statement bears out that of yours to the effect that there was a balance of $47.71 unaccounted on travelling expense account. I regret that I did not forward this copy of letter to you at an earlier date but I think the information given by Miss Robertson fully covers the matter.

Your obedient servant,

W. E. Ditchburn.
Indian Commissioner for B.C.

WED/AC
ENCL

F. H. Paget, Esq.,
Chief Accountant,
Department of Indian Affairs,
Ottawa, Ont.

LEHUH
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AFFAIRES INDIENNES
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(C O P Y)

796-G-3

Office of
Indian Agent

Duncan, B.C.

September 9th, 1930.

Your File No.136/3/18781.

Dear Mr. Ditchburn:

I have your letter of the 8th, instant, enclosing copy of letter from Mr. F. H. Paget, Chief Accountant and in reference to deficit of $47.71 now standing against accountable cheque for $100.00 forwarded to Mr. Lomas, in connection with travelling expenses.

Taking the credits as checked by the Department, I would make the same standing, and to the best of my knowledge and belief, there are no further accounts to go forward, to be credited against this account, as apparently there was no travelling expenses during July. The Department car expenses for July- Thomas Pitt's account had not been paid, by Mr. Lomas, and it was forwarded in the name of the firm, under our voucher No.309- and read for $16.93, and a cheque has been received by the firm from the Department in payment.

Yours obediently,

"Kate Robertson"

for Indian Agent.

W. E. Ditchburn, Esq.,
Indian Commissioner for B. C.
VICTORIA, B.C.

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99-152

DEPARTMENT OF INDIAN AFFAIRS

CANADA

Ottawa, 10th October, 1930.

Dear Sir,-

Kindly refer to my letter to you of the 30th August, in regard to vouchers credited to Mr Lomas' account for travelling expenses, in connection which he received an advance, and with respect to a payment made to the Cowichan Agricultural Society. I shall appreciate a full reply to the letter in question, at your early convenience.

Yours truly.

F.H. Paget.
Chief Accountant.

W.E. Ditchburn Esqr.,
Indian Commissioner,
Victoria, B.C.

COMMISSIONER'S OFFICE
OCT 15 1930
VICTORIA, B. C.

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INDIAN AGENT MUST GO TO PENITENTIARY

A. H. Lomas of Duncan Is Given Two Years and Six Months.

PLEADED GUILTY OF $12,000 THEFT

Judge Considers Overseas Service in Passing Sentence.

NANAIMO, Sept. 30.—Alfred H. Lomas, Indian agent at Duncan for many years, was sentenced to two years and six months in the penitentiary for the theft of $12,455 from the government funds. Lomas, who pleaded guilty, had elected for speedy trial and appeared before His Honor Judge Barker in County Court this morning.

Prior to passing sentence the judge stated that it was not his intention to lecture Lomas, who was an educated man, but two things stood out in reviewing the circumstances. The accused was like himself, employed in His Majesty's service, being more or less of a trustee to the public, and to His Majesty, and it was specially incumbent upon such persons to go straight more than upon a man in private life.

It would have a bed effect,said the judge, if a man in such a position was able to escapepunishment for such crimes. Hesaid he appreciated the remarks of counselfor the accused, who stated that Mr. Lomas had served his country overseas and he had taken that into consideration in passing sentence.

INDIAN AFFAIRS
AFFAIRES INDIENNES
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PG 10

National Archives of Canada
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October 1st, 1930.

OUR FILE I-145.

TO THE DEPUTY MINISTER OF JUSTICE,
OTTAWA, CANADA.

Sir:

YOUR FILE B. -28 INDIAN AFFAIRS, B.C.
REX VS. LOMAS.

We have the honour to advise you that the accused in this case appeared before Stipendiary Magistrate Maitland-Dougall of Duncan, B.C., on the 12th ultimo and was charged with the offence as set forth in our letter of the 15th ultimo pursuant to Section 359-C of the Criminal Code and an adjournment at the request of the Crown was granted until Friday the 19th ultimo when a further adjournment was obtained until Thursday the 25th ultimo.

The preliminary hearing was then proceeded with and the accused committed for trial and we now enclose you a transcript of the proceedings.

The accused having intimated that he desired to elect for speedy trial and intended pleading guilty, he duly appeared before His Honour Judge Barker, Judge of the County Court of Nanaimo at the City ofNanaimo on the 30th ultimo and having elected to be tried by speedy trial before His Honour forthwith, he was duly arraigned and pleaded guilty.

Mr. C.F. Davie of Duncan, B.C. appeared as counsel on his behalf and made a strong plea for leniency.

Our Mr. Moresby appearing on behalf of the prosecution, outlined the facts of the case to His Honour Judge Barker who thereupon sentenced the prisoner to a

COMMISSIONER'S OFFICE
OCT 1 1930
VICTORIA, B.C.

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term of two years and six months in the B.C. Penitentiary.

Following upon the receipt of your wire of the 23rd ultimo reading as follows:

"Your wire eleventh reference Lomas shortage stop Depart-
"ment authorizes employment auditor Charles O'Neil of
"Duncan".

our Mr. Moresby duly notified Mr. Charles O'Neil that the Department had authorized his employment as auditor and subsequently on the 25th interviewed Mr. O'Neil in the presence of Mr. Ditchburn, Indian Commissioner for B.C., and fully instructed him with reference to further investigation of the defalcation of the accused Lomas as far as it was possible from the information then available.

Mr. O'Neil is proceeding with the audit and will report in due course.

If subsequent investigation discloses misappropriation of moneys by Lomas other than those moneys that he has already been convicted of stealing, it may be that your Department would deem it advisable to have other charges laid and we would be glad to have your further instructions with reference to same.

We beg further to advise you that the Indian Commissioner Mr. Ditchburn, has rendered every possible assistance in connection with the case and investigations so far made.

As at present advised, after a careful consideration of the whole situation, it would be of no avail to institute civil proceedings for the purpose of obtaining restitution of any of the moneys misappropriated as the accused is not possessed of any property either real or personal so far as we can find out. In fact, we have been reliably informed that the accused's family is left unprovided for and furthermore that for some time past Mrs. Lomas has been taking in boarders for the purpose of maintaining and supporting herself and children.

We have the honour to be,
Sir,
Your obedient servants,

MORESBY O'REILLY & LOWE,

PER _____

WCM/WW:
ENCL.

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I-708

Bank of Montreal,

Duncan, B.C.

4th September, 1930

W. E. Ditchburn, Esq.
Indian Commissioner for B.C.,
P.O.Box 666,
Victoria, B. C.

Dear Sir:

With reference to your letter of August 27th, we are working on the statement asked for, but as this goes back a good many years it is taking a little longer than expected. However, we expect to have it completed within the next day or so, when it will be promptly forwarded to you at Victoria.

Yours truly,

pro Manager
A.B.Robertson

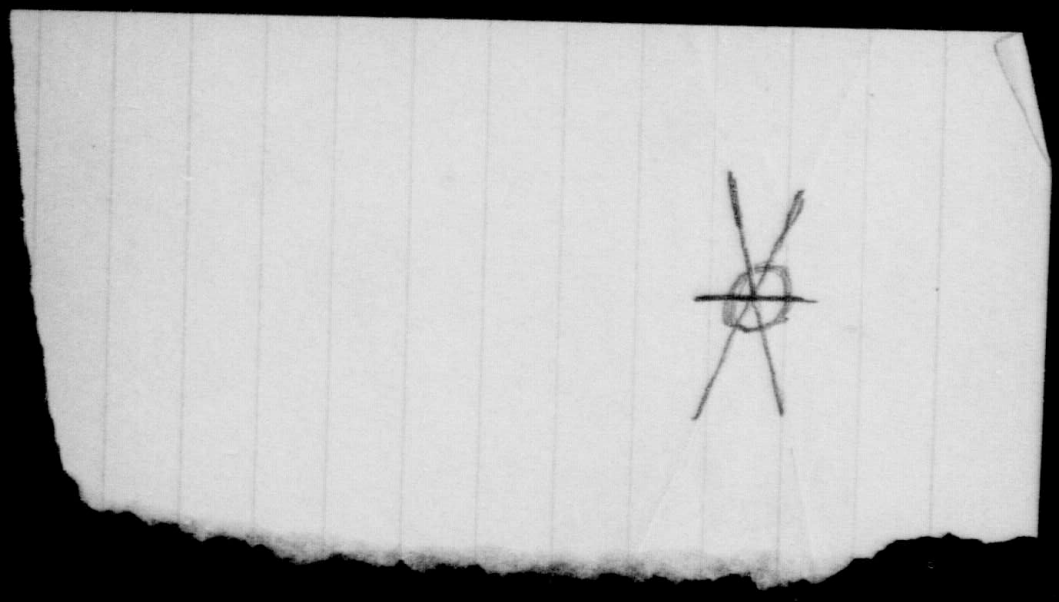
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Sep 6 1930
VICTORIA, B. C.

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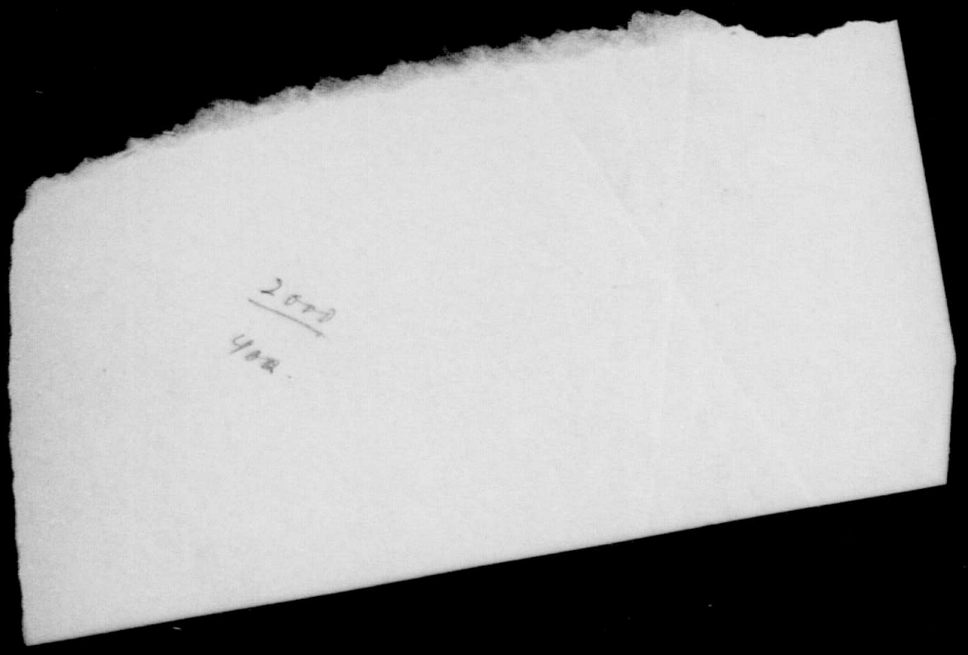
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Form 6123, Replacing Form 1-TW

CLASS OF SERVICE	SYMBOL
Day Message	
Day Letter	D L
Night Message	N M
Night Letter	N L

If none of these three symbols appears after the check (number of words) this is a day message. Otherwise its character is indicated by the symbol appearing after the check.

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190 VRC 52 NL

OTTAWA ONT SEPT 2 1930

W E DITCHBURN

VICTORIA BC

DEPARTMENT OF JUSTICE ADVISE THEY HAVE AUTHORIZEDEMPLOYMENT OF MORESBY ORIELLY AND LOWE BARRISTERS VICTORIA TO GO THOROUGHLY INTO MATTER OF LOMAS SHORTAGES WITH THE PURPOSE OF DRIVING HOME CRIMINAL RESPONSIBILITY AND PREPARING FOR ANY CIVIL ACTIONS NECESSARY IN ORDER TO COVER MONIES COMMUNICATE WITH FIRM IMMEDIATELY GIVING THEM FULLEST INFORMATION WRITING

DUNCAN C SCOTT

940PM

COMMISSIONER'S OFFICE
SEP 3 1930
VICTORIA, B. C.

C-11-2, vol. 11297
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DEPARTMENT OF INDIAN AFFAIRS
CANADA

DUNCAN C. SCOTT
DEPUTY SUPERINTENDENT GENERAL
OTTAWA

September 3, 1930.

Dear Mr. Ditchburn:-

I have to confirm Night Letter sent you yesterday as follows:-

"DEPARTMENT OF JUSTICE ADVISE THEY HAVE AUTHORIZED EMPLOYMENT OF MORESBY OREILLY AND LOWE BARRISTERS VICTORIA TO GO THOROUGHLY INTO MATTER OF LOMAS SHORTAGES WITH THE PURPOSE OF DRIVING HOME CRIMINAL RESPONSIBILITY AND PREPARING FOR ANY CIVIL ACTIONS NECESSARY IN ORDER TO RECOVER MONIES. COMMUNICATE WITH FIRM IMMEDIATELY GIVING THEM FULLEST INFORMATION WRITING. "

It is the desire of the department that this matter should be vigorously prosecuted. Having reference to your letter of the 25th ultimo, I realize that it would be quite impossible for you to take the time necessary to make a thorough investigation, and it is for this purpose that we have decided to engage the services of this firm of solicitors. I know that you will co-operate with them and place any information you possibly can at their disposal.

I am today writing to the Manager of the Bank of Montreal as suggested by you, asking him to transfer all Trust Funds from Mr. Lomas' name to the credit of the Department of Indian Affairs to be issued only on your order.

Yours very truly,

Duncan C Scott

W.E.Ditchburn, Esq.,
Indian Commissioner,
Victoria, B.C.,

COMMISSIONER'S OFFICE
SEP 8 1930
VICTORIA, B. C.

L 6 6 0 0 0 1

RG 10, C-II-2, vol 11267

INDIAN AFFAIRS
AFFAIRES INDIENNES

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136/3/18817.

September 10, 1930.

Dear Sirs: Attention Mr. Moresby

Relative to the matter of taking action against Alfred H. Lomas for misappropriation of Departmental funds placed in his care while Indian Agent at the Cowichan Agency, as discussed between ourselves recently, I am herewith quoting a letter received from Duncan C. Scott, Deputy Superintendent General of Indian Affairs, of the 3rd instant, incorporated in which is a telegram that he addressed to myself on the same date, from which it will be observed that it is desired that your firm should fully prosecute this matter. The Deputy Superintendent's letter is fully explanatory.

"Dear Mr. Ditchburn:

I have to confirm Night Letter sent you yesterday as follows:-

"Department of Justice advise they have authorized employment of Moresby,O'rielly and Lowe, barristers, Victoria, to go thoroughly into matter of Lomas shortages with the purpose of driving home criminal responsibility and preparing for any civil actions necessary in order to recover monies. Communicate with firm immediately giving them fullest information. Writing."

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Yours very truly,

(SGD.) Duncan C. Scott."

From personal investigation made by myself

Messrs. Moresby, O'Rielly & Lowe,
Barristers & Solicitors,
805 Government St.,
Victoria, B.C.

Ifind....

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September 10, 1930.

I find that Mr. Lomas is short in his accounts to the extent of $12,453.79 in connection with payments made to him for timber operations on Chemainus Indian Reserve No.13, Cowichan Indian Reserve No.1. and Kuper Island Indian Reserve No.7. It has been ascertained from files in the Indian Office at Duncan that the following amounts were received by Mr. Lomas from the licencees and deposited in the Bank of Montreal at Duncan during the past three years in payment for timber cut on the Reserves above-mentioned:-

Chemainus I.R. No.13

Sept.30,1929 to May 8,1930	-	$5,123.25.

Cowichan I.R. No.1.

Sept. 4,1929 to May 30,1930	-	4,695.77

Kuper Island I.R. No.7.

August 1928 to October 1929	-	11,558.47

Full particulars as to the various deposits making up these amounts are now available for your use.

None of these amounts were forwarded to the Department at Ottawa by Mr. Lomas in compliance with Sections 81 and 82, page 19, of the printed Instructions to Indian Agents, copy of which was supplied to Mr. Lomas at the time of his appointment in December 1921. A copy of these instructions is also furnished to you for your information.

On the 22nd July it was learned from the Bank of Montreal at Duncan that Mr. Lomas' balance on hand was only $8,923.80 and it is therefore apparent that his shortage in connection with the returns for the three timber operations above referred to amounts to $12,453.79 for which he has been unable to give any satisfactory explanation and informed me that it was impossible for him to make up. Mr. Lomas has accordingly been suspended and it is the desire of my Department that proceedings should be taken against him as set forth in the Deputy Superintendent General's letter above quoted, and I would advise that action be taken against him at an early date.

I regret to say that I also fear that there are other cases of shortages, but only a thorough investigation into the files of the Indian Office at Duncan would divulge just what additional amounts Mr. Lomas is unable to give a satisfactory accounting for, but I consider that the information supplied you in this letter is sufficient for you to start an action.

I have the bank books, list of deposits and also a list of the cancelled cheques which I will turn over to you upon request and render any other assistance that it is possible for me to do.

Yours respectfully,

W. E. Ditchburn.
Indian Commissioner for B.C.

WED/AC

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INDIAN AFFAIRS
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136/3/18817. September 10, 1930.

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Yours very truly,

(SGD.) Duncan C. Scott."

From personal investigation made by myself

Messrs. Moresby, O'Rielly & Lowe,
Barristers & Solicitors,
805 Government St.,
Victoria, B.C.

Ifind....

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September 10, 1930.

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Yours respectfully,

W. E. Ditchburn.
Indian Commissioner for B.C.

WED/AC

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136/3/18664.

August 27, 1930.

Dear Mr. Reed;-

I beg to thank you for the assistance you have given me in tracing deposits made by Mr. A.H.Lomas, while Indian Agent, and I may say that the information given on the lists furnished has been exceedingly helpful in unravelling part of the financial tangle. As the list only goes back as far as the 23rd of May 1926, I regret to say that I must trespass on your good nature further by asking that information be given of all deposits as far back as 1st of September 1921, which was the date of Mr. Lomas' appointment, at which time certain Indian Trust Funds were turned over to him by Mr.W.R.Robertson and receipts taken therefore.

WED/AH.

Yours truly,

W.E.Ditchburn.
Indian Commissioner for B.C.

H.P.Reed, Esq.,
Manager,
Bank of Montreal,
Duncan, B.C.

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136/3/18641.

August 25, 1930.

Dear Sir:-

I beg to inform you I have just returned from the Duncan Office in an endeavour to unravel the tangle of financial affairs of the Cowichan Agency owing to the irregular manner in which Indian Agent Lomas had been carrying on his departmental transactions. So far I have only gone into the timber matters, but have learned that there are shortages in connection with several Indian Trust Accounts as well as some other matters, but it will take a little time to get full details of the same in view of the fact that these matters go back as far as 1921 when Agent Lomas was first appointed and he took over and gave receipts to ex-Agent W.R. Robertson for several sums of money either in currency or in cheque.

Insofar as the timber operations on Chemainus Indian Reserve No. 13, Cowichan Indian Reserve No. 1, and Kuper Island Indian Reserve are concerned, it was very difficult for me to know whether all the amounts of money which had been received by Agent Lomas had really been deposited in the Bank of Montreal as his bank book showed that large deposits had been made on several different occasions, and in order that I might know just what these deposits comprised I had the bank give me a statement of the deposits made during the last three years which was sufficient for my purpose for the time being. The Bank will give me a further statement showing all the various deposits made since Agent Lomas was first appointed.

In connection with the timber operation on Chemainus Indian Reserve No. 13, I find the following deposits were made since 1927 after he had forwarded to the Department the sum of $471.43 in payment for timber shown on Scale Bills 94887, 95169 and 95362 as mentioned in the Secretary's letter to myself of the 13th instant. The amounts hereunder check up with the information found on the fyles of the Indian Office showing receipts for various sums, but what I wanted to make sure of was that all these amounts have been actually deposited in the Bank. The amounts deposited in connection with the three above

mentioned.....

The Secretary,
Department of Indian Affairs,
Ottawa.

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mentioned timber operations as hereunder:-

Chemainus I.R. 13:

Lease No. 175, ~~Licence 219, Mark~~ IR28.

1	Sept. 30, 1929, from Plummer & Co.....		$ 1,699.92
	(This was paid at the full rates as specified in the Licence.)		
2	Dec. 27, 1929 from Thurston-Flavelle.....		524.88
3	Dec. 31, 1929 " " "		391.15
4	Jan. 30, 1930 " " "		832.28
5	Feb. 17, 1930 " " "		1,289.46
6	May 8, 1930 " " "		385.56
	(Paid for at stumpage rates only $1.00; $1.10 and $1.50 per M. respectively).		$ 5,123.25

Cowichan I.R. No. 1:

Beaven Lease No. 216, Mark IR 55.

7	Sept. 4, 1929 from Beaven.....		$ 489.37
8	Sept. 27, 1929 " "		482.72
9	" " " " "		189.07
10	Oct. 26, 1929 " "		566.90
11	Nov. 28, 1929 " "		774.09
12	Feb. 13, 1930 " "		256.70
13	May 3, 1930 " "		928.80
14	May 12, 1930 " "		405.87
15	May 28, 1930 " "		602.25
			$ 4,695.77

Kuper Island I.R.:

D.L. Peterson, Licence No. 219, Mark D.T.3.

16	Aug. 28, 1928.....		$ 443.25
17	Sept. "		439.75
18	Oct. "		627.98
19	Dec. "		1,339.82
20	Jan. 29, 1929.....		879.37
21	Mar. "		1,727.12
22	June "		783.76
23	Aug. "		634.05
24	Oct. "		4,683.37
			$ 11,558.47

Summary

Chemainus I.R. No. 13.....	$ 5,123.25	
Cowichan I.R. No. 1.....	4,695.77	
Kuper Island I.R.....	11,558.47	49
	$ 21,377.49	
Balance in Bank.....	8,923.80	49
Shortages.....	$ 12,453.69	49

It will, therefore, be seen that Mr. Lomas is short in his accounts in connection with these three timber operations.....

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operations an amount involving $12,453.79 and he admits that he is not in a position to refund the money. He has no funds in the Canadian Bank of Commerce which is the only other bank in Duncan and he assured me he had no other money in any other bank. I understand that he has part interest in a mining property up at Cowichan Lake known as the El Capitan, but whether this is of any value or not I am not in a position to say. The $8,923.80 in the Bank of Montreal at Duncan cannot, however, be credited to any one of these operations as it is all in one account instead of three separate Trust Funds.

Mr. Lomas also admitted to me that he cannot account for certain sums turned over to him by Mr. W.R. Robertson in 1921 at the time he retired and took receipts therefor. These were cheques and currency in connection with several Indian Trust Funds and approximate another $1,000.00, though full particulars in this connection cannot be given until an opportunity has been afforded to go through all the back fyles dealing with these funds.

Just how Mr. Lomas defaulted this amount, particularly during the last two years or so, he cannot give any satisfactory explanation any more than to say that he has always been in debt and has been endeavouring to pay off his creditors, but his explanations are extremely varied and I find it very difficult to place any reliance in any of them.

There has also been some timber and mining props cut on Halalt Reserve No. 2 (Willie's Island) by a Mr. Price of Westholme and the fyles show that there is still a considerable amount owing on this timber. At least $200.00 was paid to Mr. Lomas but the Agent seemed to have considerable difficulty in getting any remittances from Mr. Price. While at Duncan I called up Mr. Price on the telephone and informed him that the Department demanded a full settlement at an early date.

In conclusion I beg to recommend that early legal action be taken against Agent Lomas for misappropriation of public funds, for I can hardly imagine that the Guarantee Company has issued a bond covering the amount of his shortages as shown up to the present, and if such is the case, I recommend that Counsel be appointed to take in hand the prosecution proceedings.

While, of course, the Bank Manager will allow no more cheques to be cashed by Mr. Lomas, there should be some regular authority issued to have the trust monies transferred from his name, and in this connection I would recommend that the Manager of the Bank of Montreal, Duncan, B. C., be instructed to change the name of the trust from A.H. Lomas to that of the Department of Indian Affairs. I was speaking to the Manager on this point and he thought it would be in order for Mr. Lomas to issue a cheque in my name as Indian Commissioner, but I considered the better method would be

for.....

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for notification to be sent direct from yourself to the Bank instructing that the Trust monies should from now on be held in the name of the Department of Indian Affairs.

Your obedient servant,

WED/KD.

W. E. Ditchburn.
Indian Commissioner for B. C.

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CLASS OF SERVICE DESIRED	
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Day Letter	
Night Message	
Night Letter	X

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RECEIVER'S NO.	TIME FILED	CHECK
		NIGHT LETTER

Send the following message, subject to the terms on back hereof, which are hereby agreed to

No.136/3/18637.

Indian Office,
Victoria, B.C.
Aug. 22, 1930.

Dr. Duncan C. Scott,
Deputy Superintendent General,
Department of Indian Affairs,
Ottawa, Ont.

I HAVE JUST RETURNED FROM DUNCAN INVESTIGATING LOMAS SHORTAGES IN CONNECTION WITH TIMBER OPERATIONS ON KUPER ISLAND CHEMAINUS NUMBER THIRTEEN AND COWICHAN NUMBER ONE STOP AFTER CAREFUL SEGREGATION OF DEPOSITS IN BANK MONTREAL AND COMPARISON WITH BALANCE ON HAND SHOW THAT HE IS SHORT IN HIS ACCOUNTS TWELVE THOUSAND ONE HUNDRED FIFTY THREE DOLLARS AND TWENTY FIVE CENTS STOP INFORMATION AT INDIAN OFFICE ALSO SHOWS THAT THERE IS APPARENTLY A FURTHER THOUSAND DOLLARS OF INDIAN ESTATE MONIES NOT ACCOUNTED FOR STOP WRITTEN REPORT FOLLOWS.

W. E. DITCHBURN.

NIGHT LETTER
CHARGE INDIAN OFFICE.

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Form 6123, Replacing Form 1-TW

CLASS OF SERVICE	SYMBOL
Day Message	
Day Letter	D L
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If none of these three symbols appears after the check (number of words) this is a day message. Otherwise its character is indicated by the symbol appearing after the check.

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606 VIEW STREET
TELEPHONE 6200

214V ED 63 NL

OTTAWA ONT AUG 11 1930

W E DITCHBURN

INDIAN COMMISSIONER VICTORIA BC

REFERENCE YOUR TELEGRAM SIXTH CONCERNING PAYMENTS MADE ON ACCOUNT OF TIMBER ROYALTIES ETC COWICHAN CHEMAINUS KUPER ISLAND RESERVES, FULL INFORMATION BEING SENT YOU IN LETTER TODAY SHOWING SHORTAGE OF NINE HUNDRED AND SEVENTY SIX DOLLARS CHEMAINUS; TWO THOUSAND SIX HUNDRED AND FORTY THREE DOLLARS JUPER ISLAND; FOUR THOUSAND SIX HUNDRED AND NINETY FIVE DOLLARS COWICHAN NO RECORD HERE OF ACTIVITIES ON OTHER RESERVES

DUNCAN SCOTT

449P

COMMISSIONER'S OFFICE
AUG 12 1930
VICTORIA, B. C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

IN YOUR REPLY REFER TO
No. 136/3/18600.
ALSO TO DATE OF THIS LETTER

COMMISSIONER'S OFFICE
P. O. BOX 666

VICTORIA, B.C. August 16, 1930.

Dear Mr. Ditchburn:-

Enclosed please find copy of a letter just received from the Department dealing with the timber situation in the Cowichan Agency.

Yours sincerely,

A.V. Hill

A.V. Hill,
Principal Clerk.

KD.

Enclosure:-

W. E. Ditchburn, Esq.,
Indian Commissioner for B . C.,
c/o Indian Office,
Duncan, B. C.

E 75 000

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30152-6.

Copy.

Department of Indian Affairs,
Canada.

Ottawa, Aug. 11, 1930.

Sir:-

In reply to your telegram of the 6th inst. regarding monies sent in by agent Lomas covering timber dues, royalties, etc., our records appear as follows:-

Cowichan Reserve: Bevan operation Licence No. 216.

Bevan has paid $500.00 deposit, rental 1929-30 $78, Licence fee $50.00, through Lomas at the time the former tendered for the timber. No other payments have been received, nor has any intimation been given the Department that any timber has been cut.

Chemainus Reserve: Thurston Flavelle. Licence No. 175.

The licensees have reported that they paid Lomas royalties in full covering four scale bills, Nos. 120,544; 121588, 121841, 121842, amounting to approx. $916.93, these bills being prior to Oct. 14th, 1929. Since that time the company have reported 23 other scale bills up till April 25th, 1930, on which royalties amount to $3,562.52 of which $2500.00 has been paid direct to the Department in the form of a deposit, leaving a balance of $1062.52. Lomas has not forwarded any monies on account of this license.

Kuper Island: J.L. Peterson, Trustee.

The position of this transaction was fully explained in letter of July 24th, last, the Department having only received through agent Lomas the sum of $1690.00 covering deposit $1500.00, rental $140.00 and licence fee $50.00. No royalties have ever been received from Lomas.

The Department has no record of what other monies Lomas may have received covering dues or royalties on timber cut from other reserves in his agency.

Your obedient servant,

"A.F. MacKenzie"
Actg. Asst. Deputy & Secretary.

W.E. Ditchburn, Esq.,
Indian Commissioner,
Victoria, B. C.

RG 10, C-II-2, vol 11297
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

136/3/18600.

August 16, 1930.

Dear Mr. Ditchburn:-

Enclosed please find copy of a letter just received from the Department dealing with the timber situation in the Cowichan Agency.

Yours sincerely,

KD.

Enclosure:-

A.V. Hill,
Principal Clerk.

W. E. Ditchburn, Esq.,
Indian Commissioner for B . C.,
c/o Indian Office,
Duncan, B. C.

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RG 10, C-II-2, vol. 11297

INDIAN AFFAIRS
AFFAIRES INDIENNES

National Archives of Canada
Archives nationales du Canada

30152-6.

Copy.

Department of Indian Affairs,
Canada.

Ottawa, Aug. 11, 1930.

Sir:-

In reply to your telegram of the 6th inst. regarding monies sent in by agent Lomas covering timber dues, royalties, etc., our records appear as follows:-

Cowichan Reserve: Bevan operation Licence No. 216.

Bevan has paid $500.00 deposit, rental 1929-30 $78, Licence fee $50.00, through Lomas at the time the former tendered for the timber. No other payments have been received, nor has any intimation been given the Department that any timber has been cut.

Chemainus Reserve: Thurston Flavelle. Licence No. 175.

The licensees have reported that they paid Lomas royalties in full covering four scale bills, Nos. 120,544; 121588, 121841, 121842, amounting to approx. $916.93, these bills being prior to Oct. 14th, 1929. Since that time the company have reported 23 other scale bills up till April 25th, 1930, on which royalties amount to $3,562.52 of which $2500.00 has been paid direct to the Department in the form of a deposit, leaving a balance of $1062.52. Lomas has not forwarded any monies on account of this licence.

Kuper Island: J.L. Peterson, Trustee.

The position of this transaction was fully explained in letter of July 24th, last, the Department having only received through agent Lomas the sum of $1690.00 covering deposit $1500.00, rental $140.00 and licence fee $50.00. No royalties have ever been received from Lomas.

The Department has no record of what other monies Lomas may have received covering dues or royalties on timber cut from other reserves in his agency.

Your obedient servant,

"A.F. MacKenzie"
Actg. Asst. Deputy & Secretary.

W.E. Ditchburn, Esq.,
Indian Commissioner,
Victoria, B. C.

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RG 10, C-II-2, vol. 11297

INDIAN AFFAIRS
AFFAIRES INDIENNES

National Archives of Canada
Archives nationales du Canada

30152-6.

Copy.

Department of Indian Affairs,
Canada.

Ottawa, Aug. 11, 1930.

Sir:-

In reply to your telegram of the 6th inst. regarding monies sent in by agent Lomas covering timber dues, royalties, etc., our records appear as follows:-

Cowichan Reserve: Bevan operation Licence No. 216.

Bevan has paid $500.00 deposit, rental 1929-30 $78, Licence fee $50.00, through Lomas at the time the former tendered for the timber. No other payments have been received, nor has any intimation been given the Department that any timber has been cut.

Chemainus Reserve: Thurston Flavelle. Licence No. 175.

The licensees have reported that they paid Lomas royalties in full covering four scale bills, Nos. 120,544; 121588, 121841, 121842, amounting to approx. $916.93, these bills being prior to Oct. 14th, 1929. Since that time the company have reported 23 other scale bills up till April 25th, 1930, on which royalties amount to $3,562.52 of which $2500.00 has been paid direct to the Department in the form of a deposit, leaving a balance of $1062.52. Lomas has not forwarded any monies on account of this licence.

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The Department has no record of what other monies Lomas may have received covering dues or royalties on timber cut from other reserves in his agency.

Your obedient servant,

"A.F. MacKenzie"
Actg. Asst. Deputy & Secretary.

W.E. Ditchburn, Esq.,
Indian Commissioner,
Victoria, B. C.

REPEAT
REPETITION

RG 10, C-11-2, vol. 11297
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

IN YOUR REPLY REFER TO
No. 30152-6
ALSO TO THE DATE OF THIS LETTER
PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

COMMISSIONER'S OFFICE
AUG 16 1930
VICTORIA, B. C.

DEPARTMENT OF INDIAN AFFAIRS
CANADA

Ottawa. Aug.11th.1930.

Sir:-

In reply to your telegram of the 6th.inst. regarding monies sent in by agent Lomas covering timber dues, royalties etc.our records appear as follows:-

COWICHAN RESERVE, Bevan operation License No.216.

Bevan has paid $500 deposit,rental 1929-30 $78,License fee $50,through Lomas at the time the former tendered for the timber.No other payments have been received,nor has any intimation been given the Department that any timber has been cut.

CHEMAINUS RESERVE,Thurston Flavelle .License No.175.

The licensees have reported that they paid Lomas royalties in full covering four scale bills,Nos.120544,121588,121841,121842 amounting to approx.$916.93.these bills being prior to Oct.14th. 1929.Since that time the company have reported 23 other scale bills up till April 25th.1930,on which royalties amount to $3.562.52 of which $2500 has been paid direct to the Department in the form of a deposit,leaving a balance of $1062.52. Lomas has not forwarded any monies on account of this license.

KUPER ISLAND. J.L.Peterson Trustee. License 219

The position of this transaction was fully explained in letter of July 24th.last.the Department having only received through agent Lomas the sum of $1690 covering deposit $1500 rental-$140 and license fee $50.No royalties have ever been received from Lomas.

The Department has no record of what other monies,Lomas may have received covering dues or royalties on timber cut from other reserves in his agency.

Your obedient servant,

A. F. MacKenzie

Actg.Asst. Deputy & Secretary.
(A.F.MacKenzie.)

W.E.Ditchburn Esq.
Indian Commissioner
Victoria. B.C.

RG 10, C-II-2, vol 11297
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

IN YOUR REPLY REFER TO
No. 30,152-6
ALSO TO THE DATE OF THIS LETTER
PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS
CANADA

Ottawa, August 8, 1930.

Sir,-

I desire to acknowledge the receipt of your telegram of the 6th instant, asking to be furnished with a statement of moneys forwarded to the Department by Agent Lomas in connection with certain timber operations on the Cowichan and Chemainus Reserves.

Mr. Bury, our Timber Supervisor, is at present absent from the City, but upon his return in the course of a few days, this information will be furnished you.

Your obedient Servant,

A. F. MacKenzie.
Acting Assistant Deputy & Secretary.

W. E. Ditchburn, Esq.
Indian Commissioner,
Victoria, B. C.

COMMISSIONER'S OFFICE
AUG 13 1930
VICTORIA, B. C.

RG 10, C-II-2, vol. 11297

INDIAN AFFAIRS
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CLASS OF SERVICE	SYMBOL
Day Message	
Day Letter	D L
Night Message	N M
Night Letter	N L

If none of these three symbols appears after the check (number of words) this is a day message. Otherwise its character is indicated by the symbol appearing after the check.

CANADIAN NATIONAL TELEGRAM

HEAD OFFICE, TORONTO, ONT. W. G. BARBER, GENERAL MANAGER

Form 6123, Replacing Form 1-TW

Exclusive Connection with WESTERN UNION TELEGRAPH CO.
Cable Service to all the World
Money Transferred by Telegraph

STANDARD TIME

506 VIEW STREET,
TELEPHONE 6200

20V ED 15

OTTAWA ONT 1008A AUG 7 1930

W E DITCHBURN

INDIAN COMMISSIONER VICTORIA BC

HAVE SUSPENDED AGENT LOMAS AND PUT MISS ROBERTSON IN CHARGE TO ACT UNDER YOUR INSTRUCTIONS

DUNCAN C SCOTT

737A

1005

COMMISSIONER'S OFFICE
AUG 7 1930
VICTORIA, B. C.

RG 10, C-II-2, vol. 11297
INDIAN AFFAIRS
AFFAIRES INDIENNES

National Archives of Canada
Archives nationales du Canada

Form 6102, replacing Form 2A-T.W.

CLASS OF SERVICE DESIRED

Day Message
Day Letter
Night Message
Night Letter

Patrons should mark an X opposite the class of service desired; OTHERWISE THE MESSAGE WILL BE TRANSMITTED AS A FULL-RATE TELEGRAM

CANADIAN NATIONAL TELEGRAM

HEAD OFFICE, TORONTO ONT. W. G BARBER GENERAL MANAGER

Exclusive Connection with WESTERN UNION TELEGRAPH CO.
Cable Service to all the World
Money Transferred by Telegraph

RECEIVER'S NO.	TIME FILED	CHECK

Send the following message, subject to the terms on back hereof, which are hereby agreed to

Victoria, B.C., August 6, 1930.

Duncan C. Scott,
Deputy Superintendent General
of Indian Affairs,
Ottawa.

136/3/18510

Your fyle three naught one five two dash five Kuper Island timber STOP Further investigation shows situation much worse than reported in my wire of twenty third July and Agent Lomas is short in his accounts Two Thousand Six Hundred and Fifty Four Dollars and seventy seven cents in connection with this operation alone and not in a position to make up balance STOP Recommend that he be suspended at once with instructions to turn over all Government property to Miss Robertson, clerk, for the meantime STOP Other timber operations appear to be in equally as bad shape if not worse STOP Wire me STOP Am writing full report.

Letter
Day ~~message~~
Charge Indian Office Victoria.

W.E. Ditchburn.

Telephone 6200

RG 10, C-11-2, vol. 11297
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

Form 6102, replacing Form 2A-T.W.

CLASS OF SERVICE DESIRED	
Day Message	
Day Letter	
Night Message	
Night Letter	

Patrons should mark an X opposite the class of service desired; OTHERWISE THE MESSAGE WILL BE TRANSMITTED AS A FULL-RATE TELEGRAM

CANADIAN NATIONAL TELEGRAM

HEAD OFFICE. TORONTO ONT. W. G BARBER GENERAL MANAGER

Exclusive Connection with WESTERN UNION TELEGRAPH CO.
Cable Service to all the World
Money Transferred by Telegraph

RECEIVER'S NO.	TIME FILED	CHECK

Send the following message, subject to the terms on back hereof, which are hereby agreed to

Victoria, B.C., August 6, 1930.

The Secretary,
Department of Indian Affairs,
Ottawa.

136/3/185-11

Write me at once as to amount of money forwarded to Department by Agent Lomas in connection with Herbert Beavan timber operation Cowichan Reserve under Licence two hundred and ten STOP Also wish report of all returns made in connection with timber cutting on Chemainus Reserve number thirteen, Thurston-Flavelle STOP This information desired at once.

Letter

Day ~~message~~
Charge Indian Office Victoria.

W. E. Ditchburn.

Telephone 6200

INDIAN AFFAIRS
AFFAIRES INDIENNES
RG 10, vol 11297, file 27,
National Archives of Canada
Archives nationales du Canada

136/3/18516.

August 6, 1930.

Your file No.
30152-8.

Dear Sir:

I beg to confirm my telegram of today's date reading as hereunder:-

> "Write me at once as to amount of money forwarded to Department by Agent Lomas in connection with Herbert Beavan timber operation Cowichan Reserve under License two hundred and ten stop. Also wish report of all returns made in connection with timber cutting on Chemainus Reserve number thirteen, Thurston-Flavelle stop. This information desired at once."

In connection with this I beg to say that upon investigating conditions in the Indian Office at Duncan in connection with the timber operation on the southern portion of Kuper Island, which forms the subject of another report, in view of the fact that the situation is so serious it struck me that I should also look into the operation on Cowichan Indian Reserve No.1. for which Mr. Herbert Beavan was issued License No.210 by the Department on the 1st July,1929. The file in connection with this operation at the Indian Office is in very bad shape, as is also the case with the Kuper Island file, and I learn from Miss Robertson that all letters pertaining to financial affairs are kept by Mr. Lomas himself and not put on the regular files. But I did find notations of receipts for payments amounting to $5147.78 and in the vault I found only two cheques, one amounting to $26.52 dated 31st July and the other for $425.49 dated 1st of August. Miss Robertson informs me so far as she knows no money in connection with this operation has been forwarded to the Department and if such is the case it would appear that Indian Agent Lomas is short in his accounts in connection with this operation to the extent of $4695.77. It may be however that the situation is worse than above stated as it is impossible to find Scale Bills showing the amount of timber that has been cut except in a very few instances. It is my intention to ask Mr. Beavan to give me a full statement with regard to the cutting and also,if possible, to supply me with the Scale Bills or the numbers thereof which I can obtain if necessary from the Forestry Branch in Vancouver.

I did not go into the file in connection with the timber operation in Chemainus Indian Reserve No.13 but I did find some receipts for payments which have been made to Indian Agent Lomas, but in order that

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

I may....

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RG 10, C-II-2, vol. 11297
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

August 6, 1930.

I may be clear in regard to these two matters I wish to know from you whether any remittances have been made by the Indian Agent for timber which has been cut.

As a further investigation on these two matters will have to be made, an early reply will oblige.

Your obedient servant,

W. E. Ditchburn.
Indian Commissioner for B.C.

WED/AC

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INDIAN AFFAIRS
AFFAIRES INDIENNES

RG 10, C-II-2, vol. 11297

National Archives of Canada
Archives nationales du Canada

136/3/18426.

July 25, 1930.

Dear Sir:-

Confirming my telephone conversation with you this morning relative to the Trust Account of Mr. A.H. Lomas, Indian Agent, I beg to say that in view of investigations recently made at his office I find that the financial conditions are not at all what they should be and owing to this fact I beg to request that you should not honor any further cheques drawn against this account without the authority of the undersigned. On Tuesday the 22nd instant the balance on hand in the above referred to account was $8,923.80. This does not mean that you should not accept any cheques for deposit.

Yours very respectfully,

WED/KD.

W. E. Ditchburn.
Indian Commissioner for B. C.

A. D. Robertson, Esq.,
Manager Bank of Montreal,
Duncan, B. C.

P.S. This matter of course is confidential.

RG 10, C-II-2, vol. 11297
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

CLASS OF SERVICE DESIRED	
Day Message	
Day Letter	
Night Message	
Night Letter	

Patrons should mark an X opposite the class of service desired; OTHERWISE THE MESSAGE WILL BE TRANSMITTED AS A FULL-RATE TELEGRAM

Form 6102, replacing Form 2A-T.W.

CANADIAN NATIONAL TELEGRAM

HEAD OFFICE. TORONTO ONT. W. G BARBER GENERAL MANAGER

Exclusive Connection with WESTERN UNION TELEGRAPH CO.
Cable Service to all the World
Money Transferred by Telegraph

RECEIVER'S NO.	TIME FILED	CHECK

Send the following message, subject to the terms on back hereof, which are hereby agreed to

Victoria, B. C., July 23, 1930.

Duncan C. Scott,
Deputy Superintendent General
of Indian Affairs,
Ottawa.

136/3/18390

On investigating affairs in Cowichan Agency office find things in a very bad mess and considerable correspondence unattended to.STOP As Miss Robertson is very fully employed in fact overworked I authorized Agent Lomas to employ a stenographer for a week or so to get things cleaned up.

NIGHT LETTER
CHARGE INDIAN OFFICE VICTORIA.

W. E. DITCHBURN.

Telephone 6200

RG 10, C-II-2, vol. 11297
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

COPY

STATEMENT OF LOGS, POLES AND PILING

Stuartburn

		CAR	Lft. Piling	Lft Poles	B.M. Logs
1928	Aug.	107746	1344	17015	
	Sept.	108858		17590	
	Oct.	110442		23535	13200
	Nov.	111558		22045	
	"	111699		13130	
	"	111700	3735		
	"	112395			75401
	"	112396			306664
	"	112397			39677
	"	112398			96339
1929	March	114915			57115
	"	114916			62977
	"	114917			237553
	"	115204			249268
	"	115205			23558
	"	115206			65329
	April	115655			131321
	"	116390			37003
	May	117115			71412
	"	117116			78965
	"	117117			80557
	"	117118			181594
	July	119576			101493
	Aug.	120336			109855
	Sept.	120964			385664
	"	121779			181506
	"	121780			54606
	"	121781			403315
			5078	93315	3044374

RATES

3,044,374'	@ 3.00M'	$913312	
93,315	@ 2½¢ Lft.	233287	
5,079	@ 2¢ "	10156	$1156757

PAYMENTS

1928	Aug.	$44325	
	Sept.	43975	
	Oct.	62798	
	Dec.	133992	
1929	Jan.	87937	
	Mar.	172712	
	June	78376	
	Aug.	63405	
	Oct.	468357	
1932	July	900	$11567.57

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RG 10, C-II-2, vol. 11297

INDIAN AFFAIRS
AFFAIRES INDIENNES

National Archives of Canada
Archives nationales du Canada

COPY

STATEMENT OF LOGS, POLES AND PILING

Stuwmerge

		S&R	Lft. Piling	Lft Poles	B.M. Log
1928	Aug.	107746	1344	17015	
	Sept.	108858		17590	
	Oct.	110442		23535	13200
	Nov.	111558		22045	
	"	111699		13130	
	"	111700	3735		
	"	112395			75401
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1929	March	114915			57115
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	"	115204			249268
	"	115205			23558
	"	115206			65329
	April	115655			131321
	"	116390			37003
	May	117115			71412
	"	117116			78965
	"	117117			80557
	"	117118			181594
	July	119576			101493
	Aug.	120336			109655
	Sept.	120964			385664
	"	121779			181506
	"	121780			54808
	"	121781			403315
		5078	93315		3044374

RATES

3,044,374' @ 3.00M'	$913312	
93,315 @ 2½¢ Lft.	233287	
5,079 @ 2¢ "	10158	$1156757

PAYMENTS

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	Sept.	43975	
	Oct.	62798	
	Dec.	133993	
1929	Jan.	87937	
	Mar.	172712	
	June	78376	
	Aug.	63405	
	Oct.	468357	
1932	July	900	$11567.57

REPEAT
REPETITION

RG 10, C-II-2, vol 11297
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

COPY

STATEMENT OF LOGS, POLES AND PILING

Stumpage

		S&R	Lft. Piling	Lft Poles	B.M. Logs
1928	Aug.	107746	1344	17015	
	Sept.	108858		17590	
	Oct.	110442		23535	13200
	Nov.	111558		22045	
	"	111699		13130	
	"	111700	3735		
	"	112395			75401
	"	112396			306664
	"	112397			39677
	"	112398			96339
1929	March	114915			57115
	"	114916			62977
	"	114917			237553
	"	115204			249268
	"	115205			23558
	"	115206			65329
	April	115855			131321
	"	116390			37003
	May	117115			71412
	"	117116			78965
	"	117117			80557
	"	117118			181594
	July	119576			101493
	Aug.	120338			109855
	Sept.	120964			385664
	"	121779			181506
	"	121780			54808
	"	121781			403315
		5078	93315	3044374	

RATES

3,044,374'	@ 3.00M'	$913312
93,315	@ 2½¢ Lft.	233287
5,079	@ 2¢ "	10158
		$1156757

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	Sept.	43975	
	Oct.	62798	
	Dec.	133992	
1929	Jan.	87937	
	Mar.	172712	
	June	78376	
	Aug.	63405	
	Oct.	468357	
1932	July	900	$11567.57

RG 10, C-II-2, vol. 11297

INDIAN AFFAIRS
AFFAIRES INDIENNES

National Archives of Canada
Archives nationales du Canada

136/3/18781. September 8, 1930.

Dear Miss Robertson:

I am attaching hereto copy of a letter received from Mr. Paget, the Chief Accountant, in connection with vouchers 230 and 233 for $22.98 and $11.06, respectively; also in connection with voucher No. 261 for $18.25, which seem to have been credited to his travelling expenses for which he received an advance of $100.00. Kindly give me any further information in connection with this advance which you have, as required by the accounting branch.

Yours respectfully,

Enc. 1.
WSD/TH.

W.E. Ditchburn,
Indian Commissioner for B.C.

Miss Kate Robertson,
In Charge, Indian Office,
DUNCAN, B.C.

RG 10, C-II-2, vol. 11297
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

COPY

DEPARTMENT OF INDIAN AFFAIRS
CANADA

Ottawa, August 30th, 1930.

Dear Sir:

Referring to your letter of the 25th instant, I beg to say that the amounts of vouchers Nos. 230 and 233 for $22.98 and $11.06 have been credited to Mr. Lomas' account for travelling expenses for which he received an advance of $100.00. Voucher No. 261 for $18.25, being payment made to Cowichan Agricultural Society has also been credited to his account, leaving $47.71 unaccounted for.

No travelling expense accounts either for his own (or car) expenses have been received for the month of July. The last vouchers received were Nos. 228 and 229 which were paid. If there are any further expense accounts not rendered, will you please have them forwarded so that his account may receive credit for them?

Yours truly,

F.H. Paget,
Chief Accountant.

W.E. Ditchburn, Esq.,
Indian Commissioner,
P.O. Box 666,
Victoria,
British Columbia.

RG 10, C-II-2, vol. 11297
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

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/O'C

DEPARTMENT OF INDIAN AFFAIRS

CANADA

Ottawa, August 30th, 1930.

Dear Sir:-

Referring to your letter of the 25th instant, I beg to say that the amounts of vouchers Nos. 230 and 233 for $22.98 and $11.06 have been credited to Mr. Lomas' account for travelling expenses for which he received an advance of $100.00. Voucher No. 261 for $18.25, being payment made to Cowichan Agricultural Society has also been credited to his account, leaving $47.71 unaccounted for.

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Yours truly,

F. H. Paget
Chief Accountant.

W. E. Ditchburn, Esq.,
Indian Commissioner,
P. O. Box 666,
V I C T O R I A,
British Columbia.

COMMISSIONER'S OFFICE
SEP 8 1930
VICTORIA, B. C.

RG 10, C-11-2, vol. 11297
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Duncan, B. C.

September 9th, 1930.

796-G-3

Your File No.136/3/18781

Dear Mr. Ditchburn:-

I have your letter of the 8th, instant, enclosing copy of letter from Mr. F. H. Paget, Chief Accountant and in reference to deficit of $47.71 now standing against accountable cheque for $100.00 forwarded to Mr. Lomas, in connection with travelling expenses.

Taking the credits as checked by the Department, I would make the same standing, and to the best of my knowledge and belief, there are no further accounts to go forward, to be credited against this account, as apparently there was no travelling expense during July. The Department car expenses for July- Thomas Pitt's account had not been paid, by Mr. Lomas, and it was forwarded in the name of the firm, under our voucher No.309- and read for $16.93, and a cheque has been received by the firm from the Department in payment.

Yours obediently,

Kate Robertson

(Kate Robertson)
for
Indian Agent

W. E. Ditchburn, Esq.,
Indian Commissioner for B. C.
VICTORIA, B. C.

COMMISSIONER'S OFFICE
SEP 11 1930
VICTORIA, B. C.

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AFFAIRES INDIENNES

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LIST OF DEPOSITS MADE BY A.H. LOMAS, BANK OF MONTREAL,
DUNCAN, FROM DECEMBER 31, 1921 TO MAY 29, 1930.

1930					
May	29	$1502.25	Department	$ 900	$
			Tzouhalem Logging Co Cowichan # 1	602.25	
May	12	405.87	H.W. Beaven (Dickie & Beaven) Cowichan # 1	405.87	
"	8	1,569.66	Thurston, Flavelle Ltd Chemainus #13	385.56	.45
			Tzouhalem Logging Co Cowichan No. 1.	928.80	
			" " " Cowichan # 1	255.75	
Mar.	22	180.00	Dept. Indian Affairs, #9734	180.00	
"	15	1,289.46	Thurston, Flavelle Ltd #5388 Chemainus #13	1,289.46	
Feb.	8	1,746.06	" " " Chemainus #13	832.28	1.05
			" " " Chemainus #13	391.15	50
			" " " Chemainus #13	524.88	70
1929					
Dec.	10	2,490.99	Dickie & Bevan Cowichan No. 1	774.09	
			" " " "	566.90	
			Department	900.00	
			"	250.00	
Oct.	21	875.57	A.A. Plummer, #7957 Chemainus #13	876.67	1.10
"	12	7,162.11	Thomson Clark Kuper Island	4,683.37	
			Bevan Cowichan I.R. #1	489.37	
			" " "	482.72	6.90
			" " "	189.07	
			A.A. Plummer Chemainus #13	823.25	
			Department	501.23	
Aug	19	633.25	Thompson Clark Ltd #839 Kuper Island	304.48	80
			" " " #851 "	329.57	
July	30	782.76	" " " Kuper Island	783.76	1.00
May	27	28.50	" " "	28.50	
"	20	250.00	Department #1571	250.00	
Apr.	2	120.00	Cash 6 x $20	120.00	
Mar.	28	1,724.97	Thomsen, Clark #174 Kuper Island	1,727.12	2.15
"	2	1,178.82	J.W. Kean #727 Kuper Island	879.37	1.10
			Thomsen, Clark #4122 Kuper Island	300.90	35
1928					
Dec.	4	4,902.88	Thomsen Clark Kuper Island	1,039.02	
			Dept. cheque #6687	1,200.00	
			" " 6761	1,300.00	3.10
			Scottish Palmer	677.07	
			J.W. Kean Kuper Island	627.98	
			Scottish Palmer	61.91	

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List of Deposits made by A.H. Lomas, Bank of Montreal
Duncan, from December 31, 1921 to May 29, 1930
(Continued)

. . . . . .

1928					
Nov. 30	$ 40.00	Cash	$ 40.00	$	
Oct. 11	500.00	Telegram from Ottawa	500.00		
Sept.13	439.75	J.W. Kean Kuper Island	439.75		.55
" 1	306.25	J.H. Baxter & Co (J.H. Baxter & Co $169.00, Ex.20)	306.25		.35
" 1	.25		.25		
Aug. 10	1,514.33	Dept. cheque #3453	1,071.63		.55
		J.W. Kean Kuper Is.	443.25		
July 26	297.40	Baxter & Co	297.75		.35
" 23	100.00	(Dept. Indian Affairs, $45.58)	100.00		
" 14	25.00	(" " " $11.59 Exchange 15¢)	25.00		
" 4	25.00	Cash	25.00		
June 11	250.00	Dept. cheque	250.00		
" 9	50.00	Cash	50.00		
May 9	650.00	Dept. cheque #1060	650.00		
Mar. 13	1.980.00	Can. Permanent Mortgage Corp.	1,980.00		
Feb. 15	250.00	Dept. cheque #8211	250.00		
Jan. 5	2,000.00	Telegraphic Transfer from Ottawa			
1927					
Dec. 21	650.00	Dept. cheque #6340	650.00		
Nov. 14	1,500.00	" " 6377	1,500.00		
Sept 26	3.000.00	" " 4851	1,500.00		
		" " 4778	1,500.00		
Sept 2	1,350.00	" " 4193	1,350.00		
" 1	50.00	Telegraphic Transfer, Victoria Acct Sandy Joe	50.00		
Aug 31	160.00	Dept. cheque #4407	160.00		
" 9	1,942.00	Thomsen, Clark	1,692.00		
			250.00		
July 25	165.00	Cheque, Dept. #3443	175.00		
		Less Cash	10.00		
			165.00		
May 10	650	Cheque	650,00		
Apr. 1	100.00	"	100.00		

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List of Deposits made by A.H. Lomas, Bank of Montreal, Duncan, from December 31, 1921 to May 29, 1930.
(Continued)

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1927						
Mar. 3	$ 32.00	Cash		$ 32.00		
1926						
Dec. 7	3,970.00	Dept. Cheque #6723		2,870.00		
		" " 6100		1,100.00		
				3,970.00		
Oct. 6	800.00	" "		800.00		
Aug 18	1,336.72	Cheque		1,336.72		
June 21	857.88	J.C.H. Westwood on Commerce, Nanaimo (Also J.C.H. Westwood on the Commerce, Nanaimo for $875.00)		857.88	— Inclusive	
Apr. 12	600.00	Cheque #368		600.00		
Mar. 29	372.53	Cheques		71.43		
				28.10		
				273.00		
				372.53		
Jan. 25	56.60	"		109.00		
		Less cash		52.40		
				56.60		
1925						
Dec. 29	3,550.00	Dept. cheque #6945		3,550.00		
" 9	3,839.04	Dawson Taylor		3,843.84	Ex.	4.80
Nov. 16	50.00	Cash 1x10; 2x20		50.00		
Oct. 29	725.99			726.89	"	90
" 27	2,283.03	Cheque #719		2,283.03		
" 2	2,985.51	Cheque		2,000.00		
		"		985.51		
" 1	1,500.00	Telegraphic transfer from Ottawa		1,500.00		
Sept 17	218.02	Cheque		218.02		
Aug. 31	1,605	Dept. cheque #3487		1,605.00		
July 9	781.19	Cheque #618		782.14	"	.95
June 10	999.70	"	519	500.00	"	1.30
		"	551	500.00		
				1,000.00		
May 26	800.00			300.00		
				500.00		
				800.00		
May 23	499.40	Cheque		500.00	"	.60

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List of Deposits made by A.H. Lomas, Bank of Montreal, Duncan, from December 31, 1921 to May 29, 1930. (Continued)

. . . . . .

1924				
Dec.	8	$1,060.20		
"	2	200.00		
Nov.	18	275.00	Transfer Ottawa Dept Indian Affairs	
"	17	14,912.00	Dept. Indian Affairs	
"	12	1,735.00	Cash Cheque	35.00 1,700.00 1,735.00
Oct	11	213.44		
"	8	15.00		
Sept	11	33.18		
"	8	105.50		
Aug.	23	125.00		
"	11	64.65	Cheques "	18.25 46.40 64.65
July	31	7.50		
"	19	25.00	Cheque Less cash	64.57 39.57 25.00
"	9	19.10	Cheques	4.10 15.00 ~~19.10~~
June	4	725.00	Cash Cheques	100.00 100.00 200.00 325.00 725.00
May	14	2,000.00		
Apr.	19	450.00		
"	9	100.00		
"	8	20.00		
"	3	30.00	Cash	
"	1	400.00		
1923				
Dec.	1	1,700	Dept. cheque	
Oct	2	300		

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List of Deposits made by A.H. Lomas, Bank of Montreal, Duncan, from December 32, 1921 to May 29, 1930.
(Continued)

. . . . . .

1923				
Sept. 29	$ 100.00	Hollings	$	.50
July 20	432.48			
May 14	4,350.00		350.00 4,000.00	
" 1	2,000.00		4,350.00	
Mar. 31	100.00	Cash		
Feb. 10	1,090.15		1,091.40	
		Less exchange	1.25	
			1,090.15	
Jan. 27	700.00			
1922				
Oct. 25	535.00	Cash Cheque	235.00 300.00	
			535.00	
" 17	250	Telegraphic transfer Ottawa		
Sept. 7	27.00	Cash Cheque	22.00 5.00	
			27.00	
July 8	1,500.00	Cheque		
May 31	300.00	"		
Apr. 21	122.60	" "	72.60 50.00	
			122.60	
Jan. 10	2,400.00	"		
1921				
Dec. 31	3,000.00	"		

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194/5005.

April 10, 1940.

Dear Sir:

I have received your letter of April 8th and have referred same to Mr. Indian Agent R. H. Moore, Duncan, for his attention and reply.

If there is any Departmental record of the transaction in question, it should be in the Agency Office in Duncan.

Yours faithfully,

D. M. MacKay.
Indian Commissioner for B.C.

/AC

A. J. Patton, Esq., M.A.,
Barrister,
709-11 Bank of Toronto Building,
Victoria, B.C.

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709-11 Bank of Toronto Building,
Victoria, B.C.

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194/5004.

April 10, 1940.

Dear Mr. Moore:

I am forwarding herewith for attention a letter received from Mr. A. J. Patton, Barrister, Victoria, regarding a receipt held by Mrs. Emily Peter Jack, North Saanich, for the sum of $20.00 signed by "W. H. Lomas, Indian Agent."

Please reply to Mr. Patton, giving him whatever information you may have there in connection with this transaction. No doubt Miss Robertson should be helpful in this respect, as I understand she has been called upon on a number of occasions to make a search in connection with similar matters. You might inquire at the local bank to ascertain if any deposit was made by Agent Lomas for Mrs. Emily Peter Jack.

Yours faithfully,

Encl
/AC

D. M. MacKay.
Indian Commissioner for B.C.

R. H. Moore, Esq.,
Indian Agent,
Duncan, B.C.

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COPY

A. J. PATTON, M.A.

Barrister, Solicitor
and Notary.

709-11 Bank of Toronto Building

Victoria, B.C.

April 8, 1940.

D. M. McKay, Esq.,
Indian Commissioner for
British Columbia,
c/o Canadian Department of
Mines and Resources,
P. O. Box 70,
Vancouver, B.C.

Dear Sir:

Mrs. Emily Peter Jack, wife of Peter Jack, who lives in north Saanich, holds a receipt signed by"W. H. Lomas, Indian Agent" for the sum of $20.00 being the amount of rental for a fifteen acre piece at Comiaken. There appears an endorsement on the back of the receipt, in red ink, as follows: "Amount to be placed in P.O. Savings Bank to credit of estate ---- c/o Indian Agent - Joe Kukaethl, December 7th 1897." Mrs. Peter Jack wants to know if this money as available to her, she being the only child left, or what has happened ot it in the meantime. I would be obliged for an early reply.

Yours very truly,

"A. J. Patton"

AJP/HHR

Original forwarded to Mr. Moore

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Duncan I.R. [redacted] Mark SR16 #10242

Mar 26-26 Authority granted from Ottawa to issue permit for 1500 poles

Scale bill 85505 dated June 16th shows that 34315 ft of poles were cut during the month of June on Duncan reserve by [redacted] - but no records to show that it was ever fd for -

34315 / 2

64630
8939
1+7+9
73208

34315 / 2

686.30
171 57 1/2
45.7.60

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Thomas Stanley Thomas Ord IR 32
Sawlogs 3 thousand feet; 12" logs cedar poles 3 inches at top 15' long
July 16 K 27. Licence 211 - Renewal
Assistant Timber Agent Timber Co Ltd
Rent due to Ottawa for 316 - July 7. 27
Report 150
Dues 50
Rent 10
210

Oct 25.27. Admitted Timber Co Ltd 69.3
1980 ft cedar poles SPP 9511-12

Oct 31/27 69.30 ft Ord to Ottawa

Sept 1071 05 - duties July 3.28
1430 ft cedar poles under Licence 78 Cancelled
of the dues Timber Co Ltd for 30.50

Nov 27.28 Ord to Ottawa 18 cedar poles

Jun 4-35 " " 17 " "

Jul 14 35 Report to Assistant Commissioner
Licencee complied with regulations

Crown Plan - 158-0-0 Then cedar -
396 570 " 7 in
2200 lin ft thing -

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000490

G.M.P.

Right of Way Agreement

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000491

13,140 — 3-6485 — 1449
788.40 — 14840.10 — $1.90

1033 9.65
45721 0
49111.75

10 339.55
390.50
9949.15
36137 0
13 562.85
+3448 0
+2213.95

45.72 10
955 0
3613.70

788.40

14.912
1336 2.85
1349.15

1560
377.55
2042.00
1773 5 2

170
258 40
98.40
39055
13+880

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000492

E6 h 0 0 3

Nov 17-1924. Bank of Montreal advises at Lennox
that funds had been placed to her credit to the amt $149.12.

Nov 5: 1924 Wire from Duncan C Scott
Reference your letter the twenty ultimo how were
funds to your credit with Bank of ~~Montreal~~
of Commerce to enable you to pay Indians
amounts mentioned in your statement
receipts from each Indian will be required.

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Receipts on file for payments made to Indians
for lands taken by Can National Right of way through
Cowichan I.R. No 1 + 9 -

Tatoosh Charley - * 2152.50 ✓ Alberti Charlie
Jack Semo — 444 ✓ on Cowichan 27.53 - on paid 416.43 -
Mrs Alex — 240. 210.00 paid
Daniel Sachion — 600. ✓ One cheque to Daniel Sachion
Mackell 45.80 — 75.00 paid
Siachais 131.40 ✓ Somenos
Peter Joe 112.75 ✓
Samuel Tom 497.38 ✓ Chemainus
Old Louis 755.63 ✓
Felix Wilseem 1169.25 } 1244.88 pd
Frank Wilseem 75.63
1244.88
Jimmy Yellah 489 38 ✓
Charley Seeomaton 1535.75 ✓ 1378.25 pd 157.50 paid Louis George ?
Louis Underwood 1554.00 ✓
Johnny Pete 1570.50 ✓
Walter George 442.88 ✓ 13562.85
Mrs Alex Hultanim 746.00 ✓

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There is no receipts on file for moneys which were due the following Indians for Can Nat Rly right of way through I.R. 79 + 9 - Neither is there Cancelled checks for these payments. Apparently Indians were never paid.

Mrs Tom	131 40	
Johnny Williams	131.40	
Adam Jimmy	131,40	
James Jimmy	131,40	
David Dillesmult	131,40	1
		788.40
		5-60.50
Ed Williams	131.40	134 89.90
Mrs Queen	#1709 390.50	

The above are all Somenos Indians excepting Mrs Queen and their lands are situated south of E.N. Ry. Sec A

Johnny Williams says that he received no moneys nor did any of the above Indians

Soshion - Somenos Indian was pd 131.40 receipt on file for same

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Nov 19-1924-Moneys sent to A H Lomas to pay
Indians for lands taken by C.N Ry for right of way 1491.00

Money Paid to Indian in connection with C.N.R.
135-62.85

Money due Domeno. Indians and apparently not paid
no receipts or cancelled vouchers to show 788.40
Money due Mrs Quem 170+390.50 560.50
1348.90

9 6 5 4 0 0 0

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			$	¢
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Feb. 8	1,746.06	" " " " " " " " "	832.28 391.15 524.68	1.05 50 70
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Oct. 21	675.57	A.A. Plummer, #7957	676.67	1.10
" 12	7,162.11	Thomson Clark Bevan " " A.A. Plummer Department	4,663.37 489.37 482.72 189.07 823.28 501.23	6.90
Aug 19	633.25	Thompson Clark Ltd #639 " " " #651	304.46 329.37	60
July 30	782.76	" " "	783.76	1.00
May 27	28.50	" " "	28.50	
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" 2	1,170.62	J.W. Kean #727 Thomsen, Clark #4122	879.37 300.90	1.10 35
1928				
Dec. 4	4,902.68	Thomsen Clark Dept. cheque #6667 " " 6761 Scottish Palmer J.W. Kean Scottish Palmer	1,039.08 1,200.00 1,300.00 677.07 627.98 61.91	3.10

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List of Deposits made by A.H. Lomas, Bank of Montreal
Duncan, from December 31, 1921 to May 29, 1930
(Continued)

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July 25	165.00	Cheque , Dept. #3443 Less Cash	175.00 10.00 165.00		
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List of Deposits made by A.H. Lomas, Bank of Montreal, Duncan, from December 31, 1921 to May 29, 1930. (Continued)

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1926					
Dec. 7	3,970.00	Dept. Cheque #6723		2,870.00	
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Oct. 6	800.00	" "		800.00	
Aug 18	1,336.72	Cheque		1,336.72	
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Aug. 31	1,605.00	Dept. cheque #3487		1,605.00	
July 9	781.19	Cheque #618		782.14	" .95
June 10	999.70	" 519		500.00	" 1.30
		" 551		500.00	
				1,000.00	
May 26	800.00			300.00	
				500.00	
				800.00	
May 23	499.40	Cheque		500.00	" .60

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INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
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List of Deposits made by A.H. Lomas, Bank of Montreal, Duncan, from December 31, 1921 to May 29, 1930. (Continued)

. . . . . .

1924				
Dec.	8	$1,060.20		
"	2	200.00		
Nov.	18	275.00	Transfer Ottawa Dept Indian Affairs	
"	17	14,912.00	Dept. Indian Affairs	
"	12	1,735.00	Cash	35.00
			Cheque	1,700.00
				1,735.00
Oct	11	213.44		
"				
"	8	15.00		
Sept	11	33.18		
"	8	105.50		
Aug.	23	125.00		
"	11	64.65	Cheques	18.25
			"	46.40
				64.65
July	31	7.50		
"	19	25.00	Cheque	64.57
			Less cash	39.57
				25.00
"	9	19.10	Cheques	4.10
				15.00
				19.10
June	4	725.00	Cash	100.00
			Cheques	100.00
				200.00
				325.00
				725.00
May	14	2,000.00		
Apr.	19	450.00		
"	9	100.00		
"	8	20.00		
"	3	30.00	Cash	
"	1	400.00		
1923				
Dec.	1	1,700	Dept. cheque	
Oct	2	300		

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List of Deposits made by A.H. Lomas, Bank of Montreal, Duncan, from December 32, 1921 to May 29, 1930.
(Continued)

. . . . . .

1923				
Sept. 29	$ 100.00	Hollings	$ 50.50	
July 20	432.48			
May 14	4,350.00		350.00 4,000.00	
" 1	2,000.00		4,350.00	
Mar. 31	100.00	Cash		
Feb. 10	1,090.15		1,091.40 Less exchange 1.25	
			1,090.15	
Jan. 27	700.00			
1922				
Oct. 25	535.00	Cash Cheque	235.00 300.00	
			535.00	
" 17	250	Telegraphic transfer Ottawa		
Sept. 7	27.00	Cash Cheque	22.00 5.00	
			27.00	
July 8	1,500.00	Cheque		
May 31	300.00	"		
Apr. 21	122.60	" "	72.60 50.00	
			122.60	
Jan. 10	2,400.00	"		
1921				
Dec. 31	3,000.00	"		

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AFFAIRES INDIENNES
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194/21137.

May 8, 1931.

Dear Sir:

I beg to acknowledge, with thanks, receipt of your letter of the 7th instant enclosing cancelled vouchers and statement of account A. H. Lomas in Trust. I am returning herewith the receipt for vouchers, which you sent me.

Your obedient servant,

W. E. Ditchburn.
Indian Commissioner for B.C.

AVH/AC
ENCL

The Manager,
Bank of Montreal,
Duncan, B.C.

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INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

577

1-708

Bank of Montreal,

Duncan, B.C.

7th May, 1931

W. E. Ditchburn, Esq.,
Indian Commissioner for B. C.
P.O.Box 666,
Victoria, B. C.

Dear Sir:

Referring to your letter of the 5th instant (194/21100), we enclose herewith cancelled vouchers and statement of account of the Department of Indian Affairs at this Branch.

The balance of $8,923.80 as at July 22nd last is correct but,as you will note,since then a cheque for $19. in addition to the one mentioned by you of $152. has been charged to the account. There is also a deposit of $106.23 which the Indian Agent here is writing to you about to-day.

Kindly sign the enclosed receipt for vouchers and return to us at your convenience.

Yours faithfully,

pro Manager
A.B.Robertson

COMMISSIONER'S OFFICE
MAY 8 1931
VICTORIA, B. C.

ABR:C

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INDIAN AFFAIRS
AFFAIRES INDIENNES
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I-708

Bank of Montreal

Duncan, B.C.

9th September, 1930

W. E. Ditchburn, Esq.
Indian Commissioner for B. C.,
Box 666, Victoria, B. C.

Dear Sir:

We enclose herewith a list of all deposits made by A. H. Lomas, Indian Agent, from December 1st, 1921 to April, 1924, with particulars as far as we were able to obtain them. We regret that although we were able to find all the deposit slips, in many cases the particulars were not given.

We have done our best to trace particulars from our records here, but owing to the fact that this goes back over such a long period we have been unable to get any information in a good many cases.

Yours truly,

COMMISSIONER'S OFFICE
SEP 10 1930
VICTORIA, B. C.

pro Manager
A.B.Robertson

ABR/C

INDIAN AFFAIRS
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87937
2090
11802 7
145-
11782

46.83.37
489.37
482.72
1-89 07
823.25-
501.23
7169.01
6.90
7163.11

INDIAN AFFAIRS
AFFAIRES INDIENNES
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Archives nationales du Canada

000505

1924				
Dec 8.	1060.20	✓		
" 2.	200.-	✓		
Nov. 18.	245.	✓	Ltr. Ottawa Dept Ind. Affairs.	
17.	14.912.-	✓	Dept Ind. Affairs.	
12.	1.735.-	✓	cash	35
			cheque.	1700
				1.735
Oct. 11.	213.44	✓		
" 8.	15.-			
Sept. 11.	33.18	✓		
" 8.	105.50	✓		
Aug 23.	125.-	✓		
" 11.	64.65	✓	cheques	18.25
			"	46.40
				64.65
July 31.	7.50	✓		
" 19.	25.-	✓	cheque.	64.57
			less cash	39.57
				25.-
" 9.	19.10.	✓	cheques	4.10
				15.-
				19.10
June 4.	725.-	✓	cash	100
			cheques	100
				200
				325
				725.-
May 14.	2000.-	✓		
April 19.	450.-	✓		
" 9.	100.-	✓		
" 8.	20.-	✓		
" 3.	30.-	✓		
" 1.	400	✓	cash	

INDIAN AFFAIRS
AFFAIRES INDIENNES

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1923.

Dec. 1.	1700.- ✓	Dept cheque.	
Dec. 2.	300.- ✓		
Sept. 29	100 ✓	Hollings	50
July 20.	432.48 ✓		
May 14	350.- ✓		350
			4000
			4350
" 1	2000.- ✓		
March. 31.	100.- ✓	Cash.	
Feb. 10.	1090.15 ✓		1091.40
			1.25 less exchange
			1090.15.
Jan. 27	700. - ✓		

1922

Oct. 25.	535.- ✓	Cash	235.
		cheque.	300
			535.
" 17	250.- ✓	I.I. Ottawa.	
Sept. 7.	27.- ✓	Cash.	22
		Cheque	5
			27.
July. 8.	1500.- ✓	cheque	
May 31.	300 ✓	cheque.	
April 21.	122.60 ✓	cheques	72.60
			50.
			122.60
Jan. 10	2400.	cheque.	

1921

Dec. 31	2000 ✓	Depo

25/9/30
Hall ad Kamloops
Enclosed
Mr Scouller
9. Granville - Langevin Sts

COMMISSIONER'S OFFICE
SEP 10 1930
VICTORIA, B. C.

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INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

1925.

Dec. 29.	✓ 3,550.-	Dep't cheque #6945		3,550.-	
" 9	✓ 3,839.04	Dawson Taylor		3843.84	Crd $4.80
Nov. 16	✓ 50.-	Cash	1×10 5×30	50.-	
Oct. 29.	✓ 725.99			726.89	Crd .90
" 24	✓ 2283.03	ch. #719		2283.03	
Oct. 2.	✓ 2985.51	ch		2,000.- 985.51	
Oct. 1.	✓ 1500.-	P/I from Ottawa		1,500.-	
Sept. 17.	✓ 218.02	ch		218.02	
Aug. 21.	✓ 1,605.-	Dep't. cheque #3484		1605.-	
July 9.	✓ 781.19	cheque #618		782.14	Crd. .95
June. 10.	✓ 999.70	cheque	#519 551	500 500 1000	Crd 1.30
May 26	✓ 800.-			300 500 800	
May 22.	✓ 499.40	ch.		500.-	Crd .60

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INDIAN AFFAIRS
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1927

July 25. 165.- ✓ Debit Ind. affairs #3443 less cash 175.00 / 10 / 165

May 10 650.- ✓ ch. 650

April 1. 100.- ✓ ch. 100

March 3. 32.- ✓ cash 32

1926

Dec. 7. ✓ 3.970.- ✓ Debit cheque #6433 2870
" " 6100 1100
3.970.-

Dec. 6. ✓ 800.- ✓ Debit cheque. 800.-

Aug 18 ✓ 1336.72 ✓ ch. 1336.72

June 21 ✓ 854.88 ✓ J.B.H. Westwood on Commerce, Nanaimo 854.88

(Also J.C.H. Westwood, on the Commerce, Nanaimo for $875.00)

April 12. ✓ 600 ✓ ch. #368. 600

March 29. 372.53 ✓ ch's. 71.43
28.10
273.
372.53

Jan. 25. 56.60 ch. ✓ 109
less cash 52.40
56.60

INDIAN AFFAIRS
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1927 Sept	2	1,350.00	Dept cheque #4193	1350.
Sept	1	50.00	I/P Victoria did Sandy Joe	50
Aug	31	160.00	Dept cheque #4407	160
Aug	9.	1942.00	Thomsen blank	1692 ✓
				250
July	25	165,00	Cheque less cash	175 10 / 165.
May	10	650,00		650.
April	1	100,00		100
March	3	32,00	bash 1+7 70	32.
1926 Dec	7	3,970,00		
Oct	4	800,00		
Aug	18	1,336.72		
June	21	851,88	Diphtheria to	
April	12	600,00		
March	29	372.53		

71.43
28 10
273

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INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

1928								
Sept	1	306.25 ✓	J. A. Baxter & bo (J. A. Baxter & bo #169 ⁰⁰ end. Dec.)		306.	25	X	.35
Sept.	1	.25 ✓				25		
Aug	10	1,514.33 ✓	Dept cheque #2453 J. W. Kean.		1071. 442.	63 25		55
July	26	297.40 ✓	Baxter & bo.		297.	75		35
July	23	100.00 ✓	(Dept Ind. affairs #4558)		100			
July	14	25.00 ✓	(Dept Ind. affairs #1152 Arch. Isc)		25			
July	4	25.00 ✓	Cash		25			
June	11	250.00 ✓	Dept cheque		250			
June	9	50.00 ✓	Cash		50			
May	9	650.00 ✓	Dept cheque #1060		650			
March	13	1980.00 ✓	Can. Perm. Mtg.. Dpsit		1980			
Feb	15	250.00 ✓	Dept cheque #8211		250			
Jan	5	2000.00 ✓	J/J Ottawa					
1927 Dec	21	650.00 ✓	Dept cheque #6340		650			
Nov.	14	1,500.00 ✓	"	"	6347		1500	
Sept	26	3000.00 ✓	"	"	#4851		1500	
			"	"	#4778		1500	

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1929 July 30	782.16 ✓	Thompson Blank Lumber Co	782.16 ✓	1 -	
May 21	2850	Thompson Blank	28.50		
May 20	250.00 ✓	Depr Cheque #1571	250		
April 2	120.00 ✓	Cash 6 x 820	120		
March 28	1,724.91 ✓	Thomson Blank #1714	1727.12 ✓	2 15	
March 2	1,178.82 ✓	J.W. Kean. J W Kean #727	879.37 ✓	1 10	
		Thomson Blank #1122	300 90	35	
			1339		
1928 Dec 4	4,902.88 ✓	Thompson Blank.	1039 02 ✓		
		Depr cheque #6687 6761	1300 -	3.10	
			1300		
		Scottish Palmer	637 07		
		J. W. Kean	637 98		
		Scottish Palmer	61.91 ✓		
Nov. 30	40.00 ✓	Cash	40		
Oct 11	500.00 ✓	Telegram from Ottawa	500		
Sept. 13	439.75 ✓	J. W. Kean ✓	439.75	55	

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1930						
May	29	1502.25	Dept. Iroquois Logging	900 602.25		
May	12	405.87	[illegible]	405.87		
May	8	1,569.66	Thurston-Flavelle Ltd. (2) Iroquois L Co Dept-Ind Iroquois Indian	385.56 928 80 255 75		.45
March	22	180.00	Dept Ind. Affairs #9734	180.		
March	15	1,289.46	Thurston Flavelle #5388	1289.46		
Feb	8	1,746.06	Thurston Flavelle Ltd. " "	832.78 391.15 52+88		1.05 50 70
1929 Dec	10	2,490.99	Dickie - Bevan Dept. "	774 09 566.90 900 250		
Oct	21	875.51	A.A. Plummer #1957	876 67		1.10
Oct	12	7,162.11	Thompson Blank Bevan " Plummer Dept.	483.37 489.34 483 72 189.07 823 25 501.23		6 90
Aug	19	633.25	Thompson Blank Ltd. #939 " " 951	304 48 329.57		80

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INDIAN AFFAIRS
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LIST OF DEPOSITS MADE BY A.H. LOMAS, BANK OF MONTREAL, DUNCAN, FROM DECEMBER 31, 1921 TO MAY 29, 1930.

1930					
May	29	$1502.25	Department	$ 900	$
			Tzouhalem Logging Co Cowichan #1	602.25-	
May	12	405.87	H.W. Beaven (Dickie & Beaven) Cowichan #1	405.87-	
"	8	1,569.66	Thurston, Flavelle Ltd Chemainus #13	385.~~80~~	.45
			Tzouhalem Logging Co Cowichan #1	928.80-	
			(2) Dept - for Exploration "	255.75	
Mar.	22	180.00	Dept. Indian Affairs, #9734	180.00	
"	15	1,289.46	Thurston, Flavelle Ltd #5388 Chemainus #13	1,289.46	
Feb.	8	1,746.06	" " " "	832.28	1.05
			" " " "	391.15	50
			" " " "	524.88	70
1929					
Dec.	10	2,490.99	Dickie & Bevan Cowichan #1	774.09-	
			" " "	566.90-	
			Department	900.00	
			"	250.00	
Oct.	21	875.57	A.A. Plummer, #7957 Chemainus #13	876.67	1.10
"	12	7,162.11	Thomson Clark Kuper Is	4,683.37)	
			Bevan Cowichan #1	489.37)	
			" "	482.72)	6.90
			" "	189.07)	
			A.A. Plummer Chemainus #13	823.25)	
			Department	501.23)	
Aug	19	633.25	Thompson Clark Ltd #839 Kuper Is	304.48)	80
			" " " #851 " "	329.57)	
July	30	782.76	" " " "	783.76	1.00
May	27	28.50	" " "	28.50	
"	20	250.00	Department #1571	250.00	
Apr.	2	120.00	Cash 6 x $20	120.00	
Mar.	28	1,724.97	Thomsen, Clark #174 Kuper Is	1,727.12	2.15
"	2	1,178.82	J.W. Kean #727 "	879.37	1.10
			Thomsen, Clark #4122 "	300.90	35
1928					
Dec.	4	4,902.88	Thomsen Clark Kuper Is	1,039.02)	
			Dept. cheque #6687	1,200.00)	
			" " 6761	1,300.00)	3.10
			Scottish Palmer	677.07)	
			J.W. Kean Kuper Is	627.98)	
			Scottish Palmer	61.91)	

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LIST OF DEPOSITS MADE BY A.H. LOMAS, BANK OF MONTREAL,
DUNCAN, FROM DECEMBER 31, 1921 TO MAY 29, 1930.

1930					
May 29	$1502.25	Department		$ 900	$
		Tzouhalem Logging Co Cowichan #1		602.25-	
May 12	405.87	H.W. Beaven (Dickie & Beaven) Cowichan #1		405.87-	
" 8	1,569.66	Thurston, Flavelle Ltd Cowichan #13		385.56	.45
		Tzouhalem Logging Co Cowichan #1		928.80-	
		" " " "		255.75	
Mar. 22	180.00	Dept. Indian Affairs, #9734		180.00	
" 15	1,289.46	Thurston, Flavelle Ltd #5388 Cowichan #13		1,289.46	
Feb. 8	1,746.06	" " " "		832.28	1.05
		" " " "		391.15	50
		" " " "		524.88	70
1929					
Dec. 10	2,490.99	Dickie & Bevan Cowichan #1		774.09-	
		" " "		566.90-	
		Department		900.00	
		"		250.00	
Oct. 21	875.57	A.A. Plummer, #7957 Cowichan #13		876.67	1.10
" 12	7,162.11	Thomson Clark Kuper & Co		4,683.37)	
		Bevan Cowichan #1		489.37)	
		" "		482.72)	6.90
		" "		189.07)	
		A.A. Plummer Cowichan #13		823.25)	
		Department		501.23)	
Aug 19	633.25	Thompson Clark Ltd #839 Kuper & Co		304.48)	80
		" " " #851 "		329.57)	
July 30	782.76	" " " "		783.76	1.00
May 27	28.50	" " "		28.50	
" 20	250.00	Department #1571		250.00	
Apr. 2	120.00	Cash 6 x $20		120.00	
Mar. 28	1,724.97	Thomsen, Clark #174 Kuper & Co		1,727.12	2.15
" 2	1,178.82	J.W. Kean #727 "		879.37	1.10
		Thomsen, Clark #4122 "		300.90	35
1928					
Dec. 4	4,902.88	Thomsen Clark Kuper & Co		1,039.02)	
		Dept. cheque #6687		1,200.00)	
		" " 6761		1,300.00)	3.10
		Scottish Palmer		677.07)	
		J.W. Kean Kuper & Co		627.98)	
		Scottish Palmer		61.91)	

REPEAT
REPETITION

INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

List of Deposits made by A.H. Lomas, Bank of Montreal
Duncan, from December 31, 1921 to May 29, 1930
(Continued)

. . . . . .

1928					
Nov. 30	$ 40.00	Cash	$ 40.00	$	
Oct. 11	500.00	Telegram from Ottawa	500.00		
Sept.13	439.75	J.W. Kean Kuper Is.	439.75	.55	
" 1	306.25	J.H. Baxter & Co (J.H. Baxter & Co $169.00, Ex.20)	306.25	..35	
" 1	.25		.25		
† Aug. 10	1,514.33	Dept. cheque #3453 J.W. Kean Kuper Is.	1,071.63 443.25	.55	
July 26	297.40	Baxter & Co	297.75	.35	
" 23	100.00	(Dept. Indian Affairs, $45.58)	100.00		
" 14	25.00	(" " " $11.59 Exchange 15¢)	25.00		
" 4	25.00	Cash	25.00		
June 11	250.00	Dept. cheque	250.00		
" 9	50.00	Cash	50.00		
May 9	650.00	Dept. cheque #1060	650.00		
Mar. 13	1.980.00	Can. Permanent Mortgage Corp.	1,980.00		
Feb. 15	250.00	Dept. cheque #8211	250.00		
Jan. 5	2,000.00	Telegraphic Transfer from Ottawa			
1927					
Dec. 21	650.00	Dept. cheque #6340	650.00		
Nov. 14	1,500.00	" " 6377	1,500.00		
Sept 26	3.000.00	" " 4851 " " 4778	1,500.00 1,500.00		
Sept 2	1,350.00	" " 4193	1,350.00		
" 1	50.00	Telegraphic Transfer, Victoria Acct Sandy Joe	50.00		
Aug 31	160.00	Dept. cheque #4407	160.00		
" 9	1,942.00	Thomsen, Clark	1,692.00 250.00		
July 25	165.00	Cheque, Dept. #3443 Less Cash	175.00 10.00 165.00		
May 10	650	Cheque	650,00		
Apr. 1	100.00	"	100.00		

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List of Deposits made by A.H. Lomas, Bank of Montreal, Duncan, from December 31, 1921 to May 29, 1930.
(Continued)

. . . . . .

1927					
Mar. 3	$ 32.00	Cash		$ 32.00	
1926					
Dec. 7	3,970.00	Dept. Cheque #6723		2,870.00	
		" " 6100		1,100.00	
				3,970.00	
Oct. 6	800.00	" "		800.00	
Aug 18	1,336.72	Cheque		1,336.72	
June 21	857.88	J.C.H. Westwood on Imperial Commerce, Nanaimo (Also J.C.H. Westwood on the Commerce, Nanaimo for $875.00)		857.88	
Apr. 12	600.00	Cheque #368		600.00	
Mar. 29	372.53	Cheques		71.43	
				28.10	
				273.00	
				372.53	
Jan. 25	56.60	"		109.00	
		Less cash		52.40	
				56.60	
1925					
Dec. 29	3,550.00	Dept. cheque #6945		3,550.00	
" 9	3,839.04	Dawson Taylor		3,843.84	Ex. 4.80
Nov. 16	50.00	Cash 1x10; 2x20		50.00	
Oct. 29	725.99			726.89	" 90
" 27	2,283.03	Cheque #719		2,283.03	
" 2	2,985.51	Cheque		2,000.00	
		"		985.51	
				2,985.51	
" 1	1,500.00	Telegraphic transfer from Ottawa		1,500.00	
Sept 17	218.02	Cheque		218.02	
Aug. 31	1,605.00	Dept. cheque #3487		1,605.00	
July 9	781.19	Cheque #618		782.14	" .95
June 10	999.70	" 519		500.00	" 1.30
		" 551		500.00	
				1,000.00	
May 26	800.00			300.00	
				500.00	
				800.00	
May 23	499.40	Cheque		500.00	" .60

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List of Deposits made by A.H. Lomas, Bank of Montreal, Duncan, from December 31, 1921 to May 29, 1930. (Continued)

. . . . . .

1924				
Dec.	8	$1,060.20		
"	2	200.00		
Nov.	18	275.00	Transfer Ottawa Dept Indian Affairs	
"	17	14,912.00	Dept. Indian Affairs	
"	12	1,735.00	Cash	35.00
			Cheque	1,700.00
				1,735.00
Oct	11	213.44		
"	8	15.00		
Sept	11	33.18		
"	8	105.50		
Aug.	23	125.00		
"	11	64.65	Cheques	18.25
			"	46.40
				64.65
July	31	7.50		
"	19	25.00	Cheque	64.57
			Less cash	39.57
				25.00
"	9	19.10	Cheques	4.10
				15.00
				19.10
June	4	725.00	Cash	100.00
			Cheques	100.00
				200.00
				325.00
				725.00
May	14	2,000.00		
Apr.	19	450.00		
"	9	100.00		
"	8	20.00		
"	3	30.00	Cash	
"	1	400.00		
1923				
Dec.	1	1,700	Dept. cheque	
Oct	2	300		

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List of Deposits made by A.H. Lomas, Bank of Montreal, Duncan, from December 32, 1921 to May 29, 1930.
(Continued)

. . . . . .

1923				
Sept. 29	$ 100.00	Hollings	$	.50
July 20	432.48			
May 14	4,350.00			350.00 4,000.00 4,350.00
" 1	2,000.00			
Mar. 31	100.00	Cash		
Feb. 10	1,090.15			1,091.40 Less exchange 1.25 1,090.15
Jan. 27	700.00			
1922				
Oct. 25	535.00	Cash Cheque		235.00 300.00 535.00
" 17	250	Telegraphic transfer Ottawa		
Sept. 7	27.00	Cash Cheque		22.00 5.00
July 8	1,500.00	Cheque		27.00
May 31	300.00	"		
Apr. 21	122.60	" "		72.60 50.00 122.60
Jan. 10	2,400.00	"		
1921				
Dec. 31	3,000.00	"		

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LIST OF DEPOSITS MADE BY A.H. LOMAS, BANK OF MONTREAL.
DUNCAN, FROM DECEMBER 31, 1921 TO MAY 29, 1930.

1930					
May 29	$1502.25	Department Tzoubalem Logging Co		$ 900 602.25	$
May 13	405.67	H.W. Beaven (Dickie & Beaven)		405.67	
" 6	1,869.66	Thurston,Flavelle Ltd Tzoubalem Logging Co " " "		305.56 928.80 635.75	.45
Mar. 22	160.00	Dept. Indian Affairs. #9734		160.00	
" 15	1,289.46	Thurston, Flavelle Ltd #5305		1,289.46	
Feb. 6	1,746.06	" " "		832.28 391.13 524.06	1.05 80 70
1929					
Dec. 10	2,490.99	Dickie & Bevan " " Department "		774.09 866.90 900.00 250.00	
Oct. 21	875.57	A.A. Plummer, #7957		876.67	1.10
" 12	7,169.11	Thomson Clark Bevan " " A.A. Plummer Department		4,603.37 489.37 488.72 189.07 823.28 501.23	6.90
Aug 19	633.25	Thompson Clark Ltd #839 " " " #851		304.40 329.37	80
July 30	782.76	" " "		783.76	1.00
May 27	28.50	" " "		28.50	
" 20	250.00	Department #1571		250.00	
Apr. 2	120.00	Cash 6 x 320		120.00	
Mar. 28	1,734.97	Thomsen, Clark #174		1,727.12	2.15
" 2	1,178.68	J.W. Kean #727 Thomsen, Clark #4128		878.37 300.90	1.10 35
1928					
Dec. 4	4,902.68	Thomsen Clark Dept. cheque #6857 " " 6761 Scottish Palmer J.W. Kean Scottish Palmer		1,039.03 1,200.00 1,300.00 677.07 627.98 61.91	3.10

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LIST OF DEPOSITS MADE BY A.H. LOMAS, BANK OF MONTREAL,
DUNCAN, FROM DECEMBER 31, 1921 TO MAY 29, 1930.

1930					
May 29	$1503.25	Department		$ 900	$
		Tzouhalem Logging Co		603.25	
May 15	405.67	H.W. Deaven (Dickie & Deaven)		405.67	
" 6	1,369.66	Thurston,Flavelle Ltd		365.56	.45
		Tzouhalem Logging Co		928.60	
		" " "		855.75	
Mar. 22	160.00	Dept. Indian Affairs, #9734		160.00	
" 15	1,289.46	Thurston, Flavelle Ltd #5308		1,289.46	
Feb. 6	1,746.06	" " "		832.28	1.05
		" " "		391.15	80
		" " "		524.06	70
1929					
Dec. 10	2,490.99	Dickie & Bevan		774.09	
		" "		566.90	
		Department		900.00	
		"		250.00	
Oct. 21	875.57	A.A. Plummer, #7957		876.67	1.10
" 12	7,168.11	Thomson Clark		4,603.37	
		Bevan		469.37	
		"		468.72	6.90
		"		169.07	
		A.A. Plummer		683.25	
		Department		301.83	
Aug 19	633.25	Thompson Clark Ltd #839		304.48	80
		" " " #851		329.57	
July 30	782.76	" " "		783.76	1.00
May 27	28.30	" " "		28.30	
" 20	250.00	Department #1571		250.00	
Apr. 2	120.00	Cash 6 x $20		120.00	
Mar. 28	1,724.97	Thomsen, Clark #174		1,727.12	2.15
" 2	1,178.08	J.W. Kean #727		679.37	1.10
		Thomsen, Clark #4122		300.90	35
1926					
Dec. 4	4,902.68	Thomsen Clark		1,039.03	
		Dept. cheque #6667		1,300.00	
		" " 6761		1,300.00	3.10
		Scottish Palmer		677.07	
		J.W. Kean		627.98	
		Scottish Palmer		61.91	

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List of Deposits made by A.H. Lomas, Bank of Montreal
Duncan, from December 31, 1921 to May 20, 1930
(Continued)

. . . . . .

1926					
Nov. 30	$ 40.00	Cash	$ 40.00	$	
Oct. 11	500.00	Telegram from Ottawa	500.00		
Sept.13	439.75	J.W. Kean	439.75	.55	
" 1	306.25	J.H. Baxter & Co (J.H. Baxter & Co $169.00, Ex.20)	306.25	.35	
" 1	.25		.25		
Aug. 10	1,514.33	Dept. cheque #3463 J.W. Kean	1,071.63 443.25	.95	
July 26	297.40	Baxter & Co	297.75	.35	
" 23	100.00	(Dept. Indian Affairs, $45.50)	100.00		
" 14	25.00	(" " " $11.50 Exchange 15¢)	25.00		
" 4	25.00	Cash	25.00		
June 11	250.00	Dept. cheque	250.00		
" 9	50.00	Cash	50.00		
May 9	650.00	Dept. cheque #1060	650.00		
Mar. 15	1,980.00	Can. Permanent Mortgage Corp.	1,980.00		
Feb. 16	250.00	Dept. cheque #6211	250.00		
Jan. 5	2,000.00	Telegraphic Transfer from Ottawa			
1927					
Dec. 21	650.00	Dept. cheque #6340	650.00		
Nov. 14	1,500.00	" " 6377	1,500.00		
Sept 26	3.000.00	" " 4651 " " 4778	1,500.00 1,500.00		
Sept 2	1,350.00	" " 4193	1,350.00		
" 1	50.00	Telegraphic Transfer, Victoria Acct Sandy Joe	50.00		
Aug 31	160.00	Dept. cheque #4407	160.00		
" 9	1,942.00	Thomson, Clark	1,692.00 250.00		
July 25	165.00	Cheque , Dept. #3443 Less Cash	175.00 10.00 165.00		
May 10	650	Cheque	650.00		
Apr. 1	100.00	"	100.00		

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List of Deposits made by A.H. Lomas, Bank of Montreal, Duncan, from December 31, 1921 to May 20, 1936.
(Continued)

. . . . . .

1927					
Mar. 3	$ 32.00	Cash		$ 32.00	
1926					
Dec. 7	3,870.00	Dept. Cheque #6723		2,870.00	
		" " 6100		1,100.00	
				3,970.00	
Oct. 6	800.00	" "		800.00	
Aug 18	1,336.72	Cheque		1,336.72	
June 21	857.66	J.C.H. Westwood on Commerce, Nanaimo (Also J.C.H. Westwood on the Commerce, Nanaimo for $875.00)		857.66	
Apr. 12	600.00	Cheque #368		600.00	
Mar. 29	372.53	Cheques		71.43	
				28.10	
				273.00	
				372.53	
Jan. 25	56.60	"		100.00	
		Less cash		43.40	
				56.60	
1925					
Dec. 29	3,850.00	Dept. cheque #6945		3,850.00	
" 9	3,839.04	Dawson Taylor		3,843.84	Ex.4.80
Nov. 16	50.00	Cash 1x10; 8x20		50.00	
Oct. 29	726.99			726.99	= 00
" 27	2,283.03	Cheque #719		2,283.03	
" 2	2,965.51	Cheque		2,000.00	
		"		965.51	
" 1	1,800.00	Telegraphic transfer from Ottawa		1,800.00	
Sept 17	218.02	Cheque		218.02	
Aug. 31	1,605	Dept. cheque #3467		1,605.00	
July 9	781.19	Cheque #616		782.14	= .95
June 10	999.70	" 519		500.00	= 1.30
		" 551		500.00	
				1,000.00	
May 26	800.00			300.00	
				500.00	
				800.00	
May 23	499.40	Cheque		500.00	.60

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List of Deposits made by A.H. Lomas, Bank of Montreal, Duncan, from December 31, 1921 to May 29, 1930.
(Continued)

. . . . . .

1927					
Mar. 3	$ 32.00	Cash		$ 32.00	
1926					
Dec. 7	3,870.00	Dept. Cheque #6723		2,870.00	
		" " 6100		1,100.00	
				3,970.00	
Oct. 6	800.00	" "		800.00	
Aug 18	1,336.73	Cheque		1,336.73	
June 21	857.88	J.C.H. Westwood on Commerce, Nanaimo (Also J.C.H. Westwood on the Commerce, Nanaimo for $875.00)		857.88	
Apr. 12	600.00	Cheque #368		600.00	
Mar. 29	372.53	Cheques		71.43	
				28.10	
				273.00	
				372.53	
Jan. 25	56.60	"		100.00	
		Less cash		43.40	
				56.60	
1925					
Dec. 29	3,850.00	Dept. cheque #6945		3,850.00	
" 9	3,839.04	Dawson Taylor		3,843.84	Ex.4.80
Nov. 16	50.00	Cash 1x10; 2x20		50.00	
Oct. 29	725.99			726.89	" 90
" 27	2,283.03	Cheque #719		2,283.03	
" 8	2,965.51	Cheque		2,000.00	
		"		965.51	
" 1	1,800.00	Telegraphic transfer from Ottawa		1,800.00	
Sept 17	218.02	Cheque		218.02	
Aug. 31	1,605	Dept. cheque #3487		1,605.00	
July 9	781.19	Cheque #618		782.14	" .95
June 10	999.70	" 519		800.00	" 1.30
		" 551		800.00	
				1,600.00	
May 26	800.00			300.00	
				500.00	
				800.00	
May 23	499.40	Cheque		500.00	.60

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List of Deposits made by A.H. Lomas, Bank of Montreal, Duncan, from December 31, 1921 to May 29, 1930. (Continued)

. . . . . .

1924				
Dec.	6	$1,060.20		
"	2	200.00		
Nov.	18	275.00	Transfer Ottawa Dept Indian Affairs	
"	17	14,912.00	Dept. Indian Affairs	
"	12	1,735.00	Cash Cheque	35.00 1,700.00 1,735.00
Oct	11	213.44		
"	6	15.00		
Sept	11	33.10		
"	8	105.50		
Aug.	23	125.00		
"	11	64.65	Cheques "	16.25 48.40 64.65
July	31	7.00		
"	19	25.00	Cheque Less cash	64.57 39.57 25.00
"	9	19.10	Cheques	4.10 15.00 19.10
June	4	725.00	Cash Cheques	100.00 100.00 200.00 325.00 725.00
May	14	2,000.00		
Apr.	19	450.00		
"	9	100.00		
"	8	20.00		
"	3	30.00	Cash	
"	1	400.00		
1923				
Dec.	1	1,700	Dept. cheque	
Oct	2	300		

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List of Deposits made by A.H. Lomas, Bank of Montreal, Duncan, from December 31, 1921 to May 29, 1930.
(Continued)

. . . . . .

1924				
Dec.	8	$1,060.20		
"	2	200.00		
Nov.	18	275.00	Transfer Ottawa Dept Indian Affairs	
"	17	14,912.00	Dept. Indian Affairs	
"	12	1,735.00	Cash	35.00
			Cheque	1,700.00
				1,735.00
Oct	11	213.44		
"	6	15.00		
Sept	11	53.10		
"	6	105.50		
Aug.	23	125.00		
"	11	64.65	Cheques	18.25
			"	46.40
				64.65
July	31	7.50		
"	19	25.00	Cheque	64.57
			Less cash	39.57
				25.00
"	9	19.10	Cheques	4.10
				15.00
				19.10
June	4	725.00	Cash	100.00
			Cheques	100.00
				200.00
				325.00
				725.00
May	14	2,000.00		
Apr.	19	450.00		
"	9	100.00		
"	8	20.00		
"	3	30.00	Cash	
"	1	400.00		
1923				
Dec.	1	1,700	Dept. cheque	
Oct	2	300		

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List of Deposits made by A.H. Lomas, Bank of Montreal, Duncan, from December 22, 1921 to May 29, 1930.
(Continued)

. . . . . .

1923				
Sept. 29	$ 100.00	Kellings	$	.50
July 20	432.48			
May 14	4,350.00		350.00 4,000.00 4,350.00	
" 1	2,000.00			
Mar. 31	100.00	Cash		
Feb. 10	1,090.15		1,091.40 Less exchange 1.25 1,090.15	
Jan. 27	700.00			
1922				
Oct. 25	535.00	Cash Cheque	235.00 300.00 535.00	
" 17	250	Telegraphic transfer Ottawa		
Sept. 7	27.00	Cash Cheque	22.00 5.00 27.00	
July 6	1,500.00	Cheque		
May 31	300.00	"		
Apr. 21	122.60	" "	72.60 50.00 122.60	
Jan. 10	2,400.00	"		
1921				
Dec. 31	3,000.00			

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List of Deposits made by A.H. Lomas, Bank of Montreal, Duncan, from December 32, 1921 to May 29, 1930.
(Continued)

. . . . . .

1923				
Sept. 29	$ 100.00	Hollings	$	.50
July 20	432.48			
May 14	4,350.00		350.00 4,000.00 4,350.00	
" 1	2,000.00			
Mar. 31	100.00	Cash		
Feb. 10	1,090.15		1,091.40 Less exchange 1.25 1,090.15	
Jan. 27	700.00			
1922				
Oct. 25	535.00	Cash Cheque	235.00 300.00 535.00	
" 17	250	Telegraphic transfer Ottawa		
Sept. 7	27.00	Cash Cheque	22.00 5.00 27.00	
July 8	1,500.00	Cheque		
May 31	300.00	"		
Apr. 21	122.60	" "	72.60 50.00 122.60	
Jan. 10	2,400.00	"		
1921				
Dec. 31	3,000.00	"		

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INDIAN AFFAIRS

AFFAIRES INDIENNES

OFFICE OF THE INDIAN COMMISSIONER FOR B.C., VICTORIA

BUREAU DU COMMISSAIRE AUX AFFAIRES INDIENNES B.C., VICTORIA

FILE/DOSSIER	TITLE/TITRE	DATES
	RG 10, C-II-2, VOLUME 11297	
*[Restricted Not filmed	Indian Commissioner for British Columbia - Law Enforcement - Correspondence re various cases including Indians in various agencies	1910-1943
	Indian Commissioner for British Columbia - Law Enforcement - Correspondence re infractions under the Game Act (including trapline disputes) (Maps)	1928-1930
*[Restricted Not filmed	Indian Commissioner for British Columbia - Law Enforcement - Correspondence re sale of liquor to Indians, including Rex vs Mason and Rex vs Enders	1943,1946
	Indian Commissioner for British Columbia - Law Enforcement - Correspondence and evidence re charges against A.H. Lomas, Indian Agent of Cowichan Agency for embezzlement of funds from timber dues	1930-1932
	Inspector of Indian Agencies - Law Enforcement - Okanagan - Depositions and correspondence re 1906 murder of Johnny Nichols (Cabbage)	1910
	Indian Commissioner for British Columbia - Law Enforcement - Kwawkewlth Agency - Correspondence re potlach (including poice reports)	1929-1939

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We Baptiste Logan and Jimmy Logan of the Okanagan Tribe of Indians declare that we were present when ~~him~~ Thomas Clark made the attached confession, stating that he was guilty of perjury at the inquest of Johhny Nichols an Indian of the Okana gan Band who was killed by Isaac Harris at Larkin in 1906. That the confession was given to James H. Christie in our presence and that we witnessed the signature of Thomas Clark to the same by making our marks on the said document.

Baptiste Logan his ✗ mark

Jimmy Logan his ✗ mark

Sworn to before me ~~at~~ Armstrong B.C. this 6th day of October A. D. 1906.

J.P.

The document mentioned in the foregoing declaration ~~was~~ produced to me and I have put my signature to the same

the said document being in possession of J H Christie

J. P.

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8 Statement Edith Nicholls

that I tell my father, and my father tells
this to me or Ahab me. I would tell you
this if my sister did not come

Edith Nicholls

Witness Mildred M. Bell

Edith Nicholls swore at Banff
Alta with Freedom and Lawyer Edwards

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3

Statement

Colin, a Stoney Indian, was killed by Harris on the 7th inst. Harris said on Yesterday morning that he had killed Colin in self-defence. Colin had been drinking and was very drunk. He came to Harris' house and broke open the door. He then struck Harris with a tomahawk and cut him severely on the head. Harris then ran up to Mr Lemon's and informed him of the occurrence. Constable Dethany was sent for and arrested Harris. Harris was then brought before a Magistrate, and committed to take his trial at the next Assizes, which will be held at Kingston, on the 10th day of February next. Harris is a half-breed Indian, about 25 years of age, and came from Bonnechere.

Magistrate

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2

~~my~~ father will Kill ~~that~~ man.

- after this row. Quieted down

Harris came into the Room

he asked what Liddle was told him

she ran up Stairs, and Johny Ran

and said, Harris put the Children

to Bed, I told him, he better go to the

horses, I went for the Lantern,

Johny Nichols was laying on the floor

Harris took hold of him, (Nichols) and

shook him Harris spoke to him in

indian, Johny replied Oh shit.

Harris said I wont hit you on

the face, he then struck Johny

2 Blows over the heart,

Harris still held Johny, and

I told him you have Killed.

that man, when Johany was hit

his face Collapsed, and showed all

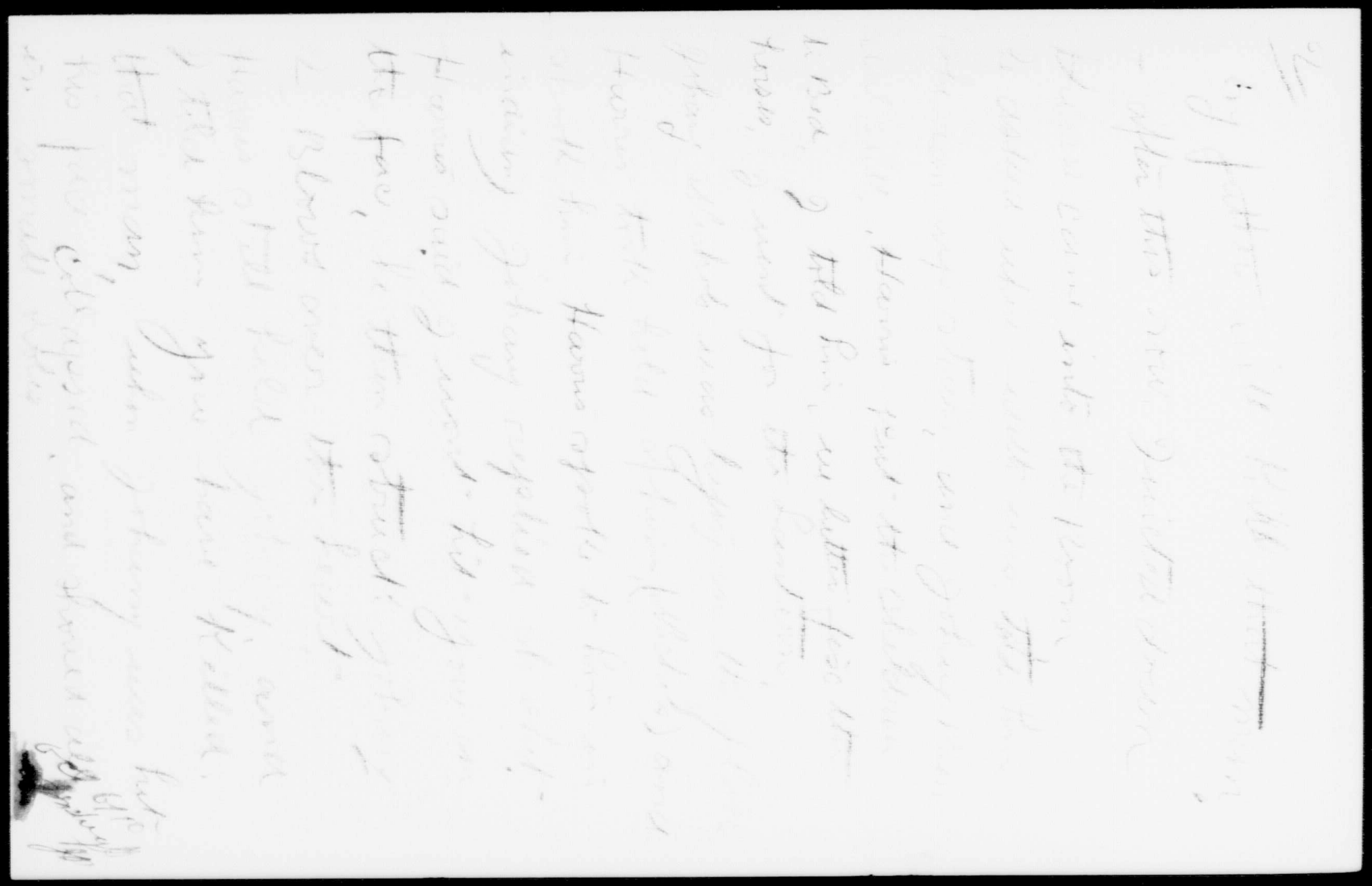
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000535

Statement of Smithett

May 29" 1910

Edith Nichols

Regarding her Fathers Death.

The Summer after my father was Killed Isaac Harrison Children was staying with Lame pere. I went to lame peres House, and met the girls there. Harrises girls were sitting out-side at the door. I went out and sat down with them. Peres. wife. Susan. sent the eldest girl after some water. when the younger girl Asked me. do you know where your father was dead. I said you aught to know where my father was dead.. She. said I know where your fathers dead. your father was dead in our house, my father Killed your father.

my father went to armstrong. and your father to. they were coming back and they had some whiskey. and we were going to have some supper and your father was sitting down at the End of the table on the Chair

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LESSARD

2 Statement Edith Nichols

they were drunking your father was not very drunk. he did not say very much. but my father was swearing and called Johny Everything. he was drunk. and he hit your father. and knocked him down. your father got up and x held my father. and said what do you do that for.. my father said. "I am going to Kill you right here" then my father hit Johny and knocked him down again. then my father Jumped on Johny with his knee on his Belly. and Ketched hold of him right here (by the throat.. when my father held Johny we heard Johny making a noise in his throat.. he held him till Johny made no more noise in his throat and he let him go.. then your father made one more noise in his throat and my father Ketch hold of him again.. and held him till he is dead. . the other girl returning with the males. the girl said I dont want my sister to hear my telling you that.

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INDIAN AFFAIRS
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Chapleau

Sunday Sept 25th 1910

Declaration by Thomas Connor Cook in the matter of the Death of Richard McNabb, a Colleger. The Statements made by me to Chief Baptiste & Simon Ermine, at Rupert House in this, that Deceased died 19th Inst. of Pleurisy following Measles on College —

Returning from Ammostin we had supper, then smoked & talked during supper, after supper I went into the sitting Room, shortly I heard crying Father Paul in Prayer. The Children, Eleven & Mrs Gaboury. The Children knelt down and prayed Father Paul

INDIAN AFFAIRS
AFFAIRES INDIENNES

RG 10, C-II-2, vol. 11297

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000538

4

This statement is freely made to
J H Christie, that he may Notify the
Authorities of my desire to give true Evidence
regarding Dr Barrys death, that I may try
and Remedy attone for my Evidence at
the Inquest on Nichols at the head of
the Lake, That Christie may inform
the police that it is my wish to
turn Kings Evidence that Justice
may be done
This statement made before Joseph Parker
Chief Baptist & Denny Bryan
Sythned

Witness
Chief Baptist his X mark
Joe Parker his X mark
Denj Bryan his X mark

Thomas Clark

Witness
Oct 4/10

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Head of Lake B C =
Feb 2nd 1910

Dear Sir

I Served all the summonses today and I found out that I need one more for Willie Ashton for he was one of the first ones to see the dead in Isaac Harris^ house and I heard that Isaac Harris got mad at W Ashton and took holts with him for Willie was Policeman at that time and Charlie Achakan stoped the row. however send me a summons for Ashton by bearer and I will serve it on him myself I remain yours truely J Lindley

send it amedelly

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Head of Lake
Sept- 27th 1910
Thomas Clark Chapman

Thomas & Pau Indian
Returned from Ottawa
meeting the Agent
and Staff of Pt Pelee

they advise one that
they must appear
before the Magistrate
to-morrow forenoon
at 10 o'clock to answer
to charges of Trespass
of Fishing Privileges

Pau send on at once

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National Archives of Canada
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I would like an Indian
Reserve in Yukon Territory
Near Mayo as there is
nice land there and a
saw mill

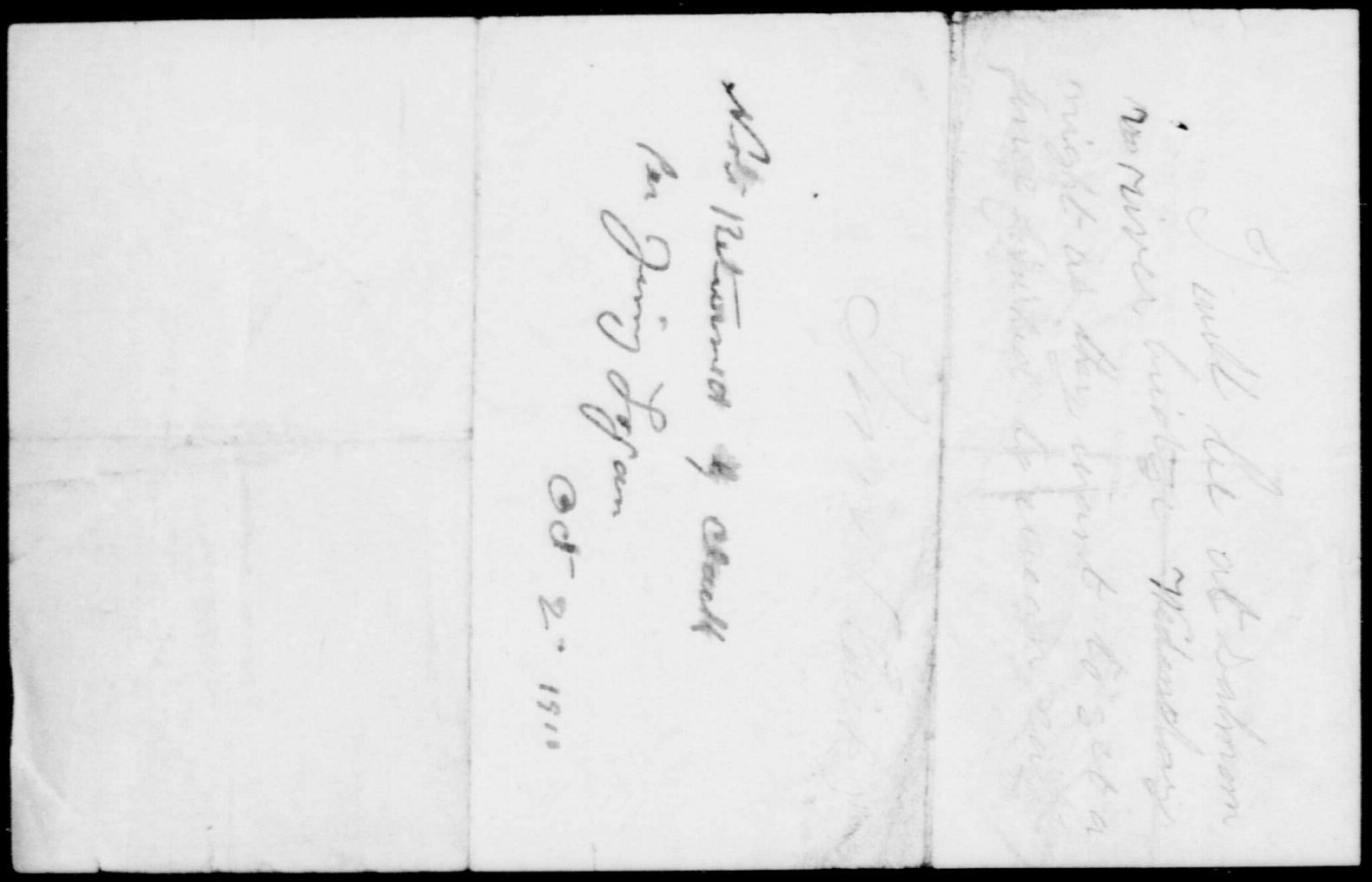
Miss Richardson
Per Jno J Egan
Oct 2nd 1911

INDIAN AFFAIRS
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REPEAT
REPETITION

INDIAN AFFAIRS
AFFAIRES INDIENNES

RG 10, C-II-2, vol. 11297

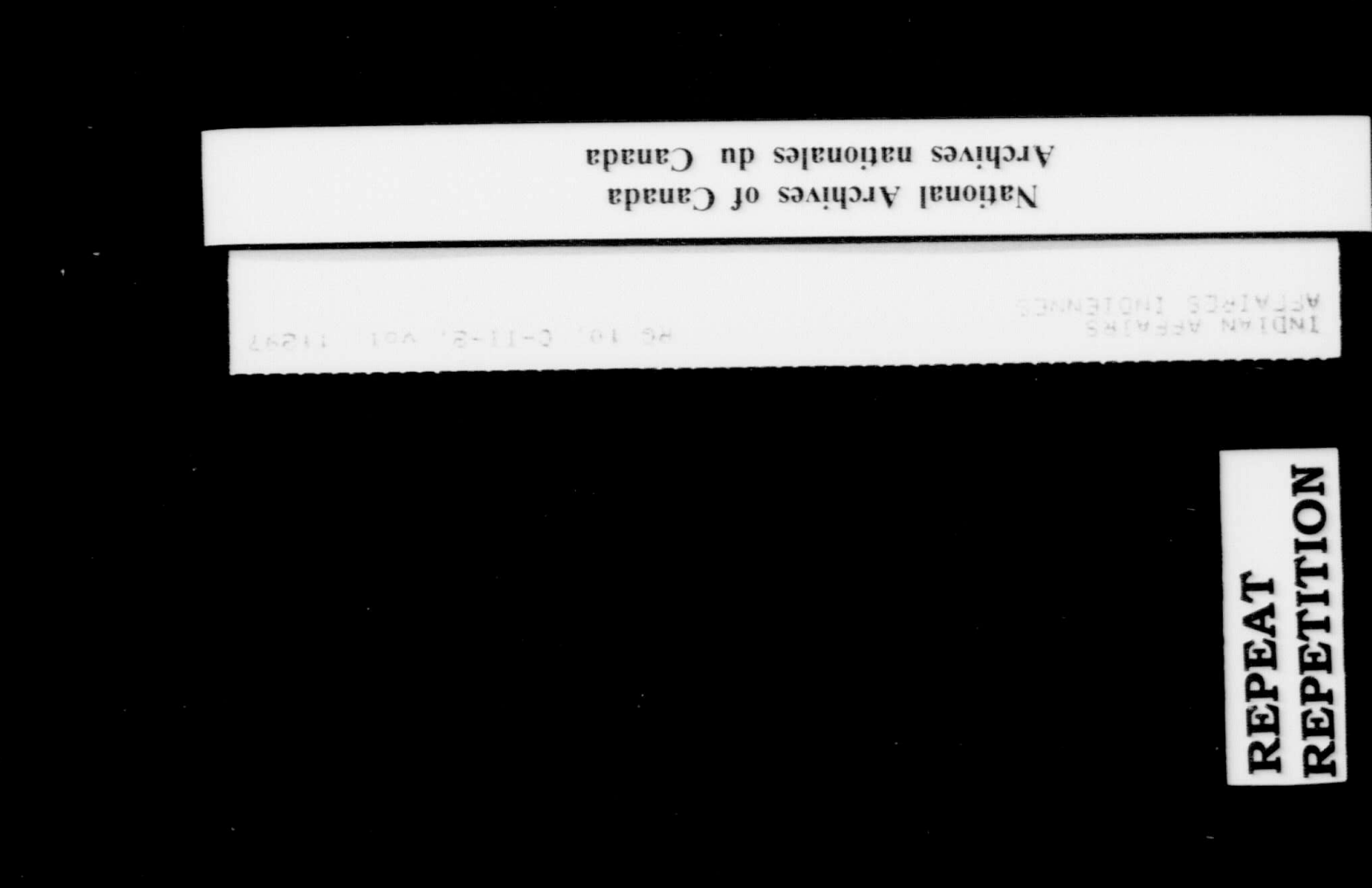
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INDIAN AFFAIRS
AFFAIRES INDIENNES
RG 10, C-11-3, Vol. 11297

REPEAT
REPETITION



Mr. Fernie.

Kamloops.

B.C.

INDIAN AFFAIRS
AFFAIRES INDIENNES

RG 10, C-II-2, vol. 11297

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Archives nationales du Canada

Yamloops BC
Oct the 1910

Mr Fennie

Dear Sir

I am desiring you a few lines asking your advice about this Indian affair that has into it the people on Vernon reem to help Joseph Manna they dont reem to want to help the Government we dont want to go against the Government and if it a big case like this we kindly ask you to help us and what ever you

INDIAN AFFAIRS
AFFAIRES INDIENNES

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think about it you will kindly
write and let me know at
Edmon where I live I wish you
would help me settle that case
I seen and heard what Thomas
Clark said he told us all about
it when you write to me please
send this paper back to me
& Oblidge

I Remain Yours Truely

Babtiste Logan.
Head Lake

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Vernon March 11th 1900

Cold Stream Ranch

Mr J.H. Christie

Dear Sir

In regards to Harris the words that he used is this he wanted to rent me his ranch & and get away from here and I & asked him what he wanted to get away for and he said that he was afraid of the Indians killing him for killing the Indian John Cabbage if I could only go and see you I might explain better to you but I am busy

Yours W.H. Lamford

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Mrs Mary Nichols (Cubley)

Statement

Heard first A Husbands death from the people at Chiefs House the twin Harrises Boy came to tell them his father had Killed Johny. I went to Harrises House saw my husband laying on the floor his shirt pulled up and disarayed I arranged his shirt. I did not look to see what was the matter with him Washton. & wife Francois & Charlie was before me at Harrises house. Johny Kromarkie told me that Francois had found Johny Laying outside the house Francois had dragged Johny in to the house where I found him

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NOV 14 1910
OFFICE OF
Superintendent Provincial Police

INDIAN AFFAIRS
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2

Patient may Nichols

I dressed Johny at- head of Lake
and saw a big Black Bruse over his
head. I did not notice marks on
throat but- Sam Barns told me
he saw the marks plain on Johns
throat when he had been choaked "
all the people knows about it
but- they are afraid to talk—
Last- year Harrises girl. told my
girl that her father had Killed
her father right- in this house. but not
to tell any one, as her father would
Kill her if he heard her talking his life
that— my sister told me that
after the court last winter Harris
had writen Thos Clark, not to pay

INDIAN AFFAIRS
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RG 10, C-11-2, vol 11267
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3

Statement May 1910

My Duty as to conduct of Indians Than Farm. Shall ever

to pay that to conduct Reps Indians

about- sir.

Chas Hill
May 21st 1910

Middleton
interpreter

Dept.

INDIAN AFFAIRS
AFFAIRES INDIENNES

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Aaron Wright
Mary Cullay's Son

INDIAN AFFAIRS
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Agent Potts Postponing

Interview with

Paul Harrison By

Ed Thos Thos Adams

Fan Ruben Dorland

in Mash & Bach

Pen Lays Black

Brun over Rust-

INDIAN AFFAIRS
AFFAIRES INDIENNES

RG 10, C-II-2, vol. 11297

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NOV 14 1910
OFFICE OF
Superintendent Provincial Police

Chief Baptiest Logan

Statement re

Killing of Johny Nichols

Smithtt

May 30 1910

I was at hop yard and saw Thony Clark there the same time that he told Francois Gregoir about Issac Harris Killing Johny" Clark told me that Harris had Killed Johny. all right that he was sorry that he had not told the truth the first time and he was afraid that it would be hard on him now if we fellows went after Harris" and he said if I would help him he would tell Every thing that he saw at Harris house. that night now sure. that if we wanted him he could be found up at Graves Ranch at Nichols as he was going up there to work

Chief Baptiste Logan

Witness his mark.

pr. J.H. Christie

Signed before me this.

14th September 1910.

William A A. Warren J.P.

Note

Louis Bouchie woman tells may Nichols that Harris wish Clark. to keep Quiet that Clark wish to pay he would not pay any thing

INDIAN AFFAIRS
AFFAIRES INDIENNES
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Statement
Chief Baptiste
re
Johnny Nichols

INDIAN AFFAIRS
AFFAIRES INDIENNES

RG 10, C-II-2, vol. 11297

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000555

Smithfield

May 28" 1910

Francois
J.R. Head of Lake

~~Statement~~ Regarding Death of Johny Nichols.

Charlie Achchan. & myself was in the chiefs House. the night ~~that~~ Johny Harris. Came to the Head of the lake to Tell the Chief his son Johny Cablap was dead
he came to the door and said Johny is dead. I. told him to come in, and tell us what was the matter, I asked him was he fighting. he said yes. I asked him who was he fighting with. he said with my father. I told him that is the reason he died is it. he said yes ——
the Chief told Charles and me. when we leaving to go to Harries House. if we saw any Blood and marks of fighting on Johny to take care and behave ourselves and not do any thing to Harris. We Left to Harrison House. Charles W Ashton and Christena Ashton. we saw Johny Laying on the floor in the Kitchen we found Harris asleep in Bed I. woke him up

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RG 10, C-II-2, vol. 11297

INDIAN AFFAIRS
AFFAIRES INDIENNES

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2

Francios Statement

Harris said Hallow is that you Francios:
when he saw W. Ashton he jumped up
and said you a constable. whats business
have you here. he grabed Ashton and pulled
him to the door to put him out. I told
Charlie to stop them. Charlie, troll hold
of Harris. and threw him. on the bed
and told him you better Keep Quiet.
See what you done with our friend
laying dead out here. Keep Quiet.
and Harris Keep Quiet after that
in the morning "Harris" gave me
an order for a coffin and a suit of
clothes for Johny. I went to armstrongs
and got them. we put Johny in the coffin
and took him to Head of Lake
this and Jury. came to head of lake next
morning with pinmonds the policeman
when they held an inquest
Louis Bruchie & Sam Barns. dressed
Johny after the inquest
when Louis Bruchie said to
Constable Simmonds. that man was
killed by Harris.

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INDIAN AFFAIRS
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2

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REPEAT
REPETITION

INDIAN AFFAIRS
AFFAIRES INDIENNES
RG 10, C-11-2, vol 11247

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3 Francios Statement

She Kept-time I Kill a man I will tell my self Issac Harris.
Cons Simmonds made no Reply—

Last fall I saw Thomy Clark at the Hop yard. I asked Clark straight if Harris Killed Johny Nichols he said yes. and I am leavy over that. I am sorry I did not tell the truth at the time. I am scaid thy will jet me now for Lyeing about it. I told Chief Baptest he should talk to Thomy. and the Chief told me that Clark had just told him the same as he had told me. and that thomy promised to tell the truth this time if we fellows would help him

Francios
his X mark
per J.H. Christie

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Francis
St Catherines
—
—
Sarah Mitchell
Brantford

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000560

Clinton Hill
May 29" 1910

Statement
Johny Nichols death

Seymour son of Chief Lwall

I was living at Duglass Lake
when my Brother Johny was Killed
when I came home my father told me
that Johny was Killed by Issac Harris
when they were fighting in Harrises House
father told me that Johny Harris
Came and told them that night he was
Killed"

Johny Harris told the Chief at
Duglass Lake that his father had
Choked Johny Nichols then Kicked
him 3 or 4 times in the Ribs when
he had thrown him on the floor.
when Johny was Dead
the Chief told all the people at
Duglass Lake the same
so did Johny Harris. tell all the Peple
at duglass lake

his mark
Seymour

to J.H. Christie

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Statement
Asylum
72
Gateway Wichita

INDIAN AFFAIRS
AFFAIRES INDIENNES

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000562

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TELEPHONE 600.
P. O. DRAWER 675.

THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

PROVINCIAL POLICE DEPARTMENT.
SUPERINTENDENT'S OFFICE.

VICTORIA Nov 14th 10

P.G.Routh Esq.,

Chief Constable,

Vernon

Sir:-

In reply to your communication of 8th instant relative to the death of Johnny Nichols alias Johnny Cabbage, I beg to return the enclosures contained in your letter and would suggest that you refer the whole matter to Mr L. Norris, S.M. My letter dated Jany 19th was written after I had laid all the facts before the Deputy Attorney-General and the opinion expressed in the said letter was the opinion of Mr H.A.Maclean. Please go into this matter carefully with Mr Norris and if it seems necessary to do so some of the principal witnesses for the Crown might be examined by yourself in the first instance and afterwards if you conclude that the evidence which can now be tendered is sufficient to justify the arrest of the accused man, of course, this can be done but before doing so I would advise you to go into the matter very carefully with the Doctor who made the postmortem examination on the body of Johnny Nichols alias Johnny Cabbage.

Obediently yours,

Superintendent

encls

RG 10, C-II-2, vol. 11297
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TELEPHONE 600.
P. O. DRAWER 675.

THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

PROVINCIAL POLICE DEPARTMENT,
SUPERINTENDENT'S OFFICE.

VICTORIA Nov 14th 10

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Obediently yours,

F. Stevenson

Superintendent

encls

REPEAT
REPETITION

RG 10, C-II-2, vol. 11297

INDIAN AFFAIRS
AFFAIRES INDIENNES

National Archives of Canada
Archives nationales du Canada

Copy

We Baptiste Logan and Jimmy Logan of the Okanagan Tribe of Indians declare that we were present when ~~xxx~~ Thomas Clark made the attached confession, stating that he was guilty of perjury at the inquest of Johnny Nichols an Indian of the Okanagan Band who was killed by Isaac Harris at Larkin in 1906. That the confession was given to James H. Christie in our presence and that we witnessed the signature of Thomas Clark to the same by making our marks on the said document.

Baptiste Logan his X mark

Jimmy Logan his X mark

Sworn to before me at Armstrong B.C. this 6th day of October A. D. 1906.

J. McHugh J.P.

The document mentioned in the foregoing declaration was produced to me and I have put my signature to the same

and I now in presence of J.H. Christie

J. McHugh J. P.

RECEIVED
NOV 14 1910
OFFICE OF
Superintendent Provincial Police

INDIAN AFFAIRS
AFFAIRES INDIENNES
RG 10, C-II-2, vol. 11297

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INDIAN AFFAIRS

AFFAIRES INDIENNES

OFFICE OF THE INDIAN COMMISSIONER FOR B.C., VICTORIA

BUREAU DU COMMISSAIRE AUX AFFAIRES INDIENNES B.C., VICTORIA

FILE/DOSSIER	TITLE/TITRE	DATES
	RG 10, C-II-2, VOLUME 11297	
*[Restricted Not filmed	Indian Commissioner for British Columbia - Law Enforcement - Correspondence re various cases including Indians in various agencies	1910-1943
	Indian Commissioner for British Columbia - Law Enforcement - Correspondence re infractions under the Game Act (including trapline disputes) (Maps)	1928-1930
*[Restricted Not filmed	Indian Commissioner for British Columbia - Law Enforcement - Correspondence re sale of liquor to Indians, including Rex vs Mason and Rex vs Enders	1943,1946
	Indian Commissioner for British Columbia - Law Enforcement - Correspondence and evidence re charges against A.H. Lomas, Indian Agent of Cowichan Agency for embezzlement of funds from timber dues	1930-1932
	Inspector of Indian Agencies - Law Enforcement - Okanagan - Depositions and correspondence re 1906 murder of Johnny Nichols (Cabbage)	1910
→	Indian Commissioner for British Columbia - Law Enforcement - Kwawkewlth Agency - Correspondence re potlach (including poice reports)	1929-1939

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OFFICE OF THE
INDIAN AGENT

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE 771-B-4.

Your File:
152/8562. March 21st. 1939.

Duncan, B. C.
April 11th. 1939.

0-19-1

Dear Sir:-

I thank you for your letter, date and file number above noted, with enclosure, in connection with certain Indian tribal dances last February on the Saanich I.R: #1. at Brentwood. After going through the report from the Police in this connection, I am returning same to you herewith as requested.

Your obedient servant;

R.H.Moore.
Indian Agent.

D.M.MacKay, Esq.;
Indian Commissioner for B. C.
Vancouver, B. C.

P.S

The attached Report I think belongs to the Files of this office as we have not got one here.

R.H.M

INDIAN COMMISSIONER
APR 13 1939
VANCOUVER, B. C.

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INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
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DIVISION: A

DISTRICT: Victoria

DETACHMENT: Sidney.

FILE No.

DATE: 27-2-39.

PR or PCR.

NIL.

UNORGANIZED TERRITORY NORTH SAANICH DISTRICT.

REPORT.

RE. THOM, Cecilia (Indian) - Investigation re:-

1. 24-2-39. Father Cyr, Catholic Priest residing at Brentwood, B.C. called at this office and reported that the above mentioned indian girl aged 15 years was being held against her will at the Brentwood Indian Reserve, that she had been detained for a few days already, and that it was the intention of the Indians to hold herx for a full month.

2. I immediately notified the Indian Agent at Duncan, and at his request made a patrol to this reserve on Feb.25th.39. Questioning various Indians regarding the matter, I was informed that the girl was sick, and as in usual in all cases of sickness of this kind, the girl had to dance the sickness out of her, and that it usually took about one month.

H'QRS. REF.

3. I then returned to my detachment and notified the Indian Agent as above, and later the same date I received instructions from Sergt.Johnson to pick up Dr. Hansen and make a patrol to Brentwood to meet both the Indian Agent and Sergt.Johnson.

DIV'L REF.

4. A patrol was then made in company with the previous mentioned, and on arrival at the "Smoke-house" where the girl Thom was detained, a dance was in progress, a number of Indians and squaws pounding with sticks on anything handy, the girl Thom jumping around, the Indians were quite hostile and objected to any outside interference, however, Dr.Hansen was able to take the pulse of the girl and informed me that it was 140.

DIST. REF.

5. Sergt Johnson went to considerable trouble to explain that if the girls were taken to hospital, they would get over the alleged sickness in quick order, however, the indians present informed him that this cure was handed down through the ages, and that the girls would not be permitted to leave, and that they wished to be left alone.

DET. REF.

6. In view of the above, it was thought advisable to leave, and await further instructions from the Indian Dept. in this matter.

unconcluded.

RECEIVED
O.I.B. HORS.
FEB 28 1939
B.C. Police
VICTORIA, B.C.

Dave S.E. Thomson

Dave S.E. Thomson
Const Regt.#428
Sidney Detachment.

The N.C.O. in Charge,
Victoria Dist.
Victoria. B.C.

FORWARDED: 27-2-39
OFFICER COMMDG "A" DIVISION, B.C.POLICE, VICTORIA, B.C.

February 25th, 1939, 1;20 PM this complaint was received by the undersigned from O.C."A" Division who in turn I understand had received same from Deputy Commissioner B.C. Police from Commissioner Indian Affairs, Vancouver, B.C.

As stated above a patrol was made to Brentwood Reserve. Doctor Hansen, Mrs.Hansen (nurse) and Mr.Colwell(Indian Agent, Duncan,B.C.) being present.

There was nothing apparently wrong with the girl except according to Doctor Hansen she had 140 pulse and hysteria.

--CONT'D NEXT PAGE--

COWICHAN AGENCY
MAR 22 1939
DUNCAN, B.C.

★ B.C.P. 19

This report should show whether its subject-matter relates to organized or unorganized territory. If organized, clearly state the particular Municipality concerned. Any report rendered under the "Government Liquor Act" should state the amount of expenses incurred in connection therewith.

000288

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INDIAN AFFAIRS
AFFAIRES INDIENNES

National Archives of Canada
Archives nationales du Canada

DIVISION: "A"
DISTRICT: Victoria
DETACHMENT: District Hqrs.

FILE No.
DATE: 27-2-39

PR or PCR.
Nil

Unorganized Territory

REPORT

RE: THOM, Cecilia (Indian) - Investigation re

--Page 2--

We asked the Indians present if they would be willing if we took the child to hospital, as perhaps this hysteria might affect the child. This was done after a long explanation. They were very decided in their answer that the child would not go to hospital.

It was apparent that we could not take any action, so upon our return to Victoria, Mr. Caldwell and self explained our actions to Sergeant Kennelly of "A" Divil.Hqrs. in the absence of the O.C."A" Divn.

H'QRS. REF.

(G.A.Johnson) Sergeant i/c
Victoria District.

GAJ/PHB.

DIV'L REF.

To: Deputy Commissioner,
B.C. Police, CIB.,
Victoria, B.C.

DIST. REF.

FORWARDED:
27-2-39

These tribal dances are carried on all over the country and have been for years. It is alleged that the above named girl is not a member of the Brentwood Indian Reserve and if this can be confirmed perhaps the Indian Agent would institute a prosecution under Section 140(3) of the Indian Act.

DET. REF.

(R. Owens) Inspector,
Commandg. "A" Divn.

RECEIVED
C.I.B. HQRS.
FEB 28 1939
B.C. POLICE
VICTORIA, B.C.

INDIAN COMMISSIONER
APR 13 1939
VANCOUVER, B.C.

INDIAN COMMISSIONER
MAR 1 1939
VANCOUVER, B.C.

★ B.C.P. 19

This report should show whether its subject-matter relates to organized or unorganized territory. If organized, clearly state the particular Municipality concerned. Any report rendered under the "Government Liquor Act" should state the amount of expenses incurred in connection therewith.

INDIAN AFFAIRS
AFFAIRES INDIENNES
RG 10, C-II-2, vol 11297
National Archives of Canada
Archives nationales du Canada

152/8562.

21st Mar. ,1939.

Dear Sir:-

I am forwarding herewith, for your information, copy of report submitted by the Constable in charge of the Sidney Provincial Police Detachment, regarding investigation made of certain tribal dances which were in progress on South Saanich #1 Indian Reserve, near Brentwood, on the 24th February last.

Please note the contents of the file, and please return to me in due course.

Yours faithfully,

ENCL.

D.M.MacKay.
Indian Commissioner for B.C.

DM/HN

R. H. Moore, Esq.,
Act. Indian Agent,
DUNCAN, B.C.

RG 10, C-II-2, vol. 11297
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

D 0 5 7 1 1

Address all communications to:
THE COMMISSIONER
British Columbia Provincial Police
(C.I.D.)
Victoria, B.C.

CRIMINAL INVESTIGATION DEPARTMENT
VICTORIA

Your File No.

In reply quote File No.

SUBJECT:

Cecilia Thom
(Indian) -
Investigation re.

February 28th,
1 9 3 9.

Major D.M. MacKay,
Indian Commissioner for B.C.,
Dept. of Mines & Resources,
P.O. Box 70,
Vancouver, B. C.

Dear Sir:

I attach hereto for your information copy of report submitted by the Constable in charge of our Sidney Detachment.

Yours truly,

R Reachey
510 mssp.
for T.W.S. Parsons,
Deputy Commissioner,
B. C. Police.

RP/DN
Encl.

INDIAN COMMISSIONER
MAR 1 1939
VANCOUVER, B. C.

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~~13/3/8243.~~

Copy for "Canoe" – 152

March 7, 1939.

Dear Sir:

I beg to enclose herewith report of Capt. G.H. Barry, Inspector of Indian Schools for B.C., together with his covering letter of the 17th ultimo, of his inspection on the same date of the Nanaimo Indian Day School, Cowichan Agency, B.C.

The question of the dental work required at this school has been brought to the attention of Dr. McQuarrie, and a recommendation shall be made in due course.

With reference to the recommendation made by Inspector Barry regarding the replacement of the Manual Training Instructor, Edison Whyte, I would suggest that his services be retained until the end of May, and the Manual Training department be closed for the current term at that date. Mr. Whyte could then be informed that his services would not be required thereafter. I should add that Capt. Barry is in favor of this arrangement. The employment of Mr. W. J. Emerson as Manual Training Instructor as from September last, 1939, is recommended.

Indian dances were in progress during the Inspector's visit, but as the giving away of money or goods is not part of such dances, it is difficult to interfere with them, as the Indians indulging themselves in this way on their own Reserve are within the law. The influence of Church and school should in time do more to eliminate these pagan practices than any prohibitory measures would accomplish. I look for considerable improvement generally in this Agency once the new Agent assumes the duties and responsibilities of the administration there and takes firm control.

The Secretary,
Indian Affairs Branch,
Department of Mines and Resources,
Ottawa, Ont.

The ....

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The grant of $10.00 recommended by the Inspector for the provision of a few simple Elementary Science articles is endorsed.

Yours faithfully,

Encl
DM/AC

D. M. MacKay.
Indian Commissioner for B.C.

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152/2395.

P. O. Box 8,

Vancouver, B.C., March 4, 1938.

Dear Sir:

I have received your letter of February 19th enclosing a copy of a letter from Mr. A.W. Neill, M.P., addressed to the Honourable, the Minister, with reference to the potlatch question in this Province. I may say at once that no instructions have been received by me or issued from this office to investigate potlatch activities in the way indicated in Mr. Neill's letter. From time to time, in his monthly reports, Agent Todd refers to activities in connection with the potlatch and this is usually followed by a request from the Department for information in connection with the matter, but otherwise no investigation has been made.

I am forwarding herewith copies of correspondence which passed between this office and Mr. Todd regarding the visit of Mr. Taylor, M.P., to Alert Bay, presumably to obtain information with respect to activities among the Indians in connection with the potlatch.

It may be that the Indians, because of Mr. Taylor's visit and inquiries, concluded that he was conducting an investigation.

Yours faithfully,

D. M. MacKay.
Indian Commissioner for B.C.

DM/AC

Dr. H. W. McGill,
Director of Indian Affairs,
Department of Mines and Resources,
Ottawa, Ont.

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CANADA

OFFICE OF THE DIRECTOR | DEPARTMENT OF MINES AND RESOURCES | INDIAN AFFAIRS BRANCH

Ottawa, February 19, 1938.

Dear Sir:

I am enclosing herewith copy of a letter that has been received from Mr. A. W. Neill, M.P., with reference to the potlatch question in British Columbia, with particular reference to the Alert Bay Agency.

Will you kindly let the department have a report in connection with this matter as soon as possible?

I have on file copy of Mr. Todd's letter to you dated January 14 last and it occurs to me that the investigator mentioned in Mr. Neill's letter may be Mr. Taylor, M.P., who, as stated by Mr. Todd, recently visited the Indians of his Agency.

Yours very truly,

Harold McGill

Director of Indian Affairs.

Major D. M. MacKay,
Indian Commissioner,
P. O. Box 8,
Vancouver, B. C.

Enclosure.

INDIAN COMMISSIONER
FEB 28 1938
VANCOUVER, B. C.

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INDIAN AFFAIRS
AFFAIRES INDIENNES

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Ottawa, February 19, 1938.

Dear Sir:

I am enclosing herewith copy of a letter that has been received from Mr. A. W. Neill, M.P., with reference to the potlatch question in British Columbia, with particular reference to the Alert Bay Agency.

Will you kindly let the department have a report in connection with this matter as soon as possible?

I have on file copy of Mr. Todd's letter to you dated January 14 last and it occurs to me that the investigator mentioned in Mr. Neill's letter may be Mr. Taylor, M.P., who, as stated by Mr. Todd, recently visited the Indians of his Agency.

Yours very truly,

H. Jones

Director of Indian Affairs.

Major D. M. MacKay,
Indian Commissioner,
P. O. Box 8,
Vancouver, B. C.

Enclosure.

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RCAP 1175

(C O P Y)

HOUSE OF COMMONS

CANADA

Ottawa, February 11, 1938.

Honourable T. A. Crerar,
Minister of Mines & Resources,
Ottawa, Ont.

Dear Mr. Crerar:

You remember the correspondence that took place some two years ago in connection with Indian potlatches, more particularly in the district around Alert Bay. A quite stringent law had been in effect for many years, and it was working well and actually reducing the custom. Some officials of your Department proposed to very much increase the severity of the Section, making it so severe that people, who had no idea of having a potlatch, could have easily been penalized. The House did not agree with the proposed amendment, and you were kind enough to drop it. I assured the Indians at that time that the penalties would not be increased, but I advised them that the existing Section would be in force, and they must adhere to it, and I advised them to suppress the customs as much and as soon as possible.

Now I have a letter from the Chief Committee of four of the Bands stating that there has been someone, whom they call an investigator, up at Alert Bay and, as far as I can make out, he was investigating the subject of the potlatch, and the Indians complain bitterly that the investigator only want to Alert Bay and heard only one side of the story, and they fear that he is going to make an unfair presentation to you. They ask that an independent inspector be sent to hear both sides of the case. That seems to be a reasonable request, but I think the matter was settled on a sound basis, and nothing is to be gained by opening it up again.

I shall be glad to know if you have any knowledge of this gentleman, whom the Indians call an investigator, and whether he was sanctioned by your Department to do any investigating.

Yours faithfully,
A. W. Neill.
(signed) A. W. Neill

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(COPY)

HOUSE OF COMMONS

CANADA

CANADA

Ottawa, February 11, 1938.

Honourable T. A. Crerar,
Minister of Mines & Resources,
Ottawa, Ont.

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I shall be glad to know if you have any knowledge of this gentleman, whom the Indians call an investigator, and whether he was sanctioned by your Department to do any investigating.

Yours faithfully,
A. W. Neill.
(signed) A. W. Neill

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CANADA

DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

OFFICE OF THE
INDIAN AGENT

PLEASE QUOTE
FILE_____

copy please

Alert Bay, B.C.,
January 24, 1938.

Dear Sir,-

Replying to your letter No. 152/1822 dated Vancouver, January 20th last, I beg to give you the following information.

I introduced Mr. Taylor, M.P. to Moses Alfred, who gave a large quantity of goods away two years ago and is still sympathetic towards the Custom in many respects. Owing to the manner in which he handled his particular business, the Police were apparently unable to get sufficient evidence to prosecute under the Act as it stands at the present time.

Your obedient servant,

M. S. Todd

(M. S. Todd)
Indian Agent

Major D.M. MacKay,
Indian Commissioner for B.C.,
Department of Mines and Resources,
Vancouver, B.C.

INDIAN COMMISSIONER
JAN 27 1938
VANCOUVER

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152/1822.

P. O. Box 8,
Vancouver, B.C.,
20th Jan., 1938.

Dear Sir:-

With reference to your letter of the 14th instant, in which you state that Mr. Taylor, M.P., of Nanaimo, had been given the names of Indians who were practising the customs of the Potlatch, would you please let me have a list of the Indian names which you gave Mr. Taylor; also let me know what evidence you have that these people are still practising potlatching.

Yours faithfully,

D. M. MacKay.
Indian Commissioner for B.C.

AVH:HN

M. S. Todd, Esq.,
Indian Agent,
ALERT BAY, B.C.

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CANADA

DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

OFFICE OF THE
INDIAN AGENT

PLEASE QUOTE
FILE

Alert Bay, B. C.,
January 14,1938.

Dear Sir,-

On January 6th last Mr. Taylor, M.P., of Nanaimo, called at the office, and the proper courtesies were extended to him.

For your information, Mr. Taylor informed me he had come to Alert Bay to study the Indian custom as practiced here amongst the Indians. He requested me to give him the names of Indians who were still in the Potlatch and practicing the custom, as well as some who had given it up, in order that he could get the views of both sides. This I did, and so far as I know he interviewed several Indians in this respect.

Copy of this letter is being forwarded the Department for their information.

Your obedient servant,

M S Todd

(M. S. Todd)
Indian Agent

Major D.M. MacKay,
Indian Commissioner for B.C.,
P.O. Box 8,
Vancouver, B.C.

INDIAN COMMISSIONER
JAN 19 1938
VANCOUVER, B.C.

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ADDRESS REPLY TO THE
SECRETARY, INDIAN
AFFAIRS BRANCH

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE 6244-4

OTTAWA March 22,1938.

Dear Sir:-

I have to acknowledge receipt of your letter of the 22nd ultimo with regard to the pot latch activities in the Kwawkewlth Agency, contents of which has been noted.

Yours very truly,

Wm. McGoorlin

For Secretary.

Major D.M.MacKay,
Indian Commissioner,
Vancouver,B.C.,

INDIAN COMMISSIONER
MAR 25 1938
VANCOUVER, B. C.

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152/6/2224.

P. O. Box 8,

Vancouver, B.C., February 22, 1938.

Dear Sir:

I have received your 6244 of February 11th, in which you ask for a report on potlatch activities in the Kwawkewlth Agency, referred to by Agent Todd in his Agency report.

Mr. Todd has been advised by me not to bring up the matter of potlatches unless he has definite and willing evidence that will bring a conviction in case of charges laid. Past experience has shown that under present regulations a conviction is almost impossible, especially when the accused elect to be tried by a jury, which is nearly always the case. I have pointed out to Mr. Todd that the Department has done its best to obtain amendments to that part of the Act dealing with the matter that would make convictions more probable but these suggestions were not accepted by the Government. Apparently public opinion is against more stringent rules.

The police authorities, too, point out that it is not in the interests of either party to lay charges that cannot be proven or that do not lead to conviction even when proven. It simply makes the Department and police a laughing-stock amongst the Indians. Whilst a flagrant case in which evidence can be obtained should not be passed over, Mr. Todd should be informed that reporting in generalities is useless and should not be done. It only leads to irritation with the police who are powerless without good grounds for an accusation. It is my considered opinion that it is better to leave the matter to the final good sense of the Indians themselves encouraged by education to drop the custom as they have done elsewhere, than to be constantly harping on the subject with nothing better than rumours and generalities to go on. Conviction is impossible under the Act as it is, unless the Indians themselves are so much against the custom that they will willingly come forward and lay proper and reliable information or cooperate in such a way

The Secretary,
Indian Affairs Branch,
Department of Mines and Resources,
Ottawa, Ont.

with ...

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with Mr. Todd and the police that such evidence can be secured. The time for Mr. Todd and the police to act is immediately on receipt of reliable information in advance of potlatch activities, and not wait until the potlatch has taken place and then submit long,useless reports in connection with the matter.

Yours faithfully,

D. M. MacKay.
Indian Commissioner for B.C.

DM/AC

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ADDRESS REPLY TO THE
SECRETARY, INDIAN
AFFAIRS BRANCH

CANADA

DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE 6244

OTTAWA February 11,1938.

Dear Sir:-

The department has received report from Indian Agent Todd for the month of January,1938, from which I may quote as follows:-

"I regret to have to advise the department it has been reported to me that the Indian custom known as the "Potlatch" has been rampant amongst several bands of Indians in this agency during the past month. The reports which I have received are to the effect that the Mamalillikulla, Tanakteuk, Klowitsis, Ahwhamish, Tsawataineuk, Kwicksutaineuk and Kwawkewlth are the main offenders. There is no doubt members from other bands have also been taking part. It has been reported to me the parents attending these potlatches have taken their children with them to other villages, causing them to be absent from school a few days at intervals.

From the information I have received it would appear the practice of this custom is gradually getting stronger and is causing a spirit of antagonism and ill-feeling throughout the agency".

I should be obliged if you would let me have a report with regard to this matter.

Yours very truly,

T.R.L.MacInnes.
Secretary.

Major D.M.MacKay,
Indian Commissioner,
P.O.Box 8,Vancouver,B.C.

INDIAN COMMISSIONER
FEB 16 1938
VANCOUVER, B.C.

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OFFICE OF THE
INDIAN AGENT

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE

Alert Bay, B.C.,
June 24, 1937

Dear Sir,-

Your letter of June 14th last, No. 152/49269 in respect to the "Potlatch" has been received, and in the last paragraph on Page 1 you make reference to a resolution passed by the Anglican Synod of the Diocese of British Columbia in April last.

Being closely associated with this resolution as a member of Christ Church at Alert Bay, I am aware it was the intention of the Synod to express their desire not to have the existing law in respect to Potlatch weakened, as the Synod itself was opposed to the custom as practiced today.

This resolution came about through Press dispatches to the effect that efforts were being made to have the law weakened or abolished.

Your obedient servant,

(M. S. Todd)
Indian Agent

D.M. MacKay, Esq.,
Indian Commissioner for B.C.,
Department of Mines and Resources,
Victoria, B.C.

COMMISSIONER'S OFFICE
JUN 29 1937
VICTORIA, B. C.

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152/49269.

June 14, 1937.

Dear Sir:

I have your letter of the 22nd ultimo in which you inform me that you had received information to the effect that a large potlatch was to take place immediately at Cape Mudge, involving the Kwawkewlth and Tanakteuk Bands, and also Indians from Kingcome and Alert Bay.

It is noted that the 24th of May was set for "the giving away of goods and making speeches" and that the potlatch would continue on into the following week.

As your letter did not reach this office until May 26th, I could not see what action could then be taken that would be productive of the desired results. It is unnecessary for me to go into the history of our prosecutions under Section 140 of the Indian Act to impress upon you the importance of having evidence that not only will secure a conviction but that is of such character that it will successfully withstand attacks upon it should an appeal be made.

This office can probably be of the best assistance to you in an advisory way through a careful examination of the evidence on which it is proposed to prosecute. My own opinion is that unsuccessful prosecutions and successful appeals by Indians against convictions, under the Section of the Act above mentioned, probably do more damage than if no action at all had been taken. In one case, the Court, because of a favorable decision, strengthens the belief in the Indian mind that he is within the law, and that he has the protection of the law in such activities, but, where no prosecution is made, he continues fearful of the consequences of active and extensive participation in potlatching, which would tend to a restriction and not an extension of the practice.

You, should be in the best position to determine the value of the advance information you receive regarding potlatches, and whether or not such information is sufficient for you to investigate and obtain evidence.

As you know, an attempt was made during the early session of 1936 to secure amendments to Section 140, making it more difficult for the Indians to continue this unlawful practice, but some opposition to the proposed amendments developed in the House and they were accordingly withdrawn.

Although efforts have been made from time to time to amend this Section of the Act, it is interesting to note that as recent as April of this year, the Anglican Synod of the

M. S. Todd, Esq.,
Indian Agent,
Alert Bay, B.C.

Diocese ....

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Diocese of British Columbia passed the following resolution:

> "That this Synod is strongly of the opinion that it would be against the best interests of our Indian people to change the existing law regarding "the Potlatch", so-called, without very careful thought and study of the situation on the ground by experts. And that this Synod so memorialize the Department of Indian Affairs. "

There is no suggestion in this resolution that a change in the existing law regarding "the Potlatch" is considered desirable or necessary.

Yours faithfully,

D. M. MacKay.
Indian Commissioner for B.C.

DM/AC

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OFFICE OF THE
INDIAN AGENT

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE

Alert Bay, B.C.,
May 22,1937.

Dear Sir,-

I have received information to the effect that a large Potlatch is to take place at Cape Mudge immediately, in which Indians of the Kwawkewlth Band from Fort Rupert, the Tanakteuk Band, and Indians from Kingcome and Alert Bay are going to participate.

I have been advised Peter Scow of the Kwicksutaineuk Band of Kingcome left there three days ago, accompanied by several Indians, with 200 five-gallon cans of oolichan grease, valued at $1000.00, with the intention of potlatching it away at Cape Mudge, Campbell River and possibly Churchhouse. I do not know the names of the boats, but Peter Scow is an elderly man, quite stooped, and is giving the potlatch.

From the Kwawkewlth Band at Fort Rupert, Frank Walker left Alert Bay yesterday morning with his small gas boat towing two large war canoes, also with 200 five-gallon cans of grease, which is also valued at $1000.00. He intended to proceed just out of Alert Bay and anchor until Johnny Hunt of the Kwawkewlth Band, who arrived in Alert Bay this morning with his seine boat and left almost immediately, caught up with him, the arrangements being to transfer the 200 cans of oolichan grease to the seine boat and then proceed to Cape Mudge. Several members of the Kwawkewlth Band were on the seine boat and it is their intention to give the goods away on the 24th of May, make their speeches in the evening, and complete their potlatch ~~t~~ next week sometime.

I am also informed another Indian by the name of Harry Glendale of the Tanakteuk Band is expected to go there next week with a similar amount of oolichan grease, to potlatch it to the Campbell River and Cape Mudge Indians. The Chief of the Tanaktuek Band is already at Cape Mudge and will be in charge of the potlatch. No doubt there will be other goods given away at this potlatch, but I have no definite information as to what they might be.

COMMISSIONER'S OFFICE
MAY 26 1937
VICTORIA, B.C.

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This information is being passed on to your office for you to take whatever action may be deemed necessary as it has been the policy of the Department for all matters pertaining to Potlatch to be referred to the Commissioner's office.

Knowing all the Indians personally, and the various angles to the Custom, I would be pleased to give you any advice or assistance you may desire.

Your obedient servant,

(M. S. Todd)
Indian Agent

D.M. MacKay, Esq.,
Indian Commissioner for B.C.,
Department of Mines and Resources,
Victoria, B.C.

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152/48575. 8th April, 1937.

Dear Sir:-

I am enclosing herewith copy of a resolution passed by the Anglican Synod of the Diocese of British Columbia with reference to "The Potlatch."

This has just been received from the Bishop of Columbia with a request that it be forwarded to you.

Yours faithfully,

for D. M. MacKay.
Indian Commissioner for B. C.

ENCL.

AVH:HN

The Secretary,
Indian Affairs Branch,
Dept. of Mines and Resources,
OTTAWA, ONT.

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152/48573.

8th April, 1937.

Dear Sir:-

I beg to acknowledge, with thanks, receipt of your letter of the 7th instant, enclosing a resolution of the Synod of the Diocese of British Columbia with reference to "The Potlatch".

Copy of this resolution is being forwarded today to my Department in Ottawa.

Yours faithfully,

D. M. MacKay.
Indian Commissioner for B. C.

AVH:HN

The Rt. Rev. Harold Sexton,
Bishop of Columbia,
Diocesan Office,
912 Vancouver St.,
VICTORIA, B.C.

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FROM THE BISHOP OF COLUMBIA

DIOCESAN OFFICE
912 VANCOUVER STREET
VICTORIA, B.C.

April 7, 1937.

Major D. M. McKay,
Indian Commissioner,
1220 Government Street,
Victoria, B. C.

Dear Sir:

At the recent session of the Synod of the Diocese of British Columbia there was considerable discussion on the subject of "The Potlatch", and I enclose herewith copy of a resolution carried unanimously, with the request that you kindly forward the same to the Department of Indian Affairs at Ottawa.

I am,

Yours very truly,

Harold Columbia:

Enc.

COMMISSIONER'S OFFICE
APR 8 1937
VICTORIA, B. C.

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THE ANGLICAN SYNOD OF THE DIOCESE OF BRITISH COLUMBIA

"That this Synod is strongly of the opinion that it would be against the best interests of our Indian people to change the existing law regarding "The Potlatch", so-called, without very careful thought and study of the situation on the ground by experts. And that this Synod so memorialize the Department of Indian Affairs through the proper channels."

- Carried unanimously

COMMISSIONER'S OFFICE
APR 8 1937
VICTORIA, B. C.

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JAN 19 1937
VICTORIA, B. C.

Dealt with at Kuper Island meeting March 23rd 1937 Duncan.

Kuper Island B.C.
Jan 15th 1937

Major Mackay
Victoria Indian Agency.

Dear Sir:

The Penalakut indians respectfully ask for an interpretation of Indian Act, Section 140 art 3 There has been so much dissension about this article that we would appreciate an offical interpretation of the words dance, participates, and outside the bounds of his own Reserve 1) The dances held on our reserves do not fall under the list of dances forbidden by section 140. art 1 but are simply formal gatherings to commemorate outstanding events, such as wedding anniversaries, the anniversarie of a person's death; At these dances lunch is served to the invited guests Surely this lunch cannot be classed a potlatch, 2 Do all those who assist at a such a dance ~~do not~~ participate in the dance? All those prevent ring and beat time to the drummer 3 Outside the bounds of his own reserve: no doubt you are aware that a great many Indians in this Agency

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are with the full knowledge and, to say the least tacit consent of the Indian Agent having and residing outside the bounds of their own Reserves, The Westholme Reserve is the one striking example of this Now conciliate this fact with section of the act nos 34, 35, 36, 37, 38, Hence, if section 140 article 3 refers to all indians dances of any kind, it seems no more than fair that all the indians on B.C. should be notified to this effect, and should be advised who. in the outside the bounds of their reserves, should be instructed to comply with section 34 etc of indian Act

With a clear interpretation of Section 140 article 3 unpleasant and unnecessary misunderstandings Will be avoidded and there will be no longer any need for threatening, lettersaddressed to individual indians by the Cowichan Agency

We trust that you will favor us with an early reply, and that pending this reply there will be no drastic steps made by any offecall of the Indian Department Thanking you, We remain

Yours Penelakut Indians D.

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Dec. 6
Yours truly
Augustus Jannes

INDIAN AFFAIRS
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000597

152/6/48303.

March 11, 1937.

With reference to your file 507787,
of January 20th, 1937.

Dear Sir:

As the original only of the report called for was forwarded this morning, a second copy is now enclosed in compliance with your request.

Yours faithfully,

Encl
DM/AC

D. M. MacKay.
Indian Commissioner for B.C.

The Secretary,
Indian Affairs Branch,
Department of Mines and Resources,
Ottawa, Ont.

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152/6/48300.

March 10, 1937.

Reference your 507787 of January 20th,1937.

Dear Sir:

I considered it advisable before replying to your above numbered communication to await a copy of Mr. Todd's report which he was instructed to forward to me but which did not reach this office until a day after I left for Le Jac Indian Residential School where I had gone to hold a departmental investigation in compliance with telegraphic instructions received from Dr. McGill, hence the delay in submitting this report:

Referring briefly to Mr. Todd's report, it is observed that he supports same with a somewhat lengthy review by the Anglican Church Committee of Alert Bay Parish, of the principal items contained in Mr. Neill's letter to the Hon. T. A. Crerar, which items had been referred by Agent Todd to the late Rev. O. T. Hodgson, Chairman of the Church Committee of Christ Church, Alert Bay, for "as full and definite a report as possible", but owing to the illness of Mr. Hodgson were dealt with by the other members of the committee with Principal Anfield of St. Michael's Indian Residential School and Secy.Treasurer of Christ Church, Alert Bay, as chairman.

I am not familiar with the policy of the Department with respect to the extent to which official correspondence should be referred to persons outside the governmental service for report, but, I doubt very much if the course followed by Mr. Todd in this case was necessary or prudent, especially when the views of the Church committee on the points in question could have been obtained without any reference whatever to Mr. A. W. Neill,M.P., as the author of the letter to the Hon. Mr. Crerar and which latter procedure would have avoided the references to Mr. Neill in the Church committee's report. It is unnecessary for me to point out to the Department the possible embarrassing situations that could arise from the unrestricted use of departmental correspondence.

"Potlatches in Moderation"

In recent weeks I have discussed the question of permitting "potlatches in moderation" with a number of our Agents and, without exception, all expressed themselves as definitely opposed to lessening the restrictions at present in force covering this custom. I may say the views expressed by Mr. Todd and the Church committee are very much in line with my own respecting the potlatch. Strict supervision of potlatches in moderation would be extremely difficult if not impossible and, it may be well to ask,how the degree of

The Secretary,
Indian Affairs Branch,
Department of Mines and Resources,
Ottawa, Ont.

moderation ...

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moderation is to be determined. Nor is it clear, what benefits would accrue to our Indian people through a policy of wider freedom in indulgences of this character. There is poverty and distress and consequent restlessness among the Indians of British Columbia, and principally among the Indians of Vancouver Island and the mainland coast and with this situation in mind it would be well to consider to what extent potlatching, even in moderation, would remedy or aggravate these conditions.

In paragraph 5 of the Church committee's report the opinion is expressed that "only a very few Indian people have ceased active practice of the custom" and further, "that due to inactive enforcement of the law, there has within the past ten years been an ever increasing return to customs and ceremonials connected with the potlatch." Speaking of British Columbia as a whole these opinions cannot be based on authentic information, for, in the great interior of the province the potlatch is not now practised to any disturbing extent, nor is there any evident desire to return to it. The Agencies of the province east of the Coast Range are almost entirely free from the potlatch and its pernicious influences nor is there now much evidence of the custom on the south end of Vancouver Island.

The removal of the restrictive barriers to the potlatch would encourage its revival in those areas where it is now under control and being abandoned and, would no doubt intensify and strengthen its activities in localities where it is practised and the desire strong for its perpetuation. I am convinced to legalize the potlatch or custom would not improve conditions among the Indian people, but on the contrary would aggravate an already disquieting situation.

"Section 140 of the Indian Act, Sub-Section 1"

I would approve of meeting the representations made by Mr. Neill with respect to the latter part of Sub-Section 1 of Section 140 of the Indian Act.

"Indian Dances"

Indian dances which do not form part of the ceremonies of the potlatch are not forbidden, there may be some local restrictions on such dances, if so, I would approve of their removal.

"Funerals"

The Indians are free to conduct funerals according to their customs. There may have been occasions when excesses were indulged in after burials which did not meet with the approval of the Church authorities but generally speaking, I would say there is no desire on the part of the clergy to interfere with the Indians in carrying out funeral obsequies in their own way.

Marriages ....

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"Marriages"

I consider it as vital to the best interests of the Indians to encourage legal marriages among them. It would be a retrograde step to accept as sufficient the Indian form of matrimonial union. I see no objection however, in having the Indian form of marriage follow our own form of marriage by recognized authority.

I will not deal with items 2 and 3 of Mr. Neill's letter as I have no information covering these points outside that contained in the explanations given by Mr. Todd and the Church committee.

Yours faithfully,

D. M. MacKay.
Indian Commissioner for B.C.

DM/AC

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DEPARTMENT OF INDIAN AFFAIRS

CANADA

File 507787

Ottawa, February 16, 1937.

Dear Sir:-

I have to refer to my letter to you of the 20th ultimo wherewith I enclosed copy of letter from Mr. A.W.Neill, M.P., with reference to matters pertaining to the welfare of the Indians living at Kingcome Inlet.

I should be obliged if you would let the department have a report in connection with this matter.

Yours very truly,

T.R.L.MacInnes.
Secretary.

D.M.MacKay,Esq.,
Indian Commissioner,
Victoria,B.C.,

C.C.M. Commissioner's Office
FEB 23 1937
VICTORIA, B. C.

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS
OTTAWA

IN YOUR REPLY REFER TO
No. 507787

ALSO TO THE DATE OF THIS LETTER

PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS
CANADA

Jan. 20/37.

Dear Sir:-

I am enclosing herewith copy of a letter that has been received from Mr. A.W.Neill, M.P., with reference to matters pertaining to the welfare of the Indians living at Kingcome Inlet, together with copy of letter sent to Indian Agent Todd at Alert Bay.

I should be glad to have any observations and comments that you may care to make in connection with the matters referred to. Will you kindly forward your report in duplicate.

Yours very truly,

T.R.L.MacInnes.
Secretary.

D.M.MacKay,Esq.,
Indian Commissioner,
Victoria,B.C.,

encl.

DEPARTMENT OF INDIAN AFFAIRS
JAN 26 1937
VICTORIA, B.C.

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BARRING UNFORSEEN CIRCUMSTANCES WILL BE GEORGIA HOTEL VANCOUVER MONDAY EVENING STOP UPON YOUR ARRIVAL PLEASE COMMUNICATE THERE

M S TODD

855A FEB 21

Telephoned To: G 2 888 a m McKay 903 Held

COMMISSIONER'S OFFICE VICTORIA, B.C. FEB 22 1937

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AFFAIRES INDIENNES
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507787

Jan. 20/37.

Dear Sir:-

I am enclosing herewith for your attention and report copy of a letter that has been received from Mr. A.W.Neill, M.P., with reference to matters pertaining to the welfare of the Indians living at Kingcome Inlet.

It is desired particularly to have full information concerning the petition to the King.

Please also send copy of your report to the Indian Commissioner at Victoria.

Yours very truly,

T.R.L.MacInnes.
Secretary.

M.S.Todd,Esq.,
Indian Agent,
Alert Bay,B.C.,

enc

COMMISSIONER'S OFFICE
JAN 26 1937
VICTORIA, B. C.

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AFFAIRES INDIENNES

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Alberni, B.C.,
January 5th, 1937,

The Honourable T. A. Crerar,
Minister,
Dept. of Mines and Resources,
Ottawa, Ont.

Dear Mr. Crerar:

I recently was visited by a delegation from four bands of Indians living at Kingcome Inlet.

They took up a number of subjects but some of them they agreed to drop when I explained the law on the subject, but I mention the following.

1. They want a Treaty or agreement by which they will be allowed the use and maintenance of their old Indian customs so far as they are not objectionable to law and order. Under this heading, they classified the following:-

(a) The right to give potlatches in moderation. They were agreeable to limitations to prevent excesses. For instance that the man giving the potlatch would have to get the consent of the Chief of his Band and of the Indian Agent, who would enquire as to how much he proposed to spend and whether he was in a financial position to spend that amount having regard to the ~~xxjxxxx~~ obligations of maintaning his wife and family. They would be willing to have it restricted to the one band, that is to say, it would have to take place inside the Band of the man who was giving it. This would not be practicable in the case of a man who had married into another Band and might ~~xxx~~ want to invite his relations but it could be restricted to an individual and not to be given by one whole Band to other Bands or they suggested that the amount to be given by the man to each individual should be limited. This would all be matter for arrangement and of course it would be conditional that there would be nothing of the old savage custom of biting of live animals, etc., or piercing the skin of young people joining the Band.

They particularly want the latter part of section 140 of the Indian Act cut out. This is the part that forbids the eating of animals. It could be forbidden in more general terms but they claim that they regard it as a reflection on the younger generation who would never dream of doing such a thing and they say it gives White people the wrong impression.

(b(They want the privilege of continuing their Indian dances. They should certainly be allowed this. It may be said that it is not forbidden now but it is by taking in a reference to a potlatch.

(c) Funerals. They wish to be allowed to continue their own methods of funerals. It is the custom to come back after the burial and gather together and be addressed by the Chiefs who eulogize the deceased and speak words of comfort to the relations. Apparently this is frowned on by the Church authorities. The Indians do not object ot the White' man's burial service but they see no reason why they should not follow their

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JAN 26 1937
VICTORIA, B. C.

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own custom in addition or if they choose, in substitution for white man's ceremony.

(d) Marriages: Much the same complaint is made here. That the Church and Indian Agent ~~want~~ want to force them to have White marriages only. They claim they are not adverse to the White man's ceremony but want to be allowed to have their own Indian form of marriage as well, or if they choose, instead of it, although, mearly all the young people would probably have both. They claim the church says that the Indians bought their wives. This is not done now and no more is spent by the ~~bride~~ bridegroom than the expense of the marriage gathering and feast.

This seems strictly reasonable and most of their statements are corroborated by white men who agree with them.

I think a good deal of the trouble about these old customs is that the Church and the Indian Agent are trying to make ~~him~~ imitation white men out of them instead of Christian Indians and try to force them to do in a hurry what they would do ~~for~~ of their own will gradually.

For instance, it was alleged that a reputable Indian girl was refused to be allowed to be confirmed because her father and grandfather were known to be favourable to the potlatch.

If I am not mistaken, in England, certainly in Scotland, a Society exists for the preservation of the old customs and what might be quite truly called superstitions, some of them not very much better than the customs of these Indians, only instead of calling it "Paganism", we call it "folk lore".

2. Christian Conference. This was said to have taken place at Alert Bay last summer between Chiefs and delegates of the Bands and the Heads of the Church and Indian Officials. It was said that the White men strongly criticized what they called the "pagan customs" of the Indians and wanted them compelled to abandon them forthwith, which the Indians resented. It was alleged that the whole proceedings were taken down in shorthand. If so, they want me to be furnished with a copy of the proceedings.

3. Totem pole and Death of King George V.

To show their regret and respect at his death, the Indians went to a lot of work and erected a large Totem pole, 50 or 60 feet high and while it contained the usual carvings in connection with their legends, somewhat approximate to the heraldry of white men, yet it was solely intended as a tribute to the late King and was dedicated by Arch-Bishop A. U. De Pencier, and followed by a short programme by Indians including speeches, singing, etc. The Inspector of White Public Schools was present and suggested allowing the attendance of the children of the white public school, which was done.

A white man present, said it was conducted decently and in order and to be "quite a fitting ceremony."

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The notes of the doings and speeches are said to be in the possession of the Archbishop or the Indian teacher, and amongst them is said to be a petition which was drawn up at the time to be sent to the then King, Edward VIII, expressing their regret at the death of his Father and their loyalty to himself.

The Indians have the idea that some officials, presumably the Church officials advised that the petition should not be forwarded because it was associated with the totem pole, which was symbolical of savage customs and that in consequence the petition was suppressed.

I hope this is not ~~xxxx~~ true. If it is not true, I would like to know what was done with the peition, because I am sure that if it was sent to the King an official acknowledgement would have been forthcoming. If it ~~is~~ was not sent forward for the reasons stated, then it is a disgrace to those who so ordered. Surely a monument, for a totem pole is nothing else, which was dedicated by Archbishop De Pencier need be no source of suppressing an address of respect and loyalty by Indian bands.

Enquiries should be made and if it was not sent forward, the Indians ask that it be returned to me and I will see that it reaches the proper channel.

There is some talk of them passing another resolution of loyalty to King George VI and possibly the two could go together. This may appear to be only a matter of sentiment but for the most part, it is only sentiment which binds the British Emprie together and snubbing these Indians who are trying to measure up to our standards of loyalty, it is very poor way to encourage them to imitate us in other respects.

I would suggest that the Indian Agent for the District be furnished with a copy of this letter and asked to make a full report on all the matters herein mentioned.

Yours faithfully,

A. W. Neill.

If you have occasion to write me, please do so to the House of Commons. A.W.N.

P.S. In yesterday's Province, of Vancouver, there is a large picture with the headline "City's Glittering Mace Twice Blessed on Sunday" and it goes on to state that it was doubly dedicated at services and I would like to ask what is the difference between a Mace and a Totem Pole exceptin that the Indian could read and explain the legend on the Totem pole which is more than we can do with the average Mace. Archbishop Me Pencier dedicated the Mace, the same as he did the totem Pole.

A.W.N.

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To D M MacKay
Commissioner

DEPARTMENT OF INDIAN AFFAIRS
CANADA

COPY

OFFICE OF
INDIAN AGENT
Alert Bay, B.C.,
February 18, 1937.

Sir,-

I have the honour to acknowledge receipt of Departmental letter No. 507787 dated Ottawa, February 20th, last, in which the Department are requesting a report in connection with references and statements made in a letter addressed to The Honourable, T.A. Crerar, Minister, Department of Mines and Resources, from Mr. A.W. Neill, M.P.,copy of which was enclosed.

The subject matter of Mr. Neill's Communication has been very carefully perused and as references made were considered to be of such a serious nature and affecting the relationship and treatment of the Indians by the Anglican Church here, it was considered they should be given an opportunity to either confirm or deny these references, and the enclosed copy of extract from Mr. Neill's letter together with copy of mine dated February 8th were addressed to the Rev. O.T. Hodgson, Chairman of the Church Committee of Christ Church, Alert Bay, requesting them to furnish the Department with a reply thereto, and I enclose herewith copy of their communication. This letter has been carefully perused and it would appear a very comprehensive reply to the statements contained in Mr. Neill's letter, and in my opinion would be sufficient to establish the attitude of the Church in this place to the welfare of the Indians.

I gather from Mr. Neill's letter to the Minister he is in favour of the Indians being permitted to carry on their Custom in a "modified" form. From my knowledge of facts, I know this is not only impossible, but not in the best interests of the Indians. I believe Mr. Neill is very sincere in trying to help the Indians to preserve an ancient tradition, but I am also quite sure he cannot be aware of this dangerous custom as practiced in this Agency, and referred to as the "potlatch".

For many years reports have been consistently made to the Department pointing out the problems of the Custom as practiced here, and it would seem to be of no avail to continue making lengthy reports on this matter. To sum it up quickly, I respectfully submit my views as follows in connection with Mr. Neill's letter.

(a) It is not possible to give potlatches in moderation nor could they be controlled through the consent of the Chief of the Band or the Indian Agent. The Indians themselves who are actively engaged in the Potlatch have quite frankly told me potlatches could not be given in moderation as it would work against the gery structure of the system.

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I am told that that portion of Section 140 of the Indian Act which forbids the eating of animals was embodied in the Act to deal with tribes of Indians in the northern part of British Columbia, and has no reflection at all upon the Indians of this Agency.

(b) Indian dances have always been allowed so long as they do not become part of the Custom they practice here, but as the dances given here <u>are</u> part of the Custom, and <u>cannot</u> be separated from it, a dance in the eyes of the Indians would have no value or significance as merely an aesthetic performance.

(c) <u>Funerals</u>. No objection has ever been made to the Indians conducting their own funerals so far as is known to this office. All we require is the proper registration of the death and the sanitary laws complied with.

(d) <u>Marriages</u>. In respect to marriages, we encourage the Indians to be legally married; they may have any form of marriage they wish so long as it is legal, but we do not recognize Indian Custom Marriages any longer.

In respect to the above requests, it is my firm opinion that the future of the Indians is at the crossroads, and any weakening of the Department's policy in respect to Section 140 of the Indian Act would mean this - the progress made by the Indians for the last fifty years would all be in vain. The Department spends large sums of money each year in assisting the Indians through educational facilities, medical care, etc., with the hope that they will eventually make them self-supporting.

Today we find in this Agency the Indians after years of assistance from the Department still have poor homes, particularly the Kingcome Indians who have submitted the representations to Mr. Neill. This undoubtedly is caused through the Indians practicing the Custom either in a moderate or excessive form. So long as this Custom is practiced they are forced through one another to give away their earnings as they receive them.

I think I should point out to the Department that the originator of the representation which has been made to the Department through Mr. Neill is not speaking for many Indians of this Agency but rather for a few known as the Kingcome Inlet Indians, and further in view of this Indian, James Charles King, being the spokesman, I feel the Department should know something of his record in order that they may judge how much credence should be given to any statement he may make.

I enclose herewith for the Department's information copy of a letter I have received from the Principal of St. Michael's Indian Residential School at Alert Bay in reference to this particular Indian. I have also correspondence of file here in this office in which this Indian has consistently misrepresented himself and obtained goods under false pretences, and further I would advise the Department this Indian has only recently returned from serving a term in Okalla Prison for being intoxicated and in possession of intoxicants. I feel this information will be sufficient to assure the Department the type of Indian who is responsible for these representations, and any statements made by him could not be considered as expressing the opinions of the Indians of this Agency as a whole.

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I would also like to point out Chief Billy Scow who accompanied James Charles King to interview Mr. Neill is a very fine type of Indian, and has since discussed with me this interview and has expressed to me more or less confidentially, that he does not wish his family now growing up to have anything to do with the Custom and hopes the Department will continue their policy of opposing the practice.

In conclusion, I feel any move to make it easier for the Indians to practice this Custom would be dangerous and that no effort should be made without the Department getting further information and the views of responsible Indians so affected. I would be quite prepared to accompany Chief Billy Scow, who was one of the delegates to interview Mr. Neill and another Indian both of whom are actively engaged in the Custom, to Ottawa, and there under oath go before a Committee of the House to lay this whole question of Custom as practiced in this Agency before them and give evidence as to what the Custom really represents and how it is degrading and interfering with the progress of the Indians in order to bring the full truth to light.

The Department might consider the expense of this delegation too costly, but if the truth of actual conditions could be made known to the Department through this, there is no doubt the policy of the Department in respect to the Custom would be definitely established and it would save the Department a great deal of money in years to come.

Mr. Neill makes reference to a Christian Conference held at Alert Bay last summer between the Chiefs and delegates of the Bands and the heads of the Church and Indian officials. In respect to this Conference, no Indian officials attended this gathering in their capacity as Government officials, but rather as members of Christ Church Committee at the request of His Lordship, Bishop Sexton.

In Mr. Neill's letter he refers to atotem pole which has been erected at the village of Kingcome and dedicated to the memory of His Majesty, the late King Georve V. In this connection I heard some time ago indirectly that a totem pole had been carved and that His Grace the Archbishop of New Westminster had dedicated this pole during a visit to the village at which time a Confirmation Class had been held. Only a short time ago I received a letter from the Missionary-Teacher at Kingcome village, advising me that the Archbishop had dedicated this pole, and that he was forwarding through the Church copy of the dedication service to Queen Mary, and also enquired if I would like to forward a copy to His Majesty King Edward V111. I replied stating that as the Department had not taken any part in the dedication, it being purely a Church celebration, and as I understood some controversy had taken place amongst the Indians themselves as to the motive prompting this expression of loyalty, and in view of the Church already having taken steps to forward the same, I felt the Department should not interfere in any way. The Indians concerned have at no time requested me to take any part in the dedication, and in view of this I did not feel justified in taking any action.

I trust this report will explain to the Department the matters referred to in Mr. Neill's letter.

Your obedient servant,

(M. S. Todd)
Indian Agent

The Secretary,
Indian Affairs Branch,
Department of Mines and Resources,
Ottawa, Canada.

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I trust this report will explain to the Department the matters referred to in Mr. Neill's letter.

Your obedient servant,

(M. S. Todd)
Indian Agent

The Secretary,
Indian Affairs Branch,
Department of Mines and Resources,
Ottawa, Canada.

REPEAT
REPETITION

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Alert Bay, B.C.,
February 8, 1937.

COPY

Dear Sir,-

Recently I have received a letter from the Indian Affairs Branch, enclosing copy of a letter addressed to The Honourable, T.A. Crerar, Minister, Department of Mines and Resources, Ottawa, by Mr. A.W. Neill, M.P., in which the Department are requesting certain information.

In view of the fact that the Church Committee of Christ Church has within its membership several Indians who have given up the practice of the Indian Custom and are now living Christian lives, and as Mr. Neill's letter makes reference to the Anglican Church as to their treatment of the Indians in spiritual matters, it is considered the Church should be given an opportunity to either confirm or deny these references, and I herewith enclose copy of extracts taken from this letter and would appreciate if you would kindly furnish me with a report on same at your earliest convenience.

As the subject referred to is a contentious one, I would appreciate if you would make your report as full and definite as possible so that the Department may obtain the truth in these matters.

Thanking you for your kind co-operation and early attention, I remain,

Yours respectfully,

"M. S. Todd"
Indian Agent

Rev. O.T. Hodgson,
Chairman of the Church Committee,
Christ Church, Alert Bay, B.C.

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EXTRACTS FROM LETTER DATED
January 5th,1937
From Mr. A.W. Neill, M.P. to Hon. T.A. Crerar.

I recently was visited by a delegation from four bands of Indians living at Kingcome Inlet. They took up a number of subjects but some of them they agreed to drop when I explained the law on the subject, but I mention the following.

1. They want a Treaty or agreement by which they will be allowed the use and maintenance of their old Indian customs so far as they are not objectionable to law and order. Under this heading, they classified the following:-

(a) The right to give potlatches in moderation. They were agreeable to limitations to prevent excesses. For instance that the man giving the potlatch would have to get the consent of the Chief of his Band and of the Indian Agent, who would enquire as to how much he proposed to spend and whether he was in a financial position to spend that amount having regard to the obligations of maintaining his wife and family. They would be willing to have it restricted to the one band, that is to say, it would have to take place inside the Band of the man who was giving it. This would not be practicable in the case of a man who had married into another band and might want to invite his relations but it could be restricted to an individual and not to be given by one whole Band to other bands or they suggested that the amount to be given by the man to each individual should be limited. This would all be a matter for arrangement and of course it would be conditional that there would be nothing of the old savage custom of biting of live animals, etc., or piercing the skin of young people joining the Band.

They particularly want the latter part of section 140 of the Indian Act cut out. This is the part that forbids the eating of animals. It could be forbidden in more general terms but they claim that they regard it as a reflection on the younger generation who would never dream of doing such a thing and they say it gives White people the wrong impression.

(b) They want the privilege of continuing their Indian dances. They should certainly be allowed this. It may be said that it is not forbidden now but it is by taking in a reference to a potlatch.

(c) Funerals. They wish to be allowed to continue their own methods of funerals. It is the custom to come back after the burial and gather together and be addressed by the Chiefs who eulogize the deceased and speak words of comfort to the relations. Apparently this is frowned on by the Church authorities. The Indians do not object to the White man's burial service but they see no reason why they should not follow their own custom in addition or if they choose, in substitution for white man's ceremony.

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(d) **Marriages:** Much the same complaint is made here. That the Church and Indian Agent want to force them to have White marriages only. They claim they are not adverse to the White man's ceremony but want to be allowed to have their own Indian form of marriage as well, or if they choose, instead of it, although, nearly all the young people would probably have both. They claim the Church says that the Indians bought their wives. This is not done now and no more is spent by the bridegroom than the expense of the marriage gathering and feast.

This seems strictly reasonable and most of their statements are corroborated by white men who agree with them.

I think a good deal of the trouble about these old customs is that the Church and the Indian Agent are trying to make imitation white men out of them instead of Christian Indians and try to force them to do in a hurry what they would do of their own will gradually.

For instance, it was alleged that a reputable Indian girl was refused to be allowed to be confirmed because her father and grandfather were known to be favourable to the potlatch.

If I am not mistaken, in England, certainly in Scotland, a Society exists for the preservation of the old customs and what might be quite trully called superstititons, some of them not very much better than the customs of these Indians, only instead of calling it "Paganism", we call it "folk lore".

2. Christian Conference. This was said to have taken place at Alert Bay last summer between Chiefs and delegates of the bands and the Heads of the Church and Indian Officials. It was said that the White men strongly criticized what they called the "pagan customs" of the Indians and wanted them compelled to abandon them forthwith, which the Indians resented. It was alleged that the whole proceedings were taken down in shorthand. If so, they want me to be furnished with a copy of the proceedings.

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Alert Bay, B.C.,
February 17,1937.

Copy

W. S. Todd, Esq.,
Indian Agent,
Alert Bay, B.C.

Dear Sir,-

At a special meeting of the Church Committee (Anglican) of Alert Bay Parish held on Tuesday, February 16th,1937, the subject matter of your communication to the Rector, Rev. G.T. Hodgson, under date of February 8th, was given careful consideration, and I am instructed to advise you as follows:

1. Any views expressed herein are those of a majority of the Committee, whose membership is composed of five adult Indians who now have no connection with the so-called "Potlatch"; one adult Indian who engages in this custom; seven whites who are closely connected with the Missionary or Government work among the Indians; and one white who is unconnected with Indian work in any way. The Committee invited one of the leading Indian men of the parish to attend the meeting. This man has been a lifelong follower of the Indian custom and he willingly consented to attend and advise as to the truth or otherwise of any statements that were made and also to explain difficult parts of the custom to the Committee.

2. The views expressed herein are those of the Church Committee per se; and should not be construed as indicating the viewpoint of the Church as a whole, or of the Diocese or Synod of Columbia in particular, of which Diocese this Parish is a member Church. We do feel however, that the Church as represented by the Diocese, should, through its Synod (shortly to convene in Victoria) express an opinion on the subject matter of the Indian custom, commonly known as the "Potlatch", and this Committee is instructing its delegates to bring the matter before the Synod.

3. As the particular reference in your communication was to the plea of the four Kingcome bands of Indians; it should be remembered that these people live in the Anglican Diocese of New Westminster and not in our Diocese of Columbia; and further that we are not desirous of entering as a Parochial Church Committee into any inter-Diocesan controversy. The same may be said of the possible political aspects of the case under review.

4. This Committee is aware that among the Indian people of this Diocese there exists a social structure which antedates the Church on this Coast and which social structure or Indian custom of life is commonly known as the "Potlatch", a most misleading word, in that it deals with only a part of a very much larger subject than that of ceremonial giving. In olden days this custom undoubtedly controlled the moral, economic and social existence of the Indian people, and by its intricate ways and vast ramifications, the Indian people's lives were ordered from the cradle to the grave; indeed from before the cradle and long after the grave or what passed for such among them. Within this custom were degrees of authority; control of all tribal ceremony and various secret societies, some of whose practices were undoubtedly animalistic.

Reproduction being a primary function, it is obvious that all questions relating to marriage, its arrangement, performance and consequences, were controlled and rigidly so by the "custom" of the people concerned. It is definitely the opinion of this Committee

that the "custom"

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that the "custom" was and is used by self-seekers for their own agrandisement and that the end invariably justified the means. The manipulation of marriage affairs to such an end resulted in matrimony becoming nothing more or less than common purchase, and it was this degredation of what this Committee holds to be a sacred gift of the Almighty; to wit, the procreation of children by the willing and loving union of man and woman; which finally brought the Church into active opposition to the entire custom, so inextricably interwoven that no part could be removed without disembodiment of the whole. As the body would be lifeless without the vital organs, so is the "Potlatch" custom useless without control of marriage rites and ceremonies, and it is on this crux that the whole problem hinges.

And vice versa, it is our definite opinion that any attempt to re-allow the practice of so-called "harmless features" of the "potlatch" is the thin end of the wedge to a complete return to practices which are against both the moral and statute law of any so-called Christian land.

5. We are definitely of the opinion that in spite of restrictive laws only a very few Indian people have ceased active practice of the custom, and these have to our certain knowledge, been ostracised and often persecuted by their fellow tribesmen and blood relations.

We are further of the opinion that due to inactive enforcement of the law, there has within the past ten years been an ever increasing return to customs and ceremonials connected with the "Potlatch". This return to the "custom" has been, in our opinion, accentuated in part by sympathy directed openly towards a revision or abandonment of the existing anti-potlatch law by white people, many of them actively engaged in missionary work. These people have considered, and we must respectfully disagree with them, that the Indian had a right to continue and thus preserve the so-called "aesthetic" parts of their ceremonial, such as many societies today among our own people preserve but do not practice folk-lore. The Indian people of this Diocese have a definite folk-lore which has to some extent been preserved by such writers as Professor Boas and Dr. Curtiss, but this folk-lore is not practiced within the custom. It is the opinion of this Committee that any attempt to bring back old practices has for its purpose the return of the Indian custom and not the preservation of folk-lore.

Whilst under the present Act, Indian dances are permitted, the request of the Kingcome tribes to be allowed to dance in connection with the potlatch is surely conclusive proof that dances for "aesthetic" purposes or for pleasure are not part of their plan, and that their real intent is to seek for permission to rejoin the vital parts of the potlatch custom and return it to its former state.

6. In paragraph (a) of your copy of Mr. Neill's letter, the right to moderate potlatchs is requested. It is our opinion that supervision of any such proposed moderate potlatching would be impossible. The custom is cumulative and in no time debts at heavy interest would demand larger and ever larger potlatches to clean them up; and the reverse is true, families that are well off through successful fishing operations and other labours are impoverished by the demands of the custom.

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It is our opinion that in view of intermarriage between clans, any such "moderate Potlatches" would mean gatherings of many tribes in the village where the potlatch is to be given, with resultant bad health and living conditions; plus the danger of excess liquor which is all too easy to obtain in this district.

7. The situation would also have its economic side, such "moderate potlatches" would be held mostly in the winter months, and would result in the men being absent from the trap lines and other jobs; mothers from proper care of their children, and pupils from attendance at school. The Committee is aware that in Alert Bay many years ago the Church operated a sawmill to provide work for the Indians and during the potlatch season it was very difficult to keep the men at work. It would also be of interest and possibly instructive to study the attendance records at the day schools where this "custom" has been getting stronger of late years and place such records against the undoubtedly improved physical and teaching conditions of the said schools, due to the Indian Department's effort to make greater use of the Day School system of education.

8. A request is noted that the Indians be permitted to continue their own method of funerals and the statement is made that the Church authorities "frown" on any attempt to do so. This Committee emphatically asserts that no effort is made to force any bereaved Indian to have a Church funeral for deceased relatives, or even to use the parochial burying ground. Provided that the legal requirements resulting from death are observed, (to wit, reporting same, cause, etc.) and the sanitary requirements of Provincial law are observed, there is nothing to stop Indians from carrying out funeral obsequies in any way they see fit. The Church is invariably requested to conduct these funerals, and this Committee is not aware of any refusal to allow speeches after the Church service is completed.

This Committee affirm that the sole reason for any request to participate in funeral rites is the desire to get something from the death, to use the "custom" to make loans to be repaid at anything from one to three hundred percent interest. As such, the Indian people have and had no funeral rites within their custom.

9. It is noted that the Kingcome people wish to be permitted Indian custom marriage instead of, or in addition to, white marriage by civil law or matrimony according to the teaching, rites and ceremonies of the Church. Such a request violates the British North America Act which relegates control of marriage to the Marriage Act of the Province.

No effort is made to force any Indian couple to seek matrimony within the Church, but when such couple of their own free will petition for same by the reading of banns, surely the Church has some right to say under what conditions matrimony may be enjoyed. Far from forcing Indians to be married in Church, this Committee affirms that many requests have been refused where it has been known that the prospective brides have been purchased and forced to become such. We also affirm that many more requests would be refused were it possible for the Church to ascertain with certainty what it all too often has good reason to suspect - to wit, that a potlatch union has already been carried out; that the man and woman are already living as if married; and that the Church ceremony is to be the legal covering of an already performed illegal act.

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REPEAT
REPETITION

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We affirm that Holy Matrimony is a sacrament, offered by the Church to her children. They are free to use or refuse it, and to say that the Church is "forcing" Indians to be married is a grave breach of the truth. The Church hopes, of course, that many of her Indian adherents will seek God's blessing on their union in Holy Matrimony. The Church definitely teaches that in Holy Matrimony and the acceptance of the conditions accompanying its ceremonies a high Christian standard of moral life may be attained. We declare that the Church has no right to permit the sacraments to be used as coverings for sinful acts. Marriage is the legal union of man and woman as husband and wife; and as the control and regulations regarding marriage are the responsibility of the state, it is beyond our purview to comment upon the subject here.

As of funerals, so of marriage. There are within the "custom" no actual marriage rites, vows or ceremonies; a marriage contract is completed when the purchase price is paid.

10. A point is made that a reputable Indian girl was refused Confirmation because her father and grandfather were "potlatchers". This Committee is aware of the gross untruthfulness of this statement, and avers from its own definite knowledge that the facts are as follows:

The girl freely expressed a wish to join a class preparatory to Confirmation. She attended one or at the most two out of seven or eight weeks of preparation and her name was perforce dropped from the list. Surely the Church has the right to ask that those who seek the sacraments should make a fit and proper preparation for them. It should be stated that for years candidates have been confirmed who were known to practice the Indian "custom", it being the hope and prayer of the Church that increasing knowledge would bring greater light as to a decision on the matter of following the "custom".

11. Reference is made to a "Christian" conference held at Alert Bay in 1936, and Mr. Neill remarks that the Kingcome Indians wish him to be furnished with a copy of the proceedings. This Committee is at a loss to know why a Member of Parliament, writing to a Minister of the Crown, should mention a request for copies of proceedings of a private meeting called by the Bishop of Columbia, in an effort to acquaint himself with both sides of a difficult question. That he might be in a position to advise, within the Church, on questions arising about the "potlatch", the Bishop invited the views of representative persons from all village missions within the district; as well as those of Indians actively engaged in potlatching and those who had recently, and at more distant dates, given up the custom. This Church Committee was also invited to take part, and it is the opinion of those who were present that a very real effort was made to bear without prejudice, and to listen without judging. Notes were taken so that careful consideration and study might be made of what was said.

12. To sum up, this Committee is strongly of the opinion that it would be against the best interest of the Indians to change the existing law regarding the potlatch, without very careful thought and study of the situation on the ground by experts, and it hopes that you will so report to the Department. On the subject of this recommendation, this Committee is unanimous.

Sincerely yours,

(Sgd) "F. Earl Anfield"

Secretary-Treasurer, Christ Church,
Alert Bay, B.C.

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Secretary-Treasurer, Christ Church,
Alert Bay, B.C.

REPEAT
REPETITION

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COPY

ALERT BAY INDIAN RESIDENTIAL SCHOOL

February 25th,1937.

M. S. Todd, Esq.,
Indian Agent,
Alert Bay, B.C.

Dear Sir,-

Re your request for a report on JAMES CHARLES KING, ex-pupil of this school from Kingcome Inlet:-

This man was in school for nearly five years, being discharged in 1917, having reached Grade VI. His record in school was fairly good, but in 1919 he became actively interested in the "Potlatch" and has remained so ever since.

During my time here as Principal I have had occasion to note his conduct especially on three different occasions.

Some years ago, I am not sure of the exact date, he appeared at Bella Bella and introduced himself as coming from the Mission here for the purpose of conducting a revival campaign. He had vestments that were not his own, neither were his credentials genuine.

He recently had trouble trouble with his wife in the Potlatch and she had left him, and when he suggested to the Bella Bella people that he obtain a wife from among them, the Council went to the Missionary, who wired me asking if the man was genuine. I replied and advised him to send King from the village at once, which he did.

James King then moved on to Bella Coola and tried the same game, but was sent away by the Missionary at once.

Within recent years King went to Vancouver and obtained money from clergy of the Anglican Church under false pretenses, using the School as an introduction to personal friends of mine among the victims. They wrote to me and I replied advising them to have nothing to do with him.

It is my regretful conclusion that this young man has developed into an unscrupulous person and his recent conviction and jail sentence seems to add weight to my surmise.

Regretting to have to write such a report on one of our ex-pupils who in his school days showed such excellent promise of better things,

Believe me,

Very sincerely yours,

"F. Earl Anfield"

Principal.

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MARCH 21st 1936.

Alert Bay Indians Allowed to Continue Modernized Potlatch

Restrictions in Bill Proposed by Indian Minister Crerar Withdrawn After Opposition by Members Having Experience in British Columbia

OTTAWA, March 20 (C.P.).—Indians of the Alert Bay district in British Columbia were given another chance by the House of Commons today to practice their ancient potlatch, once a regular orgy but now a more or less harmless ceremony, dating back through the ages.

The potlatch has been dying out in recent years and is limited to Indians of the Kwawkwelthe agency on the Pacific Coast who have refused to observe laws outlawing it. It is a sort of generosity spree in its present-day form. Indians collect all sorts of things, food, blankets or household utensils, call in their friends and give everything away. They have been known to impoverish themselves for years.

JAIL FOR POTLATCH

The Indian Act provides jail sentences for Indian practising the potlatch, but the Alert Bay tribe had disregarded it. Indian Minister Crerar proposed a bill in the House today making the laws still more stringent. It received second reading, but he dropped the anti-potlatch clauses in committee stage after A. W. Neill (Independent, Comox-Alberni) led a strenuous opposition to it.

Mr. Crerar said the proposal was simply an extension of principles already in the act. It was directed against one particular section of British Columbia where the potlatch abuse was difficult to control. An Indian who formed the idea of giving a potlatch would direct all his efforts and money to accumulate goods and his family might be on relief or in distress.

At a suggestion from Sir George Perley (Conservative, Argenteuil), Mr. Crerar allowed the section to stand pending further consideration.

WAS INDIAN AGENT

Mr. Neill, who once spent ten years as an Indian agent in Northern British Columbia, opposed outlawing the potlatch. He addmitted the ceremony, which he often has seen, was a regular orgy years ago, but the influence of the white man has removed these features. At one time the potlatch was the initiation ceremony of young Indians, obliged to take a bite from a living dog, which was hanging there.

Potlatches were now harmless ceremonies, Mr. Neill said. "The Indians asked me, do you white men not gather your friends together at Christmas and give away presents?"

SEES NO HARM

Mr. Neill could see no harm in Indians saving their possessions and then giving them away. The old act prohibited the actual potlatch, but the amendment prohibited the storing of goods in preparation for one. "Do we apply such a provision to white men? That should be the test," Mr. Neill suggested.

Joining in the opposition to the section were J. H. Taylor (C.C.F., Nanaimo), D. B. Plunkett (Conservative, Victoria) and Herbert Wilton (Conservative, Hamilton East).

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The Daily Province

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The Province aims to be an independent, clean newspaper for the home, devoted to public service.

TUESDAY, FEBRUARY 18, 1936.

The TVA Decision

THERE was dancing in the streets in Alabama last night, following the decision of the United States Supreme Court that the Tennessee Valley Authority may sell electric power generated at its dams and may acquire transmission lines to carry its power to market. But there was no dancing by public utility concerns throughout the length and breadth of the United States. The TVA decision is regarded by the utility companies as a menace to their well-being, not so much because they fear competition from the TVA power as because the TV Authority has threatened to set up a yardstick to measure the price at which electricity may be legitimately sold to the consumer.

The Supreme Court decision, Chief Justice Hughes warned, in reading the judgment, does not go beyond the questions submitted to the court. All the same, it is accepted by the friends of the New Deal as conferring quite wide powers and as clearing the way for work on a number of other large projects such as those at Grand Coulee and Bonneville on the Columbia. The United States Government has authority to build dams for what are known as constitutional purposes—for national defense, for flood prevention and control and for irrigation. But its practical power in this connection would be greatly circumscribed if it were prohibited from disposing of the electric energy developed at these works or if it could not provide for the transportation of this energy to market; and it was prohibitions of this sort that the opponents of the TVA sought to impose.

The TVA decision is of more than passing importance because the demand for electric power is increasing rapidly in the United States. In spite of the fact that mechanization has been responsible for a good deal of the unemployment which has been rife for some years, now, mechanization has gone on apace, during the depression. Indeed, it has been to some extent actually promoted by the depression, because owing to reduced purchasing power there was a necessity for cutting costs. Mechanization, of course, means, in a great many cases, a demand for electric power. So the demand grows. Last year $237,000,000 was laid out in the United States in capital expenditure by public utility companies, and the sum to be expended this year is estimated at about $371,000,000.

The TVA decision is the second [redacted]ch has been won in the Supreme Court by the New Dealers, the other being the Gold Cla[redacted] decision of a year ago. Seven decisions have g[redacted] against the government. The TVA decision was unique in that it was almost unanimous, only one member of the court, Justice McReynolds, dissenting. In the other cases the court divided five to four or six to three.

Junior Forest Wardens

IN the summer one may see, almost any day on the streets, a few boys in red shirts, stetson hats, breeches and high boots. They are members of the corps of junior fire wardens, just back from a period in the woods or on their way out. There are more than five thousand of these boys in the province, enlisted under the auspices of the Canadian Forestry Association, and doing good work for themselves and for British Columbia.

The great industries of British Columbia are those which centre about the forest. Altogether,

for native wrongdoing among the natives. As such, early missionaries of the Methodist Church, who established churches at Port Simpson and other places, found themselves fighting the potlatch as the occasion and the time when the devil ran riot. The missionary stood for everything that the potlatch was not. Still the potlatch continued. The Indian department of the Ottawa government issued regulations commanding the people to desist, and nothing much happened until next year when potlatch time came around, and then the old devil was rampant again. Through legislation introduced by Mr. Crerar, minister of the interior, the potlatch is hereafter to be prohibited.

By white man's law, penalties of imprisonment are provided against native braves who persist in the potlatch.

It will be interesting if in Parliament there is a comprehensive discussion of our existing relations with what is left of the noble red man. For better or worse, in Canada we have persisted in treating our Indians as children.

We have taken from them what they had, and we have given them back as much as we thought it was good to let them have. They are literally the infant wards of the good Paleface Government of Canada, without the privileges of citizenship, but not immune from the penalties of the white man's law. This is not to say that Canada has been a harsh or unjust guardian of the Indian. It is merely to suggest that we have thought it good enough to commit the Indian to the care of a bureaucracy, and then to put him out of our minds.

On this Western Coast, the word "potlatch" has come to have a broadened meaning, a sort of cutting-the-melon of any come-easy, go-easy public fund. It would be especially interesting to hear in Parliament an explanation of some of our party politicians—who are past masters in the custom of the party potlatch of office—of the necessity for the stern suppression of the Indian custom of the potlatch.

At least, it seems to be the fact that the Indian who gives a potlatch confines his generosity to giving away only what is his own property.

The Girl, the Beer, the Place

A ROSE by any other name would smell as sweet, and a beer parlor by any other name, it seems, would cause as profound a disquietude to that respectable family newspaper, the Toronto Star. They call their beer parlors "beverage parlors" in Ontario, but the name does not reconcile the Star with the institution. The Star is disturbed in spirit because women and girls go into the beverage parlors of Ontario, just as women and girls go into the beer parlors of British Columbia.

The Star is worried because a well-known clergyman, Rev. R. M. Dickey, who was once a missionary in the Yukon, and presumably knew his bar-room in the old bar-room days, says that the modern beverage parlor is worse than the bad old bar-room, because women and girls use the beverage parlors, whereas they were not to be seen, at least not respectable [redacted]s, in the old bar-rooms.

The Star admits that that is so, and it admits that it does not like the idea. But wait, it says, "the bar-room would be worse, for it would sell liquors that are far more intoxicating than beer." And, adds the Star:

> "And women would patronize it. They did not do so years ago, but since then their status in society, in the business world and even in outdoor amusements, has changed. They do pretty much what men do; compete with men for employment; smoke like men; go in for athletics like men. . . . They go (to the beverage parlors) because nowadays they feel free to do what men do. A proportion of them would feel free to patronize bars and drink whisky as well as beer. . . . The menace of the beer parlor should therefore be fought on other grounds than the allegation that it is a worse place than the old bar. It is not a worse place than the old bar would be if the bar were restored today. But it is bad enough, and the effort of the government should be, not to see how much liquor can be

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energy to market; and it was prohibitions of this sort that the opponents of the TVA sought to impose.

The TVA decision is of more than passing importance because the demand for electric power is increasing rapidly in the United States. In spite of the fact that mechanization has been responsible for a good deal of the unemployment which has been rife for some years, now, mechanization has gone on apace, during the depression. Indeed, it has been to some extent actually promoted by the depression, because owing to reduced purchasing power there was a necessity for cutting costs. Mechanization, of course, means, in a great many cases, a demand for electric power. So the demand grows. Last year $237,000,000 was laid out in the United States in capital expenditure by public utility companies, and the sum to be expended this year is estimated at about $371,000,000.

The TVA decision is the second which has been won in the Supreme Court by the New Dealers, the other being the Gold Clause decision of a year ago. Seven decisions have gone against the government. The TVA decision was unique in that it was almost unanimous, only one member of the court, Justice McReynolds, dissenting. In the other cases the court divided five to four or six to three.

Junior Forest Wardens

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The great industries of British Columbia are those which centre about the forest. Altogether, they furnish a livelihood to more than a third of our people. When they thrive, all British Columbia thrives; when they fall upon evil days, all British Columbia feels the pinch.

The forest industries may be said to be in danger from two directions—from over-exploitation or unintelligent exploitation of forest resources; and from the destruction of these resources by fire, insects or fungus diseases. The junior forest wardens help in various ways. Having some training, they know the danger of forest fires and what to do about them. They know, too, that most forest fires are the result of human carelessness, and are able through watchfulness to reduce the danger and through example and polite suggestion, to lessen the carelessness.

As was stated at the annual meeting of the Canadian Forestry Association last week, the junior forest wardens are bringing the message of fire prevention home to the people of the province. They are going even further and bringing the message of forest conservation, which is a good deal broader than fire prevention. Also, they are growing up into citizens with convictions regarding the importance of the forest and forest preservation. Presently, through the education of these boys, we shall have in British Columbia a generation which regards the forest as a trust to be utilized and handed on — not something to be looted.

Down With The Potlatch

BY suppressing the potlatch a paternal government is planning to legislate good morals into the lives and activities of the Indians of British Columbia.

The potlatch is the ceremony, peculiar to the Siwash tribes of this coast, by which an Indian makes a grand party in his house, then giving away his possessions to his friends and fellow-tribesmen. Sometimes in the old days he stripped himself of all he owned. Sometimes he even gave away his wife and children.

The spirit of the potlatch to the Indian was to let himself go, all out. He danced to weird music until he was jazz-mad. Then he rolled on the floor and frothed at the mouth, not unlike the actions of certain sects not classed among the heathen.

The potlatch naturally became the symbol

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It is a little difficult to follow the Star's argument all the way through. Does it mean that we should endure the ills of the beverage parlors that all of us know, rather than fly back to the evils of the bad old bar-rooms that only the seniors among us remember? Or does it mean that we should take arms of prohibition against these subversive beer parlors, where some of the women and girls of our modern society do sometimes congregate, and where undoubtedly they do sometimes look upon the glass when it doth foam?

What does the good and perturbed Star—in the very midst of its good and perturbed Toronto—say to the proposition that we may have this very changed status in society of women to thank for the incidence of the beer-parlor-frequenting girls that the Star would fain persuade to other ways if it could?

Because very certainly it is not the way to prevent the return of the bad old bar-room to say, as the Star says, "and the women would patronize it" if it returned. That, on the Star's own theory, would make them mad enough, in still another instance "to feel free to do as men do."

"If winter comes, can spring be far behind?" Well, really, it looks very much like it, doesn't it?

It begins to appear that Mr. King didn't make election promises because he had nothing to make them with.

A "state of alarm" is proclaimed in Spain. And evidently, though obscurely, something to be alarmed about.

That mild form of mumps which is so unmumpsey that you don't know it's mumps—that's the sort of mumps, if you must have 'em.

The news over the week-end went more or less to the dogs. There were the dogs in the Yukon that worried the wife of a Mounted Police corporal. There were two dogs in California, one towing his master to school on roller skates, and the other gnawing down trees to get at cats that had taken refuge in the branches. And there was the Missouri dog that stopped a train by getting caught in a fence and working on the engineer's sympathies.

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Pittsburgh Street Scene



Some conception of the enormous loss caused by the floods in Pittsburgh, Pa., during the past week may be given by a study of the above photograph, showing the water more than six feet deep on a main street.

POLICE PROBE CASE OF "MENTAL" CHILD

Unkempt Seven-year-old Girl Found In Basement Room.

Police and city health department officials are investigating the case of a mentally-deficient child discovered Wednesday in the basement of a Kitsilano nursing home.

As result of an anonymous telephone call detectives went to the nursing home Wednesday afternoon and discovered a girl clad only in a napkin and a shirt, in the basement room of the establishment.

The child was unkempt, they reported. Investigation revealed that the child, aged 7, had been turned over to the home by a health clinic a year ago.

Arthur Edwards, Former Vancouver Resident, Dies

BELLA COOLA, March 26.—Well known in British Columbia and other parts of Canada, Arthur Edwards died here after a short illness.

Born in London, England, Mr. Edwards came to Canada in 1903 and worked in the Grain Exchange offices in Montreal and Winnipeg. In 1915 he moved to Trail and was construction foreman for the Consolidated Mining and Smelting Company.

Going to Vancouver in 1918, he resided there for ten years and then moved to Bella Coola. He was musical accompanist for the Bella Coola Little Theatre.

Surviving is a son, R. C. Edwards of Bella Coola, inspector for the department of fisheries.

Missing Swimming Star Found—Visiting Friends

Winnie Bradley, 17-year-old Vancouver swimming star, who had been missing from her home, 1769

LETTERS TO THE EDITOR

"Cheris L'Espoir" in his letter draws attention of the Canadian Legion, now in convention, to the tragic case of the poor chap who jumped from the Burrard bridge.

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Tullabees, an inferior species of fish, are not the famous Goldeyes, writes a Winnipegger. He says Tullabees are sold here for Goldeyes, and warns the buyer to beware.

"I CAN'T STAND IT ANY LONGER."

Sir: A few days ago a veteran of the Great War wrote the above words and then took his life by jumping off a bridge. This tragic incident will soon be, if not already, forgotten! Time marches on.

The Dominion convention of the Canadian Legion is here in session. I would suggest to the various delegates that they keep before them this incident, and the tragic words of this poor fellow, "I can't stand it any longer."

Once again and for the last time he has gone over the top. Let us hope that he has reached his objective, and is now enjoying that "Peace of mind that passeth all understanding." There are many of us left who are nearing that "dead line."

We can not stand it much longer. There is a suggestion that the militia be invited to join the ranks of the Legion—rather it should be the sons of veterans in order that the continuity of the organization be not broken.

They are the ones that have seen and experienced in their homes what their fathers have had to endure. The havoc that war has caused not only in the lives of their parents, but in their own lives.

The fight for existence—the utter hopelessness of the future! All we ask for is fair play, a little of that peace of mind—freedom from worry and the right to live.

"The torch be yours to lift it high"
If ye break faith with us who die.
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wife and children. We, the undersigned, are missionaries in this village, which houses upwards of two hundred and fifty Indians, and in the two years we have been here we have not discovered one instance where an Indian has given away his wife and children. Furthermore, we have not heard of one such instance in the past, nor have any of the oldest people memories of such happenings. Indeed, we might note here that some of the marriages have been blessed by the church.

It was our pleasure, in company with other white people, including His Grace the Archbishop of New Westminster, to witness an Indian dance. At our entrance all the Indians stood. When we had been conducted to our seats on a raised platform the proceedings commenced with one verse of "God Save the King." All the dances throughout were conducted with the utmost dignity and decorum and we spent a most enjoyable evening viewing the dances and admiring the very elaborate costumes and masks.

We feel sure that any person who has misunderstood any of the articles about the Indian customs will alter his ideas on reading the above and thus bring about a better understanding with and about a people we are proud to call our friends.

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Public School Teacher.
AMY E. WAKEFIELD, R.N.
Mission House, Kingcome Inlet.

Note—The Indians were much grieved by the statement referred to in the above letter, and I promised to have their denial published.

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Sir: In most stores handling fish in Vancouver one will find smoked fresh water fish displayed under the name of Winnipeg gold-eyes. They are offered to the public at retail prices actually lower than the f.o.b. Winnipeg wholesale price. The writer has discovered this con-

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A result of an anonymous telephone call, detectives went to the house and discovered a child living in the dampest and coldest part of the basement. Lack of light, heating and ventilation in the room, and the unkempt condition of the child, aroused the suspicions of the police.

The child was brought to the police station for questioning. Investigation revealed that the child, aged 7, had been living over in the home in a locked room.

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REPEAT
REPETITION

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DEGREE ACCOUNTANCY

Five hundred Chartered Accountants in Canada owe their degrees to the Shaw Accountancy Course by Mail. Forty of them are B.C. men. The list is yours for reference. Equally strong courses leading to all other accountancy certificates. The Shaw way is the sure way to success on all examinations. Free catalogue from Shaw Schools Limited, Dept. V.P. 44, Bay and Charles, Toronto.

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If ye break faith with us who die.
We shall not sleep, though poppies blow
In Flanders Field.—McCrae.

CHERIS L'ESPOIR.
(1914—1918)

Vancouver, March 23.

ABOUT POTLATCHES.

Sir: While we quite understand that the writer of "Down With the Potlatch," an article which appeared on the editorial page of February 18, is in favor of the Indian customs, he has caused a great deal of unnecessary distress among all the Indians of this village by the statement that an Indian sometimes gives away his wife and children. We, the undersigned, are missionaries in this village, which houses upwards of two hundred and fifty Indians, and in the two years we have been here we have not discovered one instance where an Indian has given away his wife and children. Furthermore, we have not heard of one such instance in the past, nor have any of the oldest people memories of such happenings. Indeed, we might note here that some of the marriages have been blessed by the church.

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A. U. dePENCIER,
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WINNIPEG GOLD-EYES.

Sir: In most stores handling fish in Vancouver one will find smoked fresh water fish displayed under the name of Winnipeg gold-eyes. They are offered to the public at retail prices actually lower than the f.o.b. Winnipeg wholesale price. The writer has discovered this condition in every store he has ever visited and, being loyal to the province of his birth, protests against this misrepresentation.

The so-called Winnipeg gold-eyes offered here are tullabees, a species of lake herring caught in large quantities, the entry of which into the United States is prohibited, due to a parasite. It seems grossly unfair to sell these tullabees to the consuming public disguised in the name of gold-eyes. Such a practice is as hard upon the intelligence of a Winnipegger as the sale of codfish as salmon would be to a resident of British Columbia.

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Memo re Pollard

Thursday 18th June 1936

Agent Todd told of a recent act in Shubenacadie Indian Parent of a Residential School girl who absconded has been persuaded to return by Mr, and that the girl, to please her parents, consented to visit with the boy Jean for one month only and thus fulfil the Pollard Contract.

Phil Hughes, in sight: Authority to Remain or Agent Todd?

Agent Todd will investigate this and other cases further and report to me later.

D. C. Scott

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS
OTTAWA

IN YOUR REPLY REFER TO
No. 6244-4C
ALSO TO THE DATE OF THIS LETTER
PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS
CANADA

Ottawa, 4th May, 1936.

Dear Sir,

Your File No.152/43981.
Re Indian Potlatch

I have to acknowledge your letter of the 15th April with respect to the Potlatch enclosing a copy of your letter to Mr. Todd dated the 4th day of March and note your observations with respect to the matter.

In reply I have to say that as you are aware we have been endeavouring to secure an amendment making it more difficult for the Indians to continue this unlawful practice. It was suggested that it be made an offence for an Indian to accumulate goods for the purpose of giving a potlatch; that such goods could be seized and disposed of and that there should be no appeal from a conviction. These proposals were discussed with officials of the Department of Justice who objected to the proposal to take away the right of appeal. They did not think it would be possible to get such a provision through the House, as it was contrary to the ordinary rights of citizens and not in accord with prevailing public opinion. This proposal was accordingly abandoned. The other provisions were, however, embodied in our Bill, and were fortified by all the material we have on file including the opinions of those officials who come most in contact with the potlatch.

Some opposition to these proposed amendments developed in the House and they were accordingly withdrawn and we shall have to carry on as best we can as the Act stands.

In the event of any contemplated prosecution in

C.C.Perry, Esq.,
Asst. Indian Commissioner for B.C.,
Victoria,
B.C.

COMMISSIONER'S OFFICE
MAY 9 1936
VICTORIA, B. C.

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Mr. Todd's agency he will no doubt confer with you and Mr. Dickie's services will be available for consultation and advice and to prosecute in the event of a prosecution being decided upon.

A copy of this letter is being sent to Mr. Todd for his information.

Yours truly,

G. H. MacKenzie
Secretary.

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77 Linden Ave.,
Victoria, B.C.,
April 21st, 1936,

The Honourable T. A. Crerar,
Superintendent General of Indian Affairs,
Ottawa, Ont.

Dear Sir:

My name may possibly be unknown to you but I lived amongst the Indians on the Coast of British Columbia for about 40 years. Seven years of this time I was a teacher on the staff of the Indian Residential School at Alert Bay, and about 27 years I was Indian Agent in and for the Kwawkewlth Indian Agency.

I note by the newspapers that considerable controversy took place during the present Parliamentary Session at Ottawa regarding the potlatch among the Indians, more particularly those of the Kwawkewlth Indian Agency, and I feel that I am in a position to speak somewhat with authority on this matter. For a period of 25 years I engaged in an intensive study of this habit and custom and spent three years writing a book on it which was recently published by Messrs. J. M. Dent and Sons, of London and Toronto, and I would recommend that if you want a concise history of the absolute"goings-on" that occur at a potlatch, you should read this book. The title of the book is "Potlatch and Totem".

I note that in opposition to the measure which was brought in, that Mr. A. W. Neill, Member for Comox-Alberni, rose and made very strenuous objection to it and according to the newspaper accounts his words were received as a matter of authority on the grounds that he had at one time been Indian Agent.

I wish to point out that, while Mr. Neill is a personal friend of mine and a man for whom I have the very highest esteem and towards whom I have the very greatest of good-will, I think it hardly fair that he should be considered an authority on Indian matters. It is true that he was Indian Agent but it was for a very short period of time and his Agency was on the West Coast of Vancouver Island where the potlatch never had a very strong hold, and there are three reasons that would invalidate any statements that he might make regarding this matter. In the first place, his services were very limited as Indian Agent. In the second place, his Indians never took part to any great degree in these ceremonies, and in the third place, Mr. Neill had a physical disability which prevented him from travelling around amongst these Indians. This disability being that he got seasick even if rowing out from the wharf to the steamer. I know that the potlatch question is a very mixed one and a very vexed one, and I think that after years of study I can honestly say that it is the one thing that is holding back the Indians of the Kwawkewlth Agency from obtaining a proper status as Canadian subjects. They are a very clever people but are so wrapped up in this old custom that all their attention and all their efforts are devoted to it, and they neglect proper means of caring for themselves as they waste their time in attending these gatherings.

There is a considerable difference of opinion as to whether or not prosecution is the proper method of overcoming the evil of the potlatch, but something should be done, and in my humble opinion the Act either should be strengthened so that the authorities may grasp it with a firm hand and squash it, or the Act should be amended to allow them to go ahead and potlatch to their heart's content and trusting that education and experience in the world will finally obliterate the custom. For many years it was almost impossible to get a fair quota of children to attend the schools in the Kwawkewlth Agency owing

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to the fact that they were so wrapped up in the potlatch that they could not attend to anything else. The Department has been most generous in the educational facilities offered to the Indians, and it seems too bad that the Indians themselves have not seen fit through education to give up this custom, and in my opinion only education will finally limit it.

I am forwarding a copy of this communication to Mr. C. C. Perry, Assistant Commissioner of Indian Affairs for the Province of British Columbia.

I have the honour to be,

Your obedient servant,

W. M. Halliday.

W. M. Halliday.
Retired Indian Agent.

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77 Linden Ave.,
Victoria, B.C.,
April 21st, 1936,

The Honourable T. A. Crerar,
Superintendent General of Indian Affairs,
Ottawa, Ont.

Dear Sir:

My name may possibly be unknown to you but I lived amongst the Indians on the Coast of British Columbia for about 40 years. Seven years of this time I was a teacher on the staff of the Indian Residential School at Alert Bay, and about 27 years I was Indian Agent in and for the Kwawkewlth Indian Agency.

I note by the newspapers that considerable controversy took place during the present Parliamentary Session at Ottawa regarding the potlatch among the Indians, more particularly those of the Kwawkewlth Indian Agency, and I feel that I am in a position to speak somewhat with authority on this matter. For a period of 25 years I engaged in an intensive study of this habit and custom and spent three years writing a book on it which was recently published by Messrs. J. M. Dent and Sons, of London and Toronto, and I would recommend that if you want a concise history of the absolute"goings-on" that occur at a potlatch, you should read this book. The title of the book is "Potlatch and Totem".

I note that in opposition to the measure which was brought in, that Mr. A. W. Neill, Member for Comox-Alberni, rose and made very strenuous objection to it and according to the newspaper accounts his words were received as a matter of authority on the grounds that he had at one time been Indian Agent.

I wish to point out that, while Mr. Neill is a personal friend of mine and a man for whom I have the very highest esteem and towards whom I have the very greatest of good-will, I think it hardly fair that he should be considered an authority on Indian matters. It is true that he was Indian Agent but it was for a very short period of time and his Agency was on the West Coast of Vancouver Island where the potlatch never had a very strong Hold, and there are three reasons that would invalidate any statements that he might make regarding this matter. In the first place, his services were very limited as Indian Agent. In the second place, his Indians never took part to any great degree in these ceremonies, and in the third place, Mr. Neill had a physical disability which prevented him from travelling around amongst these Indians. This disability being that he got seasick even if rowing out from the wharf to the steamer. I know that the potlatch question is a very mixed one and a very vexed one, and I think that after years of study I can honestly say that it is the one thing that is holding back the Indians of the Kwawkewlth Agency from obtaining a proper status as Canadian subjects. They are a very clever people but are so wrapped up in this old custom that all their attention and all their efforts are devoted to it, and they neglect proper means of caring for themselves as they waste their time in attending these gatherings.

There is a considerable difference of opinion as to whether or not prosecution is the proper method of overcoming the evil of the potlatch, but something should be done, and in my humble opinion the Act either should be strengthened so that the authorities may grasp it with a firm hand and squash it, or the Act should be amended to allow them to go ahead and potlatch to their heart's content and trusting that education and experience in the world will finally obliterate the custom. For many years it was almost impossible to get a fair quota of children to attend the schools in the Kwawkewlth Agency owing

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I am forwarding a copy of this communication to Mr. C. C. Perry, Assistant Commissioner of Indian Affairs for the Province of British Columbia.

I have the honour to be,

Your obedient servant,

W. M. Halliday.
Retired Indian Agent.

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152/43981.

April 15, 1936.

Sir: Re - Indian Potlatch

I beg to advise the Department that Mr. Indian Agent Todd has furnished me, as is customary, with a copy of his monthly Agency report for March ultimo, to which is attached copy of a special report on the "Potlatch Situation", Kwawkewlth Agency."

I beg to call attention to paragraph three (3) on page two (2) of Mr. Todd's report which has reference to certain instructions which he had received from me. In order that the Department may have full knowledge of the instructions which I have given to Mr. Agent Todd, I beg to transmit herewith copy of my letter of March 4th, ultimo, sent to him. Possibly the Department may see in the full text of my letter to the Agent the reasons for giving these instructions.

I wish now to refer to Departmental telegram to me dated April 5th, 1933, reading as follows:-

> "Reference your letter twenty eighth ultimo regarding Acting Agent Newnham's plans for suppression of potlatch in Kwawkewlth Agency (stop) In view of representations you have made this wire will be your authority to deal with the situation as you may deem proper and to advise Mr. Newnham accordingly."

In view of these instructions, it is presumed that until such time as they may be cancelled, I should continue to give Mr. Todd any advice or instructions as may be calculated to serve the interests of the Department as concerning the subject, as in the present instance.

I was informed by Mr. Todd of the appointment of Mr. E.A. Dickie, of Vancouver, as solicitor for the Department to assist the Agent in the prosecution of cases under Section 140 of the Indian Act, and I interviewed Mr. Dickie at Mr. Todd's request. I have received no advice, however, from the Department as to the work which the solicitor is to do. Personally, I would not have recommended Mr. Dickie's appointment until it became known whether or not the suggested amendments to the Indian Act had been carried into effect. Recent press reports, however, are to the effect that certain amendments submitted to Parliament had been deferred owing to opposition.

No doubt the Department will still have the matter

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

under ...

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Your obedient servant,

Encl
P/AC

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SPECIAL REPO[illegible] ON POTLATCH SITUATION, KW[illegible] KEWLTH AGENCY

This special report in connection with the Potlatch is being written as recently much publicity and criticism has taken place in regard to this Indian custom.

Early last year it was realized the earnings of the Indians were going to be much greater than for several years past, and as I had information that many potlatches were being arranged I took measures to deal with it as I did not wish to see the Indians throw away their hard-earned money in this Custom and then later become a charge on the Department for relief.

I was also aware that the Department contemplated having Section 140 of the Indian Act amended, experience having proved this section of the Act could not be properly enforced in its present form, and it was felt more harm than good would be done if a prosecution was upset by an Appeal.

This Agency is the stronghold of the Potlatch custom, and the custom is carried on more extensively here than in any other known place. The general public look on this practice as merely an Indian dance where the Indians congregate, have a feast, and give away presents accompanied by much speech-making but they do not realize or take into consideration the ramifications of the custom or what it really represents. We are today living in a Christian world and the laws of our land are for the uplifting of humanity, not to suppress a minority people but to assist them, and it is for this reason I feel the law should be enforced so long as it remains on our statute books.

As soon as the fishing season was over, potlatch activities started in the Agency. It is alleged thousands of dollars in cash, household effects, musical instruments, cars and boats, in fact anything they owned or could buy was potlatched away. The call would go out from village to village and the Indians would congregate at the appointed place, leaving work and taking the children out of school for approximately three or four weeks while the Potlatch was taking place, while a teacher was being paid by the Department. We have noted in the attendance reports of day schools this winter how the children have been taken out of school for weeks at a time while their parents attended the Potlatches.

Indian custom marriages still take place at these Potlatches, when money is transferred with the marriage; the Indians deny that their daughters are sold, but this form of custom marriage is still practiced although not recognized by the Department. Some of them get legally married later when pressure is brought to bear on them but in the meantime illegitimate children are born and this condition makes it very difficult for us to keep the Indians legally straightened out.

I am informed that one of the largest potlatches this year is now in progress at Kingcome Inlet. Recently Rt. Rev. A.U. De Pencier, Archbishop of the Diocese of New Westminster, visited Kingcome and confirmed a number of Indians in the Anglican Church. He later wrote me a letter in which he stated the Indians had put on an Indian dance while he was there but he could see no harm in anything that went on. I was later advised by some of the Indians that potlatch regalia including Indian masks had been worn and all the dances were danced, including the "Hamatza" or "wildman" dance. Little did the Archbishop realize what was behind all this or that he was encouraging them by his presence in breaking the law as it stands today.

COMMISSIONER'S OFFICE
APR 14 1936
VICTORIA, B.C.

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It is my desire to carry out instructions and regulations laid down by the Department, but my position in relation to the Potlatch is becoming intolerable. On the one side I am expected to enforce the Act, and on the other public officials and people in influential positions are encouraging the Indians and defending the custom.

I feel the time has come when closer cooperation and a definite understanding between the Church and the Department should be established and carried out. The Indians do not know where they stand; many want to give up the custom, but some of the older ones do not want it to disappear. The public should know more about the potlatch in order that we may get public sympathy.

It was my definite intention this year to prosecute any Indian when conclusive evidence contrary to the Act was established, but before any action was taken I received instructions from our Assistant Commissioner, Mr. Perry at Victoria, not to prosecute any Indian without taking the matter up with him first as he did not wish the Indians to be persecuted as was done in the past.

In view of this, and and the strong protests made by public officials and the Church, I hesitated to take any action until the Department gave me specific instructions as I did not wish to involve the Department in litigation without authority.

I knew that if Potlatch prosecutions took place, and convictions obtained, Appeals would follow as this year the Indians set aside a sum of money to pay for legal representation in case they were brought up in court in connection with the Potlatch.

In view of this Report, I would be pleased to receive the Department's advice and instructions as to what steps should be taken in connection with the Potlatch in this Agency.

Your obedient servant,

M S Todd

(M. S. Todd)
Indian Agent

The Secretary,
Department of Indian Affairs,
Ottawa, Canada.

COMMISSIONER'S OFFICE
APR 14 1936
VICTORIA, B.C.

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152/43327.

March 4, 1936.

Dear Mr. Todd:

I duly received your letters of February 20th and 26th, respectively, regarding the circumstances attending the suppression of the Indian potlatch.

I was in Vancouver last week and had lengthy interview with Mr. E. Dickie, barrister, and Inspector Fish and Sergt. O'Reilly of the R.C.M.P. I suggested that the Amendments be obtained and carefully studied before any drastic action is taken to deal with infractions of the Section 140 of the Indian Act.

It is to be expected that there will be opposition from certain Indian quarters and possibly from some white people also. But such has always been the case. I hope the Amendments will prove efficacious in remedying the evils of which so much complaint has been made from time to time. I would suggest that you pursue a firm and steady course with such support and direction as you may obtain from time to time as a result of the arrangements which have been made with Departmental approval. I think the Department knows your situation fairly well as the result of correspondence and the visits of its Ottawa officials to Alert Bay and will not be likely to be easily stampeded by Indian petitions.

I shall personally follow the matter closely and I would suggest that you take no action to prosecute without obtaining instructions from this office to do so. I suggest this because I would like to make sure that any action taken can be fully endorsed by me as being in accord with the statutes as well as eliminating the prospects of anyone charging that the Department is unduly or unreasonably "persecuting" the Indians as has been done before.

Your obedient servant,

C. C. Perry.
Asst. Indian Commissioner for B.C.

P/AC

M. S. Todd, Esq.,
Indian Agent,
Alert Bay, B.C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Alert Bay, B. C.,
February 26, 1936.

Dear Mr. Perry,-

As you know, with the Mounted Police being here and working on the Potlatch situation, certain information is being obtained. I understand the ringleaders of the Potlatch are blaming me for the Mounted Police being here, and the Fort Rupert or Kwawkewlth Tribe, which rank highest in the Potlatch, have held a meeting and are circulating a petition to be presented shortly to the Department asking for an investigation with a view to having me removed from this Agency.

This information has been passed on to me by several Indians, some of whom are in the Potlatch and have already told me that they will not sign any petition to this effect. Naturally the ringleaders are going to stop at nothing if the Department interferes with their activities in the potlatch, but I thought it best to let you know what is going on.

Personally it will not interfere with me enforcing the Act, and this is only a short note as I am leaving shortly for Quatsino to make the distribution of timber dues to the Indians there as well as to the Nakwakto tribe at Blunden Harbour. The next two weeks will be entirely spent in distributing either Interest or Timber dues to the various bands throughout the whole Agency, and I do not think any action will be started in connection with the Potlatch before this is completed.

Your obedient servant,

(M. S. Todd)
Indian Agent

C.E. Perry, Esq.,
Asst. Commissioner for B.C.,
Department of Indian Affairs,
Victoria, B.C.

COMMISSIONER'S BRANCH
MAR 2 1936
VICTORIA, B.C.

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NEW ACT IS TO END POTLATCHES

Ottawa Government Expects Amendments to Wipe Out Lingering Traces of Old Custom Among Some of Indians of B.C.

Canadian Press

Ottawa, Feb. 15.—The "potlatch," that vanishing custom of certain Indian tribes in Canada, will disappear altogether if amendments to the Indian Act introduced in the House of Commons this week by Hon. T. A. Crerar become effective.

The potlatch, according to officials of the Indian Department, is a "give-away party." An Indian gathers about him all the goods and property he can get hold of. He then invites other members of the tribe to a big feast and dance, and while the festivities are in progress he gives away the goods he has collected.

Sometimes this giving away goes pretty far. He may even give away his squaw.

AMONG B.C. INDIANS

The new amendments will tighten up the act. The department states this old custom persists among some of the Indians on the mainland of British Columbia opposite the north end of Vancouver Island.

Other features of the amendments, Mr. Crerar said, related to disposal of property of an Indian on a reserve to someone outside the reserve, and to the manner in which council meetings of the Indians may be held.

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Vancouver B.C.
Feby 20/1936.

C.C. Perry Esq
asst Comm
Victoria B.C.

COMMISSIONER'S OFFICE
FEB 22 1936
VICTORIA, B. C.

9 16 Clerk

Dear Mr Perry.

As requested I interviewed the R.C.M.P re the beat and the Inspector and My self arrived at a satisfactory arrangement. The points which we discussed were clearly defined and the officers of the detachment are being so advised, no difficulty should now be experienced, the officers are to accompany me at my request and the Engineer is to look after the ordinary care of the boat, they will be paying for the gas and oil when on business other than our Dept. and pay for their meals when eating in the boat.

For your information I am instructing a writ from Mr Williams as Deputy Min of Mines claiming I may employ Ex. Dickie Barrister to assist

(415 Hastings St, Trinity 6466)

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in Potlatch Prosecutions. this Should assist us greatly but I will only do so if I feel it necessary.

I had a short talk today with Mr McGregor asst Edutor of the Daily Province re the Potlatch he said he would like to talk to you about it some time. so if you feel you can you might call him up when in the city.

Yours Truly.

M Sloan

Sloan 5/31

COMMISSIONER'S OFFICE
FEB 22 1936
VICTORIA, B. C.

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THE ANGLICAN SYNOD OF THE DIOCESE OF BRITISH COLUMBIA

RT. REV. CHARLES D. SCHOFIELD, D.D.
BISHOP OF BRITISH COLUMBIA

RT. REV. HAROLD E. SEXTON, D.D.
BISHOP COADJUTOR OF BRITISH COLUMBIA

REV. CANON H. V. HITCHCOX, L.TH.
CLERICAL SECRETARY

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TREASURER

F. W. BLANKENBACH,
LAY SECRETARY

BISHOP'S ROOM
MEMORIAL HALL, 912 VANCOUVER STREET
VICTORIA, B.C.

December 20, 1935.

C. C. Perry, Esq.,
Asst. Indian Commissioner for B.C.,
P.O. Box 666,
Victoria, B. C.

Dear Mr. Perry:

Thank you for your letter of December 17th. in regard to a certain report concerning the Indian Potlatch etc., which I submitted recently to our Provincial Synod, and in particular your drawing my attention to the fact that the commendatory report of Mr. Todd, Indian Agent at Alert Bay, does not necessarily represent the views of the Indian Department.

In your own criticism of the report it seems to me you must be labouring under certain misapprehensions:

1. If you read the conclusions again I think you will realize that there is no conflict whatever between (a) and (b) in these conclusions. Many of us feel that the Potlatch probably was at one time a really worthwhile institution among the Indians and that in giving it up they are losing certain valuable elements: we wished, therefore, to express this opinion in our report and, at the same time, declare that in our judgment the Potlatch must go, in spite of these elements. It is all this that conclusion (a) has tried to express. Then, again, (b) asserts that the Church must use her influence, with any Indians who will listen to her, to give up the Potlatch in spite of the good elements it may contain, because, on the whole, it does not make for good.

2. Regarding the recommendation of the report relating to Indian marriages, this is the outcome of a long experience and very careful thought. As a matter of fact you must know that I have pleaded for many years, and others before me, with the Indian Department that they should place themselves definitely under the Provincial Government regulations in regard to marriages. Very recently the Department expressed itself as being in favour of this procedure, but

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they did not wish to recall a former formal instruction to their Agents, that marriages under Indian custom were valid.

Now in this connection we have found out that again and again Indians who have been married under Indian custom have thrown over the wife so married and have presented themselves at the Church to be married to another woman. We have tried to grapple with this condition over and over again, but ~~simply~~ with little or no progress. It is because of this situation that we are now recommending, not that the Church marriage service should be put on one side, but that there should be a custom established of a marriage ceremony being performed before the Provincial authority and then only those who were Church members, and wished the help that their Church can give, should present themselves in Church for the blessing of their marriage.

In other words, under present conditions the Church service has been abused and we are anxious that it should be made really helpful to those who desire it.

3. Regarding the question of enfranchisement. From what you report the Department is really in favour of what we are recommending. In this conclusion in our report we are taking the longer view and are recommending, in the main, that the present children should be trained to look forward to complete citizenship. In the olden days it seems probable that the Potlatch was a genuine effort to secure some corporate training and discipline, and as that has been removed the one real way in which the same can now be accomplished would be through an enfranchisement. In this matter we are not pressing for hurried action.

I trust with these explanations you will be more happy about our report. As a matter of fact the whole subject has been under consideration by my Committee of the Synod for a number of years. When we began our work I had more than one long interview with your predecessor, Mr. Ditchburn, and it is for this reason that you were not consulted in connection with the report.

A very great deal of study and thought has been put into the paper and the conclusions, and as I say, I hope upon more careful consideration of it you will find that most of your criticisms will disappear.

Reciprocating your kind regards and with good wishes for the Christmas Season,

I remain,
Yours faithfully,

Charles Ldmonton

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December 17, 1935.

My Dear Lord Bishop:

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I am somewhat apprehensive in regard to the concluding paragraph of the "report" as relating to Indian marriages and am of the opinion that were the suggestions offered to the Synod as concerning Indian Marriages and procedure thereunder, given the Synod's endorsation, without most careful qualification, the good work of the Church and Department up to the present in insisting that wherever possible the Church should be given the precedence in performing marriages among the Indians and the Indian form of marriage only be recognized where the offices of the Church are not available, would be seriously undermined.

It is my desire that your Lordship should be informed that my efforts concerning the Indian potlatch and its suppression has already taken the form of a recommendation made to the Department that powers of seizure for disposal of the Superintendent General of Indian goods accumulated for potlatch purposes and in excess of reasonable family requirements be made possible through the medium of an amendment to the Indian Act. Such action would, in my opinion, speedily put a stop to the practice. Should the Church Authorities object to this procedure, it is felt that the Department should be so advised before further action is taken along that line.

As to Indian marriages; this Department has already instructed its agents to the effect that wherever there are Church facilities for marriage under the laws of the Province the Indians should be urged to follow the law of the Province. To urge that "every Indian marriage should be solemnized before a duly appointed Government Agent, etc." does not meet with my understanding of what the Church has for several years past been trying by every means to do in order that the Marriage laws of the Province should be given expression through the medium of the Church wherever possible.

Rt. Rev. C.D. Schofield, D.D.,
Bishop of British Columbia,
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As to enfranchisement of Indians who are qualified therefor, the recent Amendment to the Indian Act makes possible the enfranchisement of Indians upon application and qualification by the Indians who desire it, as well as giving the Government power to compulsorily enfranchise certain qualified Indians if it resolves to do so. Under these conditions there would appear to be no necessity to "press for the gradual preparation for the enfranchisement of the Indian adult." Our present efforts are in the direction of persuading the Department to approve investigations for enfranchisement of Indians who have already applied for it, who desire it and are deemed to be prospectively able to qualify for it.

I feel sure that your Lordship will fully understand my reason for writing at length on these important matters, and you will know from past experience that I am most desirous to proceed officially along lines that will receive the most cordial approval of the Church Authorities, having in view the advancement of the Indians through the mutual offices of Church and State. I feel also that Agent Todd is of the same mind and that he has these several interests at heart although he has not had the length of experience in the Indian work that would enable him to know what steps have been taken in the past as concerning the issues under consideration, particularly that relating to Indian marriages.

With kindest regards, and wishing your Lordship the Season's Compliments, I remain

Most truly yours,

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Asst. Indian Commissioner for B.C.

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153/42381.

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It is my desire that your Lordship should be informed that my efforts concerning the Indian potlatch and its suppression has already taken the form of a recommendation made to the Department that powers of seizure for disposal of the Superintendent General of Indian goods accumulated for potlatch purposes and in excess of reasonable family requirements be made possible through the medium of an amendment to the Indian Act. Such action would, in my opinion, speedily put a stop to the practice. Should the Church Authorities object to this procedure, it is felt that the Department should be so advised before further action is taken along that line.

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I feel sure that your Lordship will fully understand my reason for writing at length on these important matters, and you will know from past experience that I am most desirous to proceed officially along lines that will receive the most cordial approval of the Church Authorities, having in view the advancement of the Indians through the mutual offices of Church and State. I feel also that Agent Todd is of the same mind and that he has these several interests at heart although he has not had the length of experience in the Indian work that would enable him to know what steps have been taken in the past as concerning the issues under consideration, particularly that relating to Indian marriages.

With kindest regards, and wishing your Lordship the Season's Compliments, I remain

Most truly yours,

C. C. Perry.
Asst. Indian Commissioner for B.C.

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December 17, 1935.

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Asst. Indian Commissioner for B.C.

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Most truly yours,

C. C. Perry.
Asst. Indian Commissioner for B.C.

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COPY

Mr Perry.

Indian Office,
Alert Bay, B.C.,
November 26,1935.

My dear Bishop,-

Mr. Anfield, Principal of St. Michael's School at Alert Bay has forwarded me copy of the Report of the Committee considering the Indian Potlatch which was presented to the Provincial Synod recently held in Vancouver. Mr. Anfield asked me to peruse the same and write you expressing my personal opinion on the subject.

As stated in the Report, the Potlatch is a tremendously deep custom and generally not well known by the white people; in fact I do not suppose there is any living white person who actually has got to the bottom of it and it is through the lack of knowledge by the white man that makes it so hard for those in responsible positions to adequately deal with it and at the same time have the sympathy of whites who do not appreciate what it represents.

I have carefully read this report, and I wish to go on record as favouring and supporting it in the whole. I would like to refer particularly to that part of the report marked "Conclusions", paragraphs a, b, and c.

In reference to paragraph (a), I am under the opinion through the loss of the Potlatch Indian art has suffered, but the evils of the custom so outweighed the benefits that we must now try to preserve and encourage Indian art and handicraft on another foundation.

We are very pleased to see the recommendation contained in (b) put forward, and I would like to personally see it carried still further by having all those who are interested in Indian work as well as the public at large support a movement to renounce the potlatch as I feel it is only by having the public sympathy and firm measures taken that it can be eventually annihilated

In regard to paragraph (c) I am under the same opinion that some useful practical substitute should be made possible for the Indians to take the place of the Potlatch. Indians must have an outlet for speech; they are lovers of music and enjoy good wholesome sports and entertainments, and my views on the matter are to organize in this Agency the same as has been done in other parts of the Province, the local Councils. This would give them a means of expression and create interest along progressive and beneficial endeavours. This Agency is the last stronghold of the Potlatch and one of the few places where there are no native Councils; it is my intention and desire to get these established as soon as the Indians have been sufficiently educated to realize the benefits and are prepared to accept it. This is one way in which the Department could assist.

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VICTORIA, B. C.

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In regard to paragraph (d) in which the recommendation was made "That the Church should press for definite gradual preparation for enfranchisement of the Indian adult and for the education of the children to be planned with this end in view," in commenting upon this paragraph my first thoughts go back to Ontario where I was raised close to the Six Nation Indian Reservation at Brantford. Knowing these Indians in the east personally and what they have accomplished under the Indian Act and the progress which they have made, I cannot help but feel the Six Nation Indians are far better off under the Indian Act than were they enfranchised. It is true that part of Canada was settled many years before this Coast and the Indians there have had a better opportunity, but as I look back I am quite satisfied had these Indians been enfranchised and put on the same basis as the white man, they would not be in the position they enjoy today. The story of the Six Nation Indians is too long and great to refer to in this letter but I would be pleased to take it up with you sometime when an opportunity presents itself.

I certainly agree that the Indians should receive every consideration for their spiritual advancement as well as their material and physical.

In conclusion, I will be very happy to receive any co-operation which the Church can give the Department in our work and to assure you it is our aim and desire to cooperate with the Church authorities in every way possible for the advancement and betterment of the Indians as a whole.

I am returning the Report herewith.

Yours faithfully,

M.S. Todd

(M. S. Todd)
Indian Agent

Rt. Rev. C.D. Schofield, D.D.,
Bishop of Columbia,
912 Vancouver Street,
Victoria, B.C.

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COPY

REPORT OF THE COMMITTEE CONSIDERING THE INDIAN POTLATCH

To the Archbishop, Bishops and members of the Provincial Synod of B.C.:-

1. It will be recalled that a considerable discussion took place regarding "The Potlatch" at the last meeting of this Synod.

On that occasion very different views were expressed as to the place and value of the institution: and in the end it was considered advisable to appoint a Committee for the purpose of ascertaining if if is possible to reach a common mind for our Church of England in B.C. regarding the subject. The Synod did me the honor of appointing me Chairman of this Committee and during the intervening period I have made an honest endeavour to uncover the facts.

I have interviewed or corresponded with missionaries of long and intimate experience among the Indians; I have discussed "The Potlatch" personally with Indians who are still "in the Potlatch" and with those who have come out from it, and I have talked with various Indian Agents.

Beside all this, I have studied again the booklet, "The Indian Potlatch" by the Rev. J.B. McCullagh, sometime missionary of our Church in the Caledonia Diocese, which has usually been looked upon as the most accurate account available of the institution under consideration.

It has been an interesting inquiry. The variety of opinion expressed regarding "The Potlatch" challenges attention if for no other reason than the witness it bears to the fact, that even when searching for it, the truth is extremely difficult to arrive at. Missionaries of the same Church who have lived among the same Indians differ from each other as widely as the poles in their respective judgements regarding this matter.

In the face of these findings it is a difficult task even to attempt to guide the Synod to a decision.

Without going into great detail let me set before you some of the facts.

11. Definition and History

1. Perhaps the best available definition of "The Potlatch" is that reached by P.E. Goddard in his "Indians of the North-West Coast" published in New York in 1924. Mr. Goddard says, "The word 'Potlatch' comes from the Chinook jargon and originally meant 'to give'. In its common use among the white people and the natives on the north-west coast it has taken on a very general meaning and is applied to any Indian festival at which there is feasting, or in connection with which property is given away. Because of this loose and general meaning there necessarily exists a good deal of confusion as to what is meant by the term. From the Indian's point of view many different things are meant when he uses the Chinook word in speaking to white people, for it is the only word intelligible to them by means of which he can refer to a considerable number of ceremonies or festivals each having its own Indian name."

2. Trying to make some estimate of its worth as an institution among primitive people, a sympathetic study uncovers certain considerations of real value.

a. It has been claimed, for example, that a tribe which has no method of writing, etc. requires some public ceremony for the transacting of business, that in the event of subsequent dispute a maximum number of witnesses may be available. It seems probable that in origin "The Potlatch" was a system for the transaction of business as between family and family or tribe and tribe publicly and with due ceremony.

VICTORIA, B.C.
COMMISSIONER'S OFFICE
DEC 17 1935

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For example, in regard to a marriage settlement, for the succession to honour or property after a death, after the birth of a child, to the Indian mind a "Potlatch" is a necessity. The admission of a man or woman to the ranks of a secret society or to a higher social grade also requires the publicity of a "Potlatch".

b. Again, Hill-Tout (in "The Native Races of the British Empire - North America"), "The Potlatch is a most ingeniously devised system peculiar to the north-west tribes of America for acquiring social prestige and influence, and at the same time laying up a provision for the future. By a well-understood rule, which is observed with a greater punctiliousness than any observance among ourselves, every recipient of a gift at a potlatch gathering is bound in honour to return another of double value to the donor or his legal heirs at some future time. And in this repayment his relatives and fellow-clansmen are expected to aid him if necessary. They indeed become his sureties, and the honour of the family, clan, gens, or even a tribe, is involved in the repayment of the gifts."

3. Attempting to reach a general statement, I think we should not be wrong if we follow Hill-Tout again when he writes,-

"There can be no doubt that in earlier, pre-trading days, the effect of such a custom as the Potlatch was on the whole good and beneficial, engendering as it did feelings of good-will and friendship between settlement and settlement and tribe and tribe and making war almost impossible between them."

111. Present Day

But many influences have been at work and today it is more difficult to perceive or estimate the good in "The Potlatch".

a. Possibly deterioration began in this institution with the changing status of the Indian. While they were a healthy, vigorous race, pursuing their normal life in the open, "The Potlatch" may truly have reflected these conditions. But as the Indians passed into the status of a conquered, dependent race such an institution may easily have suffered.

b. Again, history tells the sad tale that when exploiting the Indian the White race taught him many bad habits and aided in his deterioration.

c. It is not inconveivable, also, that the first missionaries in their contact with "The Potlatch" assumed a harmful attitude. Reflecting the current theological conceptions of their day these missionaries placed all men's social activities into one or two categories, Christian or heathen. "The Potlatch was nbviously not Christian, therefore, it must be heathen; and forthwith it was condemned without much further consideration." Later this attitude was carried into active opposition when seemingly the Church sought the aid of the law. It has been stated to me by several that the Government was guided into declaring "The Potlatch" illegal by the pressure of missionaries and Church authorities.

lv. Summing Up

Without going into greater detail it appears we may now arrive at certain conclusions, which, covering the accepted facts, may enable us in turn to reach a line of action which will commend itself to the majority.

1. It would seem to be true that no one from the outside is allowed to know sufficiently about "The Potlatch" wholly to understand it.

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2. It would appear to be true that at one time, perhaps many years ago now, "The Potlatch" was part of a genuine system directing and developing the corporate life of the Indian, in some real way ministering to its maintenance and well-being.

3. That with the radical changes wrought in Indian life and ways through the coming of the white man and in the course of their association with the wrong kind of White men, and possibly, in some measures through the opposition of missionaries and Government authorities driving them into secret ways, or, perhaps, as just another instance of not unusual deterioration with the passage of time - "The Potlatch" has lent itself more and more to things that are harmful.

(To give a single illustration - it would appear that during the years the standard of expense has grown to such a degree that today the Indian who gives a "Potlatch" is beggared for the rest of his life. Even if, on the other hand, it is true that every Indian who has accepted a gift at a "Potlatch" is under obligation to help in the care of his host when old age comes, yet it cannot be considered that the system constitutes a sound insurance scheme).

4. It would appear that in and through the continuance of "The Potlatch" the whole marriage situation for Indians has been complicated. There is a tendency to "play off" between marriages in "The Potlatches" and marriages under the Provincial law, which does not make for healthy social conditions.

5. In addition, evidence has been advanced that in recent years before a potlatch is concluded many Indians are drinking hard and other unsatisfactory practices are indulged in.

Conclusions

In view of these several considerations your Committee is compelled to recommend:

a. That with regret to the possible loss to the Indians the time is too late, and the complications too many, to attempt to save the "Potlatch"

b. That our Church should urge upon Indian converts to renounce the "Potlatch".

c. That every effort should be made to supply the loss involved by providing, so far as may be, legitimate substitutes for social expression through cooperation of Church and community.

d. That the Church should press for the definite gradual preparation for the enfranchisement of the Indian adult and for the education of the children to be planned with this end in view.

Suggestion for Consideration by the Synod

e. That in regard to the Marriage question, in order to avoid all confusion, the Indian Department should be urged to cooperate with the Province in providing that every Indian marriage should be solemnized before a duly appointed Government agent, and that the Church should subsequently bless such marriage, in the case of its own members, in the Church.

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152/39423.

17th April, 1935.

Dear Sir:

With reference to your letter of 23rd March and my reply thereto of the 27th idem, I am enclosing herewith, for your information, copy of a communication received from Mr. H. P. Nightingale, Acting Indian Agent, Port Alberni, B. C., dated the 15th April, regarding dance held by Alberni Indians.

Your obedient servant,

C. C. Perry.
Asst. Indian Commissioner for B. C.

P:HN

M. S. Todd, Esq.,
Indian Agent,
ALERT BAY, B.C.

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Your file:
152/39058.

OFFICE OF INDIAN AGENT

West Coast Agency,
Port Alberni, B. C.
April 15, 1935.

31/35/C.

Sir:-

I have the honour to refer to your letter of March 27, 1935, calling for report on dance held by Alberni Indians.

Regarding this matter I have to say that it was more or less exaggerated by the press. The dance was in the nature of an entertainment, in aid of the West Coast General Hospital. The Indians offered their services absolutely free of any charge and made the stipulation that any funds so dervided should be used for linen and bedding for the Indian Ward. The program consisted of native dancing, singing and marches and was held under the auspices of the Port Alberni Womens Auxiliary to the above hospital. Mr. Frost gave his consent to this entertainment because of the nature of the cause and the benefits to be derived for the hospital.

The whole affair was very orderly and was held in the Community Hall at Port Alberni, all Indians were transported to and from the reserves by car. Some of the dances were in costume, but most were in regular clothes.

This affair could not, in my opinion, be confused with the Indians old time native dances, that I have witnessed some years ago.

Your obedient servant,

"H.P.Nightingale."
i/c West Coast Agency.

Chas. C. Perry, Esq.,
Asst. Indian Commissioner for B. C.,
Victoria, B. C.

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Your file:
152/39058.

DEPARTMENT OF INDIAN AFFAIRS
CANADA

31/35/C.

OFFICE OF
INDIAN AGENT

West Coast Agency,
Port Alberni, B. C.
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Your obedient servant,

H. P. Nightingale,
i/c West Coast Agency.

Chas. C. Perry, Esq.,
Asst. Indian Commissioner for B. C.,
Victoria, B. C.

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APR 17 1935
VICTORIA, B. C.

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152/39168.

April 3, 1935.

Dear Sir:

I beg to acknowledge receipt of copy of your report of the 27th ultimo on the potlatch question. In reply I beg to say the matter will be discussed at Ottawa, as suggested.

Your obedient servant,

C. C. Perry.
Asst. Indian Commissioner for B.C.

P/AC

M. S. Todd, Esq.,
Indian agent,
Alert Bay, B.C.

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Copy.

Alert Bay, B.C.,
March 27, 1935.

Sir,-

In some recent reports in connection with Potlatch in this Agency I have stated a full report would be made to the Department offering suggestions with a view to having Section 140 of the Indian Act revised in order to deal with this difficult question as we are thoroughly convinced the Act cannot be enforced in its present form. Since taking over the Agency I have made a study of the potlatch and all its ramifications to see if we could arrive at some definite conclusion and be in a position to offer suggestions to the Department. It is possibly best to refer to what has taken place in the past in order that the Department will have a true picture of what has taken place and therefore be in a position to judge for themselves.

Some ten years ago, when Mr. Halliday definitely undertook ~~the~~ to enforce the Act, much trouble was encountered. Many convictions were made, but it appears from the correspondence on file certain compromises were agreed to as Mr. Halliday did not wish to be too harsh with them. This in my opinion was a mistake as at that time this compromise still left a ray of hope in the minds of the Indians that eventually they would get certain considerations which would permit them to carry on the potlatch in a milder form. At this time the Indians agreed to turn in all potlatch paraphernalia including masks and coppers in lieu of serving a jail sentence. Considerable of this was turned in, and the Department paid them a certain sum of money for it. Since then, however, they have been carrying on their potlatch activities secretly at intervals, and it is now known that all the masks and coppers were not turned in at that time. It is also further known they have started to make new masks and durtng last year at Campbell River to my knowledge twenty new masks were made. There are a lot of masks all over the Agency, and so long as it is legal for them to have these in their possession, there is no hope of us ever stopping the potlatch.

Another angle to the potlatch which we consider a point difficult to determine is Subsection 3 of Section 140 of the Indian Act (restriction of Indian dances, etc.). We have a case now before the courts which was tried under this sub-section of the Act. Convictions were obtained, but I understand the case is going to be appealed, and should we lose out in the appeal it will mean this part of the section will be useless. After giving much thought and consideration to the problem, we believe subsection 3 of Section 140 should be revised.

We feel that Section 140 of the Indian Act dealing with the potlatch should have certain changes and additions as well as new sub-sections included, and for your consideration we are submitting what we think will adequately deal with this question.

Will be glad to have the Agent to Alert Bay to Outline this to us.

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We would ask that an addition be made to Section 140 sub-section 1, that,- "such judgment shall not be appealed from or removed by certiorari or otherwise and shall be final".

Section 140 sub-section 3 shall be changed to read "who attends or is present at" instead of "who participates", as well as the penalty increased from twenty-five dollars to fifty dollars, and from one month to three months, also "such judgment shall not be appealed from or removed by certiorari or otherwise but shall be final".

We are also asking that a new sub-section (4) be included, copy of which is being attached. I would like to explain why we feel it is necessary to have this included. As stated before, some ten years ago the Indians promised to turn in all their masks, coppers and potlatch paraphernalia as well as promising not to have anything further to do with the potlatch. Now we find they not only did not turn in all their potlatch equipment, but have since been secretly making and accumulating new ones, and it appears to us unless we can make it illegal for them to have in their possession or to make or cause to be made any potlatch equipment, we will never be able to deal with the potlatch or definitely stamp it out. The Indians through their actions have proven to us we cannot trust them in this respect, and I am under the opinion we must go all the way by making it illegal and take drastic measures to deal with it. The Department will please note I am requesting that the penalties be severe also that we shall be able to confiscate any of these articles found in their possession. We are also asking that any conviction obtained under this clause such judgment shall not be appealed from or removed by certiorari or otherwise and shall be final.

We have one more angle to the potlatch which we feel should be dealt with as well, and I am enclosing copy which will be known as sub-section 5 of the same section. This deals with Indians purchasing large quantities of goods and articles and storing them up in secret places to be given away secretly through the potlatch when an opportune time presents itself.

It might be as well to state here Indians have tried to get round sub-section 1, section 140 of the Indian Act and have gone to lawyers in the city of Vancouver to obtain legal advice. Certain lawyers there have instructed them they can give a dance and then after a period of six months give their stuff away without breaking the law. They have also instructed them they can accumulate large quantities of goods and can given them away as "presents";so long as we cannot connect them with a dance they are not committing any offence. These and other instructions which they have received from lawyers has made it difficult for us to connect the giving away of large quantities of goods with a dance or celebration, and therefore unable to charge them with an infraction of the section dealing with Potlatch. We find there is only one way in which we can overcome this, and that is by making it illegal to store up large quantities of goods or articles in excess of their personal requirements, and if we can establish this point I am satisfied our difficulties with the potlatch in all its ramifications can be dealt with without any difficulty.

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I would like to point out to the Department last year one of our Indians purchased four hundred sacks of flour through a local store for potlatch purposes. Had it not been this particular Indian admitted to me this was purchased for distribution through the potlatch I would have been unable to take any action against him as there is nothing in the Act to stop an Indian from purchasing any quantity of goods.

I am trying at the same time when making these suggestions to the Department to keep in mind the best interests of the Indians. I do not wish to see any hardship imposed upon them nor do I wish to see any privileges which might be extended to them taken away, but I am satisfied so long as the Act remains as it is we will always have the same difficulty that we are having at the present time, especially in this Agency.

This last winter in Campbell River and Cape Mudge where the potlatch has been given up for some considerable time, upon checking up I find there have been some eight potlatches given this winter, some representing money and others goods, and these articles were practically useless to the Indians, which would be stored away in the garret and kept there to rust or be handed back through another potlatch. Some of these same people were on relief at the time, but I can assure the Department their relief was immediately cut off. In Alert Bay village as well as many other Indian villages practically all the furniture in some of the Indian homes is potlatch furniture, which means that it has been given to them through the potlatch and should anybody at any time call it in through the potlatch they are bound to give it up, with the result that they might suddenly find themselves with no furniture left in their homes. The power in the unwritten law of the potlatch is much stronger than the average person believes, and when an Indian calls a potlatch no one who is obligated through it ever hesitates to pay back or accept that which is asked or offered him.

I do not want theDepartment to feel I am being too harsh but I am under the firm opinion that this must be dealt with drasticly and the sooner we do it the sooner it will be stopped. Therefore I have tried in framing the clauses which I am submitting to the Department for their consideration to leave no loophole which the Indians or their lawyers can get round, and would appreciate if the Department would take steps to have these sections become law and added to the Indian Act.

In conclusion, I would respectfully request that this particular section and its sub-sections shall have final penalties and that no judgment shall be appealed from or removed by certiorari or otherwise.

On a recent visit to Victoria I talked this matter over with Mr. C.C. Perry, and am forwarding him a copy of this letter and the suggested amendments. I would request that the potlatch question be discussed with him when he visits Ottawa with a view to having Section 140 of the Indian Act revised.

Your obedient servant,

(M. S. Todd)
Indian Agent

The Secretary,
Department of Indian Affairs,
Ottawa, Canada.

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SECTION 140

To remain as at present, with the following addition:-

"The Superintendent General or such officer or person aforesaid shall cause the judgment or order against the offender to be drawn up and filed in his office.

"Such judgment shall not be appealed from or removed by certiorari or otherwise, and shall be final."

COMMISSIONER'S OFFICE
APR 2 1935
VICTORIA, B. C.

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SEC. 140, SUB-SEC. (3)

"Any Indian in the province of Manitoba, Saskatchewan, Alberta or British Columbia, or in the Territories who attends or is present at any Indian dance on any Indian Reserve outside the bounds of his own Reserve or who attends or is present at any show, exhibition, performance, stampede or pageant without the consent of the Superintendent General or his authorized Agent, and any person who induces or employs any Indian to take part in such dance, show, exhibition, performance, stampede or pageant, or induces any Indian to leave his Reserve or employs any Indian for such a purpose whether the dance, show, exhibition, stampede or Pageant has taken place or not shall on summary conviction be liable to a penalty not exceeding Fifty Dollars or to imprisonment for Three months or to both penalty and imprisonment.

"The Superintendent General or such officer or person aforesaid shall cause the judgment or order against the offender to be drawn up and filed in his office.

"Such judgment shall not be appealed from or removed by certiorari or otherwise but shall be final."

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SEC. 140, SUB-SEC. (4)

"Any Indian in the province of Manitoba, Saskatchewan, Alberta or British Columbia or in the Territories who is the owner or has in his possession or in buildings either on an Indian Reserve or off, any Indian masks, coppers, or paraphernalia generally used at Indian dances, or any Indian or person who stores, makes, or causes to be made any Indian masks, coppers, or paraphernalia for any Indian without the consent of the Superintendent General or his authorized Agent shall, on summary conviction, be liable to a penalty not exceeding One Hundred Dollars or to imprisonment for Six Months or to both penalty and imprisonment and the said Indian masks, coppers and paraphernalia shall be confiscated to the Crown."

"The Superintendent General or such officer or person aforesaid shall cause the judgment or order against the offender to be drawn up and filed in his office.

"Such judgment shall not be appealed from or removed by certiorari or otherwise, and shall be final."

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VICTORIA, B. C.

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SEC. 140, SUB-SEC. (5)

"Any Indian in the province of British Columbia who is the owner, or has in his possession or in buildings either on an Indian Reserve or off, without the consent of the Superintendent General or his authorized Agent, goods or articles which might be used for potlatch purposes, or in excess of what is considered necessary for his or her personal needs by the Superintendent General or his authorized Agent, such goods or articles may be confiscated to the Crown or on summary conviction be liable to a penalty not exceeding Twenty-five Dollars or to imprisonment for Three months or to both penalty and imprisonment.

"The Superintendent General or such officer or person aforesaid shall cause the judgment or order against the offender to be drawn up and filed in his office.

"Such judgment shall not be appealed from or removed by certiorari or otherwise and shall be final."

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152/39071.

March 27, 1935.

Dear Mr. Todd:

Replying to your letter of March 23rd, I beg to say that the matter of Indian potlatches and dances has been fully discussed by us previously and, during your last visit here, we read the Section 140 of the Indian Act and its sub-Sections together, and we agreed that Indian dances are not forbidden where the Indians perform them in their own reserves and as long as the giving away and other forbidden features are not connected therewith. The participation of Indians in dances outside the bounds of their own reserve is forbidden unless with the consent of the Superintendent General.

In the case of reported dances in the Nanaimo Reserve, I would inform you that this dance was reported on by Agent Graham, who, because of a complaint received, investigated the occurrence. He was not able to find that sub-Section 3 of Section 140 had been violated. Previously to this, however, the Department dispensed with the services of two salaried Indian constables at Duncan and Esquimalt reserves, respectively, for active participation in the giving away of money which offence was admitted by them.

In the case of Port Alberni I am writing to Mr. Nightingale (who is now acting Agent there owing to the retirement of Agent Frost) asking him to report fully on the alleged recent dances at that place. Up to now this office has received no notices of their occurrence. It is doubtful if the Department would make objection to any festival which is not forbidden by the law, and the circumstances reported on by the Indians to you would not be considered sufficient grounds on which to take prohibitive action unless there were proof that sub-Section 3 of Sec.140 had been violated of which up to the present no evidence is available. When I hear from Mr. Nightingale I shall be pleased to write you again.

Yours sincerely,

C. C. Perry.
Asst. Indian Commissioner for B.C.

P/AC

M. S. Todd, Esq.,
Indian Agent,
Alert Bay, B.C.

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Indian Agent,
Alert Bay, B.C.

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152/39058.

March 27, 1935.

Dear Mr. Nightingale:

We have been having considerable trouble with Indians in the Kwawkewlth Agency in connection with their Indian potlatches and dances, and several Indians have been prosecuted for participating in dances outside the bounds of their own reserves which are forbidden by Sub.Sec. 3 of Sec.140 of the Indian Act.

Agent Todd reports that Indians have shown him newspaper clippings which refer to a dance held at Port Alberni recently and accuse their Agent of being too hard on them as compared to the apparent leniency shown to Indians of Alberni. The Agent is desirous that there should be concerted action in all Agencies to enforce those provisions of the Indian Act which forbid certain features which concern dancing by Indians outside the bounds of their reserves.

Will you be good enough to give me a report at your earliest convenience giving particulars of the dance referred to and stating if any Indians from other reserves were allowed to participate therein.

It seems scarcely necessary for me to say that while the Indian Act does not forbid Indian dances under certain conditions nevertheless there are prohibitive regulations with respect to these dances which must be given the serious attention of our Agents if we are to properly administer those Sections of the Act which are designed for enforcement throughout the Province.

Yours sincerely,

P/AC

H. P. Nightingale, Esq.,
Indian Office,
Port Alberni, B.C.

C. C. Perry.
Asst. Indian Commissioner for B.C.

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C. C. Perry.
Asst. Indian Commissioner for B.C.

H. P. Nightingale, Esq.,
Indian Office,
Port Alberni, B.C.

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P/AC

C. C. Perry.
Asst. Indian Commissioner for B.C.

H. P. Nightingale, Esq.,
Indian Office,
Port Alberni, B.C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT
Alert Bay, B.C.,
March 23, 1935.

Dear Mr. Perry,-

During this last winter we have had considerable difficulty with the Indians of this Agency in carrying on their potlatch activities. I have endeavoured to the best of my ability to enforce the Act without fear or favour to anyone, but every so often the Indians come to me with newspaper clippings showing where Indian potlatch dances have been held at Port Alberni and Nanaimo. I have carefully read the descriptions given in the paper of these dances, and if it is true it does not seem fair to the Indians of this Agency that dances of this nature are permitted in some places and taken exception to here.

As you know, I am positively against the potlatch and all its ramifications, but it is making it difficult for me when this sort of thing is published in the newspapers and the Indians claim I am being too hard on them.

Possibly you would be good enough to advise me if these dances referred to were actually held as reported, in order that I can put the Indians minds at rest. In the report which I read of the dance at Port Alberni it stated Mrs. Nightingale had been honoured by being made a princess, and given an Indian name in the band. It is not my intention to criticize anyone in any way but in fairness to the Indians here I feel we should be able to clear this matter up for them, and I would appreciate if you would kindly let us have your views regarding it.

Your obedient servant,

(M. S. Todd)
Indian Agent

C.C. Perry, Esq.,
Asst. Commissioner for B.C.,
Department of Indian Affairs,
Victoria, B.C.

COMMISSIONER'S OFFICE
MAR 26 1935
VICTORIA, B.C.

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/52/38058.

January 8, 1935.

Dear Mr. Todd:

I am pleased to receive your letter of January 5th and to learn of your safe return from the east and of the improvement in your mother's health. I received a letter from Doctor McGill dated December 29th telling me he desires me to come to Ottawa, but do not expect to leave here until after April 1st, next. I am glad the Department is actively pursuing the matter of the potlatch. I shall do my best to give them the benefit of my views on that issue even though they may be somewhat obscure. I still believe that, apart from the seizure of potlatch stocks, the best way to wean the Indians away from the practice is to give them something better to do and to direct their activities into more useful channels. This will take time and patience and understanding, and I think you are on the right track in keeping them busy. I shall be glad to see you in Victoria at any time when you can take a run down. We can discuss matters more at length.

With kind regard and good wishes for the New Year, I remain

Sincerely yours,

C. C. Perry.
Asst. Indian Commissioner for B.C.

P/AC

M. S. Todd, Esq.,
Indian Agent,
Alert Bay, B.C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Alert Bay, B. C.,
January 5, 1935.

Dear Mr. Perry,-

I have just returned from my visit to the East and I am pleased to advise you I found my Mother's health somewhat improved. During my visit to Ottawa, Dr. McGill in the course of our conversation requested me to either write you or if I had time, proceed to Victoria and discuss with you certain matters in connection with this Agency. I did not have time to go to Victoria, so will leave them for the time being and on my next trip to Campbell River will try to go to Victoria in order that we can go into them.

Potlatch

Dr. McGill asked me to tell you it is the Department's intention to arrange for you to visit Ottawa shortly, as he felt a trip would do you good and be beneficial to yourself as well as to the Department in Ottawa. He said he was going to write you shortly to this effect but his reason for asking me to mention it to you was so that you could arrange your work to enable you to make the trip. It appears the Department's policy from now on is to have all officials of the Department visit Ottawa at intervals as well as officials out here visit amongst themselves in order to get greater co-operation and better understanding of the problems pertaining to the different Agencies. Personally I can see the value it would be to everyone were it possible for all the Indian Agents to visit Ottawa and get to know first-hand the routine and how everything is carried on there. I spent four days during my visit at Ottawa, and it is going to be of untold benefit to me.

I took up with them while there our problem in connection with potlatch and the Acting Deputy Minister, Mr. Williams, has asked me to give him certain information in connection with potlatch in this Agency. He is under the impression it might be possible to have the Indian Act changed at the coming session of the House, which would enable us to seize any large quantity of potlatch goods which has been gradually stored up for distribution at a later date. As soon as I get this information together I will send you a copy of same and no doubt while you are in Ottawa the matter will be placed before you and they will ask for your assistance in working this out. I think it is Dr. McGill's intention to have you in Ottawa during the time the House is in session.

I am merely giving you this information in order that you will be prepared for it in advance. I am very glad the Department have decided for you to go to Ottawa, as I feel a little break for you from the office would do you a lot of good as you know there is such a thing as a person overdoing things and in your case I am afraid that is what has happened. Your health should be considered first. It will be a nice trip

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for you and Mrs. Perry, and I am sure the change to a cold climate for a little while will do you good, at least I found it that way. I am going to be very busy for the next month as our distribution of Interest will be made during January, and naturally the work has piled up a little while I was away. However, I am feeling fit and we will soon get caught up.

I will go into the other things which I wish to take up with you as soon as I can arrange to get to Victoria. I would be pleased if you would be good enough to advise me in sufficient time just when you expect to leave for Ottawa so that I can arrange to come to Victoria to see you before you go, as there are important matters which I wish to take up with you before you go.

Your obedient servant,

(M. S. Todd)
Indian Agent

C.C. Perry, Esq.,
Asst. Commissioner for B.C.,
Department of Indian Affairs,
Victoria, B.C.

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152/6/37763.

Dec. 15, 1934.

14th Dec., 34,
Vancouver "C.I.B." 9
34E.1050-39
Patrol to Cape Mudge I.R., Kwawkewlth Agency--Re Potlatch.

The report is just what I had expected. We have had similar experiences before,as you are aware. I am asking the Department to get this potlatch matter under a different legal procedure by amendments to the Indian Act. If it materializes I shall advise you. In the meantime perhaps it will be best to attend to urgent calls from the Agent provided you are satisfied that police action is necessary. It is a difficult problem I know from 27 years' experience with the Coast Indians.

Thanks for your co-operation.

P/AC

The R.C.M.P.,
Vancouver, B.C.

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Division Fyle 34E.1050-29 F.

ROYAL CANADIAN MOUNTED POLICE

Division	Sub-Division	Detachment
"E" 6.		Vancouver,"C.I.B." 9.
Province		**Date**
B.C.		December 6th,1934.

Fyle References

Re: Patrol to Cape Mudge I.R.,Alert Bay Agency.
Asstce.Dept.of Indian Affairs.

Headquarters

1. Acting on instructions received I left Vancouver on November 29th,1934,via Union S.S.,on patrol to Cape Mudge I.R. arriving in Powell River the same evening where I was to await the arrival of Const.T.T.Bartlett of the Dept.of Indian Affairs,Alert Bay,B.C.

Sub-Division

2. Const.Bartlett arrived with the launch "Gikumi" on December 1st and we proceeded to Heriot Bay as it was the most suitable place to leave the launch and at the same time keep the Indians from knowing of our arrival. On arriving at Heriot Bay a patrol was made by hired car from Heriot Bay to the trail leading to the Cape Mudge I.R. a distance of seven miles. We then proceeded on foot to the reserve,approximately three quarters of a mile. Without making our prescence known we looked around the village but no signs of any dance or celebration were discovered. The large community house was in complete darkness and most of the Indians appeared to be at home as lights were showing in practically all the houses. We remained on the reserve till about 10.15 p.m. whenwe returned to Heriot Bay.

Detachment

3. On Dec.2nd a patrol was made to the Indian Reserve at Rebecca Spit,Drew Harbour re: alleged trespassers. This matter will be attended to by Const. Bartlett as it is in the Alert Bay Agency. At 4.30 p.m. we again patrolled to the Cape Mudge I.R. but there were no signs of any celebration. Without revealing our presence to the Indians we called on Miss Hill,teacher of the Indian day school,and made enquiries regarding the potlach. Miss Hill informed us that to her knowledge no dance or celebration had been held on the reserve recently and if there had been any such celebration she would have known about it. Miss Hill's father and mother,who also reside on the reserve,stated that there had been no celebration of any kind during the past few days but that on Dec.1st a foot-ball team from Campbell River had played the Cape Mudge Indians,on the reserve,but had returned to Campbell River the same evening. Mr.Hill informed us that no strange Indians had visited the reserve recently.

P. C. R.

4. On December 3rd a further patrol was made of the Indian Reserve at Drew Harbour following which we returned to Powell River.

5. On Dec.4th I patrolled to the Sliammon I.R.,calling on Mrs.Nicholson the Field Matron. No complaints were received and no infractions of the Indian Act.discovered. The following day I returned to Vancouver via Union S.S. arriving at 9 p.m.

SGD. Const.
(W.J.Durnin) Reg.No.11269.

EXPENSE STATEMENT NO. 222.

COMMISSIONER'S OFFICE DEC 15 1934 VICTORIA, B.C.

Fyle numbers must be quoted.

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Re: Patrol to Cape Mudge I.R. Alert Bay Agency,
Asstce. Dept. of Indian Affairs.

The Indian Agent,
Dept. of Indian Affairs,
Alert Bay, B.C.

1. Copy for your information. Copy forwarded to the Asst. Indian Commissioner for B.C., Victoria, B.C.

Vancouver,
14-12-34.
O/Ch.

(GGB)

(G.W.Fish)Inspector,I/C.,C.I.B.,
for(J.W.Phillips)A/Comm'r.,
Commanding "E" Division,(O.D.S.)

The Asst. Indian Commissioner for B.C.,
Victoria, B.C.

Sir:

1. Copy for your information. This is in reference to request received from Indian Agent **Todd**, Alert Bay, under date of the 28th ultimo, and your day letter of the same date.

Vancouver,
14-12-34.
O/Ch.

(G.W.Fish)Inspector,I/C.,C.I.B.,
for(J.W.Phillips)A/Comm'r.,
Commanding "E" Division,(O.D.S.)

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Alert Bay, B. C.,
December 8, 1934.

Dear Mr. Perry,-

I have your letter of December 5th in reference to Moses Alfred and the potlatch in general in this Agency, and I wish to thank you very kindly for the interest you are taking in it and suggestions offered for its suppression.

It does appear as though you are on the right road and if this could be accomplished I think we will go a long way in clearing up our problems here. I suggested to the Department last spring if there was any way we could seize these goods it would help us to control it, but the Department felt at that time nothing could be done.

I can assure you Moses Alfred has not been encouraged in any way to receive any protection from the Department although I told him when he approached me and told me his plans that I would take it up with you.

I am leaving Alert Bay tomorrow for the East unless something unforeseen turns up, and I am arranging for Constable Bartlett to go to Moses Alfred's house and list all the goods and articles which he has there. Moses has told me he is prepared for him to do this, so I am having Constable Bartlett do this right away and am leaving instructions with him to watch closely every move which takes place from the time I leave here until I return.

I am sorry I did not report the conclusion of the McDuff case; I was under the impression that I had sent a copy of my report to Ottawa to you. The sum and substance of it was after considerable correspondnence and discussion had taken place, I arranged with the people who sold McDuff this flour to take it back and return him his money. This was finally done and I received the full amount of the money back from them and turned it over to McDuff himself. He seems quite satisfied, and I feel the Department managed to squeeze out of a tight corner by being able to make such arrangement.

Your obedient servant,

(M. S. Todd)
Indian Agent

MST/T

C.C. Perry, Esq.,
Asst. Commissioner for B.C.,
Department of Indian Affairs,
Victoria, B. C.

COMMISSIONER'S OFFICE
DEC 11 1934
VICTORIA, B. C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Alert Bay, B. C.,
December 7, 1934.

Dear Mr. Perry,-

Replying to your letter of December 3rd in reference to the potlatch, I wish to thank you for the interest you have taken in connection with same, and it is noted you have taken the matter up with the Department with a view to dealing with it.

For your information I wish to advise when I heard of potlatch proceedings at Cape Mudge, I instructed Constable Bartlett to proceed there and deal with the situation as he saw fit. Constable Bartlett has now returned and has made a report to me, the sum and substance of which is "no information could be obtained that any potlatch had taken place or any enfraction of the Act". It might be as well to state also before Constable Bartlett's return I had further information that a potlatch did take place on December 1st, given by Mrs. Billy Williams whose husband died last summer, also that Chief Bob Harris of the New Vancouver reserve, Tanakteuk Band which is close to Alert Bay, went to Cape Mudge and potlatched there on the 3rd of December.

It seems difficult for police officers to obtain any information. My own personal experience is that I can get the information myself without any apparent difficulty but when the police go out everybody seems to shut up like clams and it is difficult to do anything about it.

I expect to leave Alert Bay in the course of a few days now, having received permission from the Department at Ottawa for leave of absence and nothing can be done in connection with the Cape Mudge potlatching until I return about the first of the year, when the matter will be investigated thoroughly by myself. While I am away I am leaving instructions with Constable Bartlett to watch everything closely and gain all the information he can so that the matter can be dealt with upon my return.

In regard to Moses Alfred, whom I wrote to you about, I went to his house yesterday and went all through it and had a look at all the goods and articles which he has arranged for his potlatch. He has them all tagged with the name of the person to whom this present is to go and I must say it certainly looked like a Christmas tree to me. He says he cannot stop, that he is going to be forced to go through with it regardless of the outcome, but he is beginning to weaken a little when he knows that I am leaving, as he is trying to give this stuff away and get protection at the same time. Of course as far as I can understand the Act, there is no harm in him giving articles away so long as he does not connect it with a potlatch, but I know the minute his stuff is given away he is through with it himself and others will carry it on to the extent of celebrations and making of speeches. In his case my information is the potlatch ceremonies, speeches and gatherings will take place at Fort Rupert, not Alert Bay, but

he intends to give

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DEC 11 1934
VICTORIA, B. C.

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he intends to give his presents away one at a time from his house in Alert Bay as the people arrive here from other places, and call them "Christmas gifts".

While I am in Ottawa I will discuss this question thoroughly with the Department, and I am hoping there is some way by which we can deal with the matter that will clear up a lot of our difficulty here.

Your obedient servant,

(M. S. Todd)
Indian Agent

MST/T

C.C. Perry, Esq.,
Asst. Commissioner for B.C.,
Department of Indian Affairs,
Victoria, B. C.

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151/6/37571.

December 5th, 1934.

Dear Mr. Todd:

I have your letter of November 28th in regard to the proposal of Indian Moses Alfred to dispose of his accumulation of potlatch goods, and in reply thereto, beg to say it appears quite obvious that this Indian is seeking to evade the spirit and intention of Section 140 of the Indian Act by getting around it in the novel manner which he now proposes.

Unfortunately, the law as it stands associates the distribution of gifts with a ceremony in which the giving away forms a part, and such being the case there may be some difficulty in establishing the fact of a breach of the regulations in such case made and provided were we agreed to allow the process of distribution which this astute Indian now proposes.

As stated in a previous letter the matter of the potlatch is now before the Department, and I have offered suggestions for approaching the matter from a different angle entirely which would involve the immediate seizure of all stocks of accumulated goods intended for potlatching and which are found to be in excess of what is required to meet the necessities of any Indian or his family. I am not at this moment prepared to submit the full text of my recommendations to the Department as these would have to be approved at Ottawa, but if the Department agrees with my views I believe we shall have a more effective instrument for dealing with this troublesome question than we have hitherto found possible to obtain. Under the circumstances, the distribution of these goods by Moses Alfred by any process should not be given any official encouragement and the Indian should be told that if he follows the procedure which he has outlined, he does so entirely on his own initiative and responsibility.

You will, of course, have my letter of March 19th, 1934, in connection with the McDuff case, and you will know my views as expressed at that time. By the way, I would like you to advise me what has been the outcome of the McDuff case, at your convenience.

Yours sincerely,

C.C. Perry
Asst. Indian Commissioner for B. C.

P/HN

M. S. Todd, Esq.,
Indian Agent,
[illegible] BAY, B.C.

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151/6/37571.

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Yours sincerely,

C.C. Perry
Asst. Indian Commissioner for B. C.

P/HN

M. S. Todd, Esq.,
Indian Agent,
ALERT BAY, B.C.

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151/6/37571.

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Yours sincerely,

C.C. Perry
Asst. Indian Commissioner for B. C.

P/HN

M. S. Todd, Esq.,
Indian Agent,
ALERT BAY, B.C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

COMMISSIONER'S OFFICE
DEC 4 1934
VICTORIA, B. C.

OFFICE OF
INDIAN AGENT

Alert Bay, B. C.,
November 28,1934.

Dear Mr. Perry,-

For some years now Moses Alfred, an Indian of the Nimpkish Band, has been accumulating potlatch goods with the object of giving a potlatch as soon as possible. It might be as well to state this Indian has already served two months in jail at one time and also to state that he was paroled on suspended sentence through taking parts in potlatches during the days of Mr. Halliday. He also signed an Agreement stating he would have nothing further to do with potlatches and would do all in his power to prevent anybody else from taking any part in them, but of course the old story comes up, it is his turn to potlatch and he is going to go through with it.

About two weeks ago he came to see me and stated he had all his accumulation of goods and that he wanted to get rid of it, as his object was to quit the potlatch forever. He has a grown-up family, children who have been educated in the Residential School, and a year ago he joined the Anglican Church and was confirmed, and he now realizes, according to his own statement, that he cannot serve two masters and wishes to live a Christian life, and therefore wishes to come out of the potlatch, but at the same time wants do do it in such a way that he will not leave any bad feeling amongst the rest of the Indians. In other words, I presume, he means he wants to pay off his debts and get squared up and come out of it with a clean sheet.

In this case I am feeling rather sympathetic towards him in some ways, and yet there is some doubt in my mind whether he is as sincere as he claims to be. He has asked me to take the matter up with you to see if there is some way by which he could give away these goods without breaking the law. He has suggested the following way out, to tag each article which he intends to give to each individual, put their name on it and as they come to Alert Bay merely to tell them "I have a present in my house for you, go up and get it and take it away". He does not intend to have any gathering, no speeches to be made, no dances, and says he does not expect anything back for the presents which he gives. He further states the money that is owing to him he will not demand back, but if anyone wishes to pay him what they owe him he will accept it, but he will not force anyone to pay, and when this is over those who could not pay him he will cancel their debts and be clear of the whole thing.

He is willing to sign documents along these lines, stating his family and himself will not participate in any potlatch whatsoever, will not accept any presents whatsoever, after this affair is over. He also promises to turn in his book, which is a ledger showing all the money due him and what he owes, and as far as he can, clear the whole situation up. If I was certain that he was sincere in the whole thing I would not take the matter up with you but would deal with it myself. He has also stated he would give the articles away in the presence of an official of the Indian Department so that we knew exactly what was going on.

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I have tried to put the whole picture before you and I would appreciate very much if you would give me a ruling on this and advise if this can be done. What I would like you to do is to buy a ticket for Alert Bay and come and pay us this long-looked for visit which you have been promising and possibly with your presence here we might be able to solve a lot of the different potlatches which are coming up. I feel the time is ripe, that the Department should take some definite stand, and if you would be good enough to make a special effort to come here and see if we cannot get it straightened out. Personally I think the trip would do you a lot of good and as you have not visited this Agency it would be a good opportunity to get to know first-hand our difficulties and possibly your presence would have a far-reaching effect. If you will do this I would appreciate if you would arrange to come just as soon as possible before the potlatches get under way. I would appreciate hearing from you by return.

Your obedient servant,

M. S. Todd

(M. S. Todd)
Indian Agent

MST/T

C.C. Perry, Esq.,
Asst. Commissioner for B.C.,
Department of Indian Affairs,
Victoria, B.C.

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152/6/37559.

December 3, 1934.

Dear Mr. Todd:

I have your letter of November 28th concerning the potlatch and its desired suppression, and I have sent a lengthy Memoranda to the Department in connection with which I have offered some suggestions for dealing with the matter subject to approval. When I hear from the Department I will write you again. Meanwhile I would suggest that you proceed under Sec.140, in concert with the R.C.M.P. and Constable Bartlett to deal with the matter through the regular Courts if you find reason to believe there have been infractions of that Section which could be successfully prosecuted.

Yours sincerely,

C. C. Perry.
Asst. Indian Commissioner for B.C.

P/AC

M. S. Todd, Esq.,
Indian Agent,
Alert Bay, B.C.

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December 3, 1934.

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Yours sincerely,

C. C. Perry.
Asst. Indian Commissioner for B.C.

P/AC

M. S. Todd, Esq.,
Indian Agent,
Alert Bay, B.C.

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152/6/37548.

December 3, 1934.

Sir:

I have the honor to transmit herewith copies of correspondence relating to the practice of the Indian ceremony known as the Potlatch in the Kwawkewith Agency and its proposed suppression as had with Indian Agent Todd and the Royal Canadian Mounted Police. These copies are as follows:-

1. Telegram Agent Todd to C.C. Perry, dated November 27, 1934.
2. Telegram C.C.Perry to Agent Todd in reply to No.1.
3. Telegram C.C.Perry to R.C.M.P., Vancouver.
4. Telegram R.C.M.P. to Agent Todd.
5. Letter of Agent Todd to C.C.Perry, dated November 28th.

This correspondence relates to a recrudescence of similar conditions dealt with in correspondence with the Department in 1933 when Acting Agent E.G. Newnham was in charge. The correspondence then culminated in a telegram dated April 5th, 1933, from the Department to myself, reading as follows:-

> "Reference your letter 28th ultimo regarding Acting Agent Newnham's plans for suppression of potlatch in Kwawkewith Agency (stop) In view of representations you have made this wire will be your authority to deal with the situation as you may deem proper and to advise Mr. Newnham accordingly.
> A.F. MacKenzie"

In view of the situation which has now arisen, perhaps it would be advisable for me to again suggest with due respect to Agent Todd, a comparatively recent appointee, that neither he nor Constable Bartlett (who has been temporarily loaned from the Vancouver Agency) has had sufficient experience in studying the ramifications of the Indian potlatch to be in a position to conduct a plan of suppression that would be effective without plunging the Department into great expense and possible embarrassment in many directions. Yet it is felt that up to the present we have not adopted any other method than that of endeavoring to enforce Section 140 of the Indian Act only to be met with appeals which were allowed the Indians by the Courts, the latter appearing to take a somewhat sympathetic and lenient attitude toward the Indians and their old customs. With the aid of lawyers, the Indians have discovered ways and means of defying the provisions of Sec.140 of the Indian Act. Consequently judging from the contents of Agent Todd's letter of November 28th, ultimo, we are about as far away from doing anything really effective towards the suppression of the potlatch system as we were when actions against the Indians were started years ago. It is apparent that the lately retired Indian Agent Halliday allowed matters to drift following the discouragement of numerous successful appeals of the Indians who had been

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

convicted...

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1. Section 4 of the Indian Act gives the Honourable the Superintendent General of Indian Affairs the control and management of the lands and property of the Indians in Canada.

   Section 6 of the Indian Act gives the Department the management, charge and direction of Indian Affairs.

   In view of these provisions, it being assumed that "property"--apart from land in reserves--means any property of the Indians, an order might possibly be made by the Honourable Superintendent General, authorizing the Indian Agent or Royal Canadian Mounted Police to make seizure and detain for disposal by direction of the Superintendent General any supplies accumulated by the Indians which may be reasonably believed by such Agent or police to be intended for distribution or for potlatch feasting purposes, in excess of an amount that may be reasonably required for the use of such Indian or his immediate family.

It is considered that a few seizures of this nature would have a most salutary effect, and would result in the Indians abandoning the practice of accumulating such immense stores in preparation for the potlatch.

In this connection, it is suggested that a special Amendment to the Indian Act be obtained to the above effect and that there should be added a stipulation to the effect that no appeal shall lie from any such action taken as aforesaid in the name of and under the authority of the Superintendent General of Indian Affairs or his Deputy, or the Department of Indian Affairs acting under his directions.

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I feel quite sure that as long as the Indian potlatch and its suppression are left to the mercy of the varied interpretation of the existing provisions of Section 140, we shall never be able to deal effectively with this vexed question; and the Indians will continue to defy the law and retard the desired advancement of the Indians generally in the Agency involved.

Although the Department's telegram of April 5th, 1933, quoted above gives me authority to "deal with the situation as I may deem proper" I feel that as the matter is one which will undoubtedly call for the attention of the Courts as the experiment might proceed, as in previous cases, I should ask the Department to kindly consider and fortify with the necessary authority and approval any steps I might be disposed to take for the active suppression of this undoubted evil along the lines which my observations and suggestions incline.

I shall await further Departmental instructions before giving Agent Todd directions as desired by him.

Your obedient servant,

Encl
P/AC

C. C. Perry.
Asst. Indian Commissioner for B.C.

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152/6/37548.

December 3, 1934.

Sir:

I have the honor to transmit herewith copies of correspondence relating to the practice of the Indian ceremony known as the Potlatch in the Kwawkewlth Agency and its proposed suppression as had with Indian Agent Todd and the Royal Canadian Mounted Police. These copies are as follows:-

1. Telegram Agent Todd to C.C. Perry, dated November 27, 1934.
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This correspondence relates to a recrudescence of similar conditions dealt with in correspondence with the Department in 1933 when Acting Agent E.G. Newnham was in charge. The correspondence then culminated in a telegram dated April 5th, 1933, from the Department to myself, reading as follows:-

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In view of the situation which has now arisen, perhaps it would be advisable for me to again suggest with due respect to Agent Todd, a comparatively recent appointee, that neither he nor Constable Bartlett (who has been temporarily loaned from the Vancouver Agency) has had sufficient experience in studying the ramifications of the Indian potlatch to be in a position to conduct a plan of suppression that would be effective without plunging the Department into great expense and possible embarrassment in many directions. Yet it is felt that up to the present we have not adopted any other method than that of endeavoring to enforce Section 140 of the Indian Act only to be met with appeals which were allowed the Indians by the Courts, the latter appearing to take a somewhat sympathetic and lenient attitude toward the Indians and their old customs. With the aid of lawyers, the Indians have discovered ways and means of defying the provisions of Sec.140 of the Indian Act. Consequently judging from the contents of Agent Todd's letter of November 28th, ultimo, we are about as far away from doing anything really effective towards the suppression of the potlatch system as we were when actions against the Indians were started years ago. It is apparent that the lately retired Indian Agent Halliday allowed matters to drift following the discouragement of numerous successful appeals of the Indians who had been

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

convicted...

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C. C. Perry.
Asst. Indian Commissioner for B.C.

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(C O P Y)

Department of Indian Affairs
Canada

Office of Indian Agent

Alert Bay, B.C.,
November 28, 1934.

Dear Mr. Perry,-

Recently on a visit to Cape Mudge and Campbell River I learned several large potlatches were being arranged to take place at Cape Mudge, and in view of this information I took certain steps in order that if possible, these should be prevented. This year the Indians at Cape Mudge and a few at Campbell River did very well in their fishing; practically every individual Indian at Cape Mudge has earned through the dog salmon fishing alone $700.00 net, and my information is they are intending to carry on potlatch there this winter very extensively.

Before leaving Campbell River I swore in an Indian Constable who was to pass on all information secretly to me and about ten days ago I received a wire stating a small potlatch had been held before he got to know about it. Yesterday I received a further communication stating one of my Chiefs, Bob Harris of the Tanakteuk Band, who resides at Harbledown Island, was planning to start his potlatch at Cape Mudge on Friday of this week. While I was at Cape Mudge I met Bob Harris and his wife who have been away from their reserve for some time, and instructed them to return home to their own village. They came home on the same boat as myself, and a couple of days ago they secretly slipped out of Alert Bay and returned to Cape Mudge, and I presume with the object of holding this potlatch.

This fall Chief Bob Harris has been fishing down around Campbell River and has been in trouble for drinking, has been up in court and fined along with many other Indians there. His people here have come to me many times this fall requesting me to get the Chief to return to his people in order that he can look after their business. At the present time we have applications for people to purchase timber from reserves belonging to the Tanakteuk Band and through the absence of the Chief we have been unable to do any business so far. The members of this band are very much upset over the way their Chief is acting, and I intend to put a stop to his goings on, even if it is necessary for him to go to jail.

My object in wiring you last night was to check this thing and to clean it up. It might be as well to advise you that the potlatch in this Agency is again becoming one of our biggest problems, and we have on our hands at the present time at least twelve to fifteen potlatches which are being prepared and if the Department is going to stamp this out it is necessary for them to take definite steps and use force if necessary. Personally I have always been of the opinion it is better to prevent crime, than to punish after it has been committed, but it looks to me as though an example has to be made and someone punished before we can get any place here.

There is no use of us going down to Cape Mudge and walking in there in daylight as they would only laugh at us and put it off to a more suitable time when they could carry on unmolested. I think the time has come when the Department must be prepared to expend some money in the prevention of this custom, and I believe the only way it can be done is by having the R.C.M.P stationed at this point during the winter months. I feel the Department would be well advised to ask for two Mounted Policemen, one

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to be stationed at Campbell River and the other at Kingcome Inlet. I know at the present time there are potlatches being arranged at Kingcome Inlet and there is no hope of my stopping it unless we have a man on the ground all the time. We have there four bands which live there during the winter months for no other purpose than to carry on the potlatch. We have a school there, and that is the excuse which they use. I have in mind the moving of all these Indians out of the Kingcome village eventually and locating them in a more suitable place but until such time as we can work out this plan, we have got to deal with the potlatch as it exists there today. If the Department could arrange to put a Mounted Policeman in this village for this winter it might be the means of moving these other bands out of there back to their own reserves voluntarily because if they sa they could not carry on the potlatch I feel they would automatically return to their own reserves.

In your wire you state you have referred the matter to the Assistant Commissioner of the R.C.M.P., Vancouver, with instructions to deal directly with myself, but at the moment I have received no communication from him. If it were not that I have on my hands here a repetition of one of the largest potlatches which was ever held in Alert Bay brewing at the present time, I would be on my way to Cape Mudge now, but I cannot leave here.

I have one chap here, Moses Alfred, one of our most respected and influential Indians who has been preparing for this potlatch for several years, and is all set for it right at the moment. This year he cleared approximately two thousand dollars and practically all the money has been spent for goods which have already been shipped to Alert Bay and stored in his house and other houses here, and he has now come to me and told me he cannot back up, he has to go through with it even though he goes to jail. He has also stated he has purchased enough food to keep his family for a whole year in case he might have to serve a term in Okalla. If this potlatch of Moses Alfred comes off which it will, it is only a beginning of forcing possibly ten or twelve other potlatches, and this means a serious situation as far as Alert Bay is concerned. I intend to write you about Moses Alfred in a separate letter and am merely mentioning his case so that you will understand why I cannot deal with the Cape Mudge situation myself.

I was planning on sending Constable Bartlett with the Department launch to Herriott Bay and have the Dominion Police meet him there and for him to work with them in clearing up that situation. Billy Assu is planning a potlatch at Cape Mudge; his is going to be a big one. Chief John Chickite is also preparing for a potlatch, his son is being married. Mrs. Billy Williams is preparing for a potlatch through the death of her husband last summer. There are also a few others there and at Campbell River. My idea is to crush these and to enforce the Act absolutely, but unless I can get full support from the Department I am going to be helpless. It might be the means of spending considerable money, but in my opinion it will be money well spent. The difficulty of course is that the Agency is scattered over such a large area that I cannot be in all these places at the one time, and unless you have someone who understands the potlatch, the Indians will put it over and we will get no place. I feel Constable Bartlett has had so much experience that it would be better to have some R.C.M.P. constables working under his instructions rather than vice-versa, as he knows the family connections and who would be implicated in each potlatch.

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If you are prepared to give me the help that is necessary, then I will undertake to deal with this situation as it should be dealt with. It looks to me now as though we should have the Department's launch on constant patrol throughout the whole Agency with a Dominion Policeman to accompany Constable Bartlett all the time. There is no use of us trying to work with this in the open, it will be a case of plain clothes and a change of constables at intervals so that they will not get to know who is who.

I am not a person to get excited over anything, but I can see unless this thing is dealt with and smashed, we are going to have lots of trouble on our hands. Last week the R.C.M.P. boat "Adversus" and their aeroplane were at Alert Bay, and I discussed the situation with them and they told me they were free to work with us and willing to help us at any time. All we needed to do was to send them a wire. An aeroplane of course would be the greatest help of all; we could land on them at the opportune time and if we could get one or two convictions I am firmly convinced it would be the means of stopping it as they would never know just when someone was going to turn up quickly.

The Indians of this Agency have been kept down through the practice of potlatch until they are the most backward Indians of this whole province, and so long as we permit them to carry on this old custom we will always have them in the same position, dependent upon the Department either by relief or otherwise. I feel it is better to spend money in suppressing this instead of them spending their money foolishly on a lot of stuff that is of no use to them and have us eventually have to put them on relief. I know of many places in this Agency where buildings are full of potlatch stuff.

I wish you would, upon receipt of this letter, write me what you are prepared to do financially in dealing with this situation.

Your obedient servant,

"M. S. Todd"

Indian Agent.

MST/T

C. C. Perry, Esq.,
Asst. Commissioner for B.C.,
Department of Indian Affairs,
Victoria, B.C.

RG 10, C-II-2, vol 11267
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152/6/37540.

December 3, 1934.

Sir:

I have the honor to transmit herewith copies of correspondence relating to the practice of the Indian ceremony known as the Potlatch in the Kwawkewlth Agency and its proposed suppression as had with Indian Agent Todd and the Royal Canadian Mounted Police. These copies are as follows:-

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(C O P Y)

Department of Indian Affairs
Canada

Office of Indian Agent

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INDIAN AFFAIRS
AFFAIRES INDIENNES
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Archives nationales du Canada

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Your obedient servant,

"M. S. Todd"

Indian Agent.

MST/T

C. C. Perry, Esq.,
Asst. Commissioner for B.C.,
Department of Indian Affairs,
Victoria, B.C.

INDIAN AFFAIRS
AFFAIRES INDIENNES

RG 10, C-II-2, vol. 11297

National Archives of Canada
Archives nationales du Canada

(COPY)

Department of Indian Affairs
Canada

Office of Indian Agent

Alert Bay, B.C.,
November 28, 1934.

Dear Mr. Perry,-

Recently on a visit to Cape Mudge and Campbell River I learned several large potlatches were being arranged to take place at Cape Mudge, and in view of this information I took certain steps in order that if possible, these should be prevented. This year the Indians at Cape Mudge and a few at Campbell River did very well in their fishing; practically every individual Indian at Cape Mudge has earned through the dog salmon fishing alone $700.00 net, and my information is they are intending to carry on potlatch there this winter very extensively.

Before leaving Campbell River I swore in an Indian Constable who was to pass on all information secretly to me and about ten days ago I received a wire stating a small potlatch had been held before he got to know about it. Yesterday I received a further communication stating one of my Chiefs, Bob Harris of the Tanakteuk Band, who resides at Harbledown Island, was planning to start his potlatch at Cape Mudge on Friday of this week. While I was at Cape Mudge I met Bob Harris and his wife who have been away from their reserve for some time, and instructed them to return home to their own village. They came home on the same boat as myself, and a couple of days ago they secretly slipped out of Alert Bay and returned to Cape Mudge, and I presume with the object of holding this potlatch.

This fall Chief Bob Harris has been fishing down around Campbell River and has been in trouble for drinking, has been up in court and fined along with many other Indians there. His people here have come to me many times this fall requesting me to get the Chief to return to his people in order that he can look after their business. At the present time we have applications for people to purchase timber from reserves belonging to the Tanakteuk Band and through the absence of the Chief we have been unable to do any business so far. The members of this band are very much upset over the way their Chief is acting, and I intend to put a stop to his goings on, even if it is necessary for him to go to jail.

My object in wiring you last night was to check this thing and to clean it up. It might be as well to advise you that the potlatch in this Agency is again becoming one of our biggest problems, and we have on our hands at the present time at least twelve to fifteen potlatches which are being prepared and if the Department is going to stamp this out it is necessary for them to take definite steps and use force if necessary. Personally I have always been of the opinion it is better to prevent crime, than to punish after it has been committed, but it looks to me as though an example has to be made and someone punished before we can get any place here.

There is no use of us going down to Cape Mudge and walking in there in daylight as they would only laugh at us and put it off to a more suitable time when they could carry on unmolested. I think the time has come when the Department must be prepared to expend some money in the prevention of this custom, and I believe the only way it can be done is by having the R.C.M.P stationed at this point during the winter months. I feel the Department would be well advised to ask for two Mounted Policemen, one

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RG 10,

INDIAN AFFAIRS
AFFAIRES INDIENNES

National Archives of Canada
Archives nationales du Canada

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In your wire you state you have referred the matter to the Assistant Commissioner of the R.C.M.P., Vancouver, with instructions to deal directly with myself, but at the moment I have received no communication from him. If it were not that I have on my hands here a repetition of one of the largest potlatches which was ever held in Alert Bay brewing at the present time, I would be on my way to Cape Mudge now, but I cannot leave here.

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INDIAN AFFAIRS
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The Indians of this Agency have been kept down through the practice of potlatch until they are the most backward Indians of this whole province, and so long as we permit them to carry on this old custom we will always have them in the same position, dependent upon the Department either by relief or otherwise. I feel it is better to spend money in suppressing this instead of them spending their money foolishly on a lot of stuff that is of no use to them and have us eventually have to put them on relief. I know of many places in this Agency where buildings are full of potlatch stuff.

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"M. S. Todd"

Indian Agent.

MST/T

C. C. Perry, Esq.,
Asst. Commissioner for B.C.,
Department of Indian Affairs,
Victoria, B.C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

COMMISSIONER'S OFFICE
NOV 30 1934
VICTORIA, B. C.

OFFICE OF
INDIAN AGENT

Alert Bay, B. C.,
November 28, 1934.

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INDIAN AFFAIRS
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INDIAN AFFAIRS
AFFAIRES INDIENNES

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Your obedient servant,

M.S. Todd

(M. S. Todd)
Indian Agent

MST/T

C.C. Perry, Esq.,
Asst. Commissioner for B.C.,
Department of Indian Affairs,
Victoria, B.C.

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R6 10, C-II-2, vol 11267

INDIAN AFFAIRS
AFFAIRES INDIENNES

National Archives of Canada
Archives nationales du Canada

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152/6/37608.

November 29, 1934.

Dear Sir:

I beg to acknowledge, with thanks, receipt of copy of your telegram of the 28th instant addressed to Indian Agent Todd, Alert Bay, advising that Constable Durnin would leave on Taursday morning for Heriot Bay.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

AC

J. W. Phillips, Esq.,
Asst. Commissioner,
Commanding "E" Division,
R.C.M.P.,
Vancouver, B.C.

RG 10, C-II-2, vol. 11297
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

FORM T. D. 2X

CANADIAN PACIFIC RAILWAY COMPANY'S TELEGRAPH

DAY LETTER ~~TELEGRAM~~ DAY LETTER

CABLE CONNECTIONS TO ALL PARTS OF THE WORLD

TIME FILED

CHECK

(Printed in Canada)

J. McMILLAN, General Manager of Telegraphs, Montreal.

Send the following message, subject to the terms on back hereof, which are hereby agreed to

R.C.M.P. "E" DIVISION C.I.B.VANCOUVER.

Vancouver, B.C.,
November 28th,1934.

Indian Agent Todd,
Alert Bay, B.C.

CONSTABLE DURNIN LEAVES VANCOUVER THURSDAY MORNING FOR

HERIOT BAY WILL MEET CONSTABLE BARTLETT THERE.—

(J.W.Phillips)
The Asst.Ind.Comm'r.,for B.C.,
Victoria,B.C.

Sir: Copy for your information. This is in reference to your day letter of even date.

Vancouver,
28-11-34.(G.W.Fish)Insp.I/C.C.I.B.
O/Ch. for(J.W.Phillips)A/Comm'r.
Commanding "E" Div'n
(O.D.S.)

COMMISSIONER'S OFFICE
NOV 29 1934
VICTORIA, B.C.

Indian Agent
Todd,
Alert Bay,B.C.
1. Confirmation copy for your information.
Copy forwarded to Asst.Ind.Comm'r.,for B.C.
Vancouver,
28-11-34.
O/Ch.

Charge R.C.M.P. Acc.

(SGD)

(G.W.Fish)Inspector,I/C.,C.I.B.,
for (J.W.Phillips)A/Comm'r.,
Commanding "E" Div'n.(O.D.S.)

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INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

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Vancouver, B.C.,
November 28th, 1934.

Indian Agent Todd,
Alert Bay, B.C.

CONSTABLE DURNIN LEAVES VANCOUVER THURSDAY MORNING FOR

HERIOT BAY WILL MEET CONSTABLE BARTLETT THERE.

(J.W. Phillips)

Charge R.C.M.P. Acc.

Indian Agent Todd,
Alert Bay, B.C.
Copy for your information.
Copy forwarded to Asst. Comm'r., for
B.C.
Vancouver,
28-11-34

The Asst.Ind.Comm'r., for B.C.
Victoria, B.C.
Sir: Copy for your information.
This is in reference to your
day letter of even date.

"G.W. Fish"
Vancouver, Insp.I/C.C.I.B.
28-11-34 for J.W.Phillips, A/
Commr. Commanding
"E" DIV'N.

NONE
Case 7174

INDIAN AFFAIRS
AFFAIRES INDIENNES
RG 10, C-II-2, vol 11297

National Archives of Canada
Archives nationales du Canada

FORM T. D. 2X

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November 28th, 1934.

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28-11-34

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Commr. Commanding
"E" DIV'N.

DONE
Garden 7174

RG 10, C-II-2, vol. 11297
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

CLASS OF SERVICE DESIRED	
Full-Rate Message	
Day Letter	X
Night Message	
Night Letter	

Patrons should mark an X opposite the class of service desired; OTHERWISE THE MESSAGE WILL BE TRANSMITTED AS A FULL-RATE TELEGRAM.

FORM 6102

CANADIAN NATIONAL TELEGRAPHS

D. E. GALLOWAY, ASSISTANT VICE-PRESIDENT, TORONTO, ONT.

Exclusive Connection with WESTERN UNION TELEGRAPH CO.

Cable Service to all the World

Money Transferred by Telegraph

RECEIVER'S NO.	TIME FILED	CHECK
		GOVERNMENT TELEGRAPH SERVICE.

Send the following message, subject to the terms on back hereof, which are hereby agreed to

152/6/37480

Victoria, B.C.,
November 28, 1934.

M.S. Todd, Esq.,
Indian Agent,
Alert Bay, B.C.

ASSISTANT COMMISSIONER R.C.M.P. VANCOUVER HAS BEEN INSTRUCTED TO DEAL WITH YOU DIRECTLY TO AVOID OVERLAPPING AND TO USE HIS DISCRETION AS TO NEED FOR POLICE ASSISTANCE.

C.C. PERRY.

DAY LETTER
Charge Indian Office.

RG 10, C-II-2, vol. 11297
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

Form 6103. T.W.

CLASS of SERVICE DESIRED	
Day Message	X
Day Letter	
Night Message	
Night Letter	

Patrons should mark an X opposite the class of service desired; OTHERWISE THE MESSAGE WILL BE TRANSMITTED AS A FULL-RATE TELEGRAM

CANADIAN NATIONAL TELEGRAPHS

HEAD OFFICE, TORONTO, ONT. W. G. BARBER, GENERAL MANAGER

Exclusive Connection with WESTERN UNION TELEGRAPH CO.
Cable Service to all the World
Money Transferred by Telegraph

RECEIVER'S No.	TIME FILED	CHECK
		152/6/37479.

Send the following message, subject to the terms on back hereof, which are hereby agreed to

Victoria, B.C.,

November 28, 1934.

J. W. Phillips, Esq.,
Asst. Commissioner,
Commanding "E" Division,
R.C.M.P.,
Vancouver, B.C.

THE FOLLOWING WIRE JUST RECEIVED FROM INDIAN AGENT TODD ALERT BAY, B.C., QUOTE HAVE RELIABLE INFORMATION BIG POTLATCH TO BE GIVEN CAPE MUDGE STARTING FRIDAY THIRTIETH SHALL REQUIRE SERVICES TWO ROYAL CANADIAN MOUNTED POLICE TO ASSIST CONSTABLE BARTLETT WHO WILL PROCEED TO HERIOT BAY WITH DEPARTMENT LAUNCH ON RECEIPT OF DEFINITE INSTRUCTIONS RUSH REPLY ENDS QUOTATION PLEASE DEAL WITH TODD DIRECTLY TO AVOID OVERLAPPING AND USE OWN DISCRETION AS TO NEED FOR POLICE ASSISTANCE.

C.C. PERRY.

DAY LETTER
Charge to Indian Office.

INDIAN AFFAIRS
AFFAIRES INDIENNES
RG 10, Vol. 6211, File 1127-2-11-2, Pt. 1

National Archives of Canada
Archives nationales du Canada

FORM 6102

CLASS OF SERVICE DESIRED	
Full-Rate Message	
Day Letter	
Night Message	
Night Letter	

Patrons should mark an X opposite the class of service desired; OTHERWISE THE MESSAGE WILL BE TRANSMITTED AS A FULL-RATE TELEGRAM.

CANADIAN NATIONAL TELEGRAPHS

D. E. GALLOWAY, ASSISTANT VICE-PRESIDENT, TORONTO, ONT.

Exclusive Connection with WESTERN UNION TELEGRAPH CO.

Cable Service to all the World

Money Transferred by Telegraph

RECEIVER'S NO.	TIME FILED	CHECK
		(C O P Y)

Send the following message, subject to the terms on back hereof, which are hereby agreed to

NL.

Alert Bay, B.C., Nov. 27, 1934.

C. C. Perry,
Assistant Indian Commissioner,
Victoria, B.C.

Have reliable information big potlach to be given Cape Mudge starting Friday thirtieth shall require services two Royal Canadian Mounted Police to assist Constable Bartlett who will proceed to Heriot Bay with Department launch on receipt of definite instructions. Rush reply.

Todd.

C-11-2 vol. 11297
RG 10, C
INDIAN AFFAIRS
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CLASS OF SERVICE DESIRED	
Full-Rate Message	
Day Letter	
Night Message	
Night Letter	

Patrons should mark an X opposite the class of service desired; OTHERWISE THE MESSAGE WILL BE TRANSMITTED AS A FULL-RATE TELEGRAM.

FORM 6102

CANADIAN NATIONAL TELEGRAPHS

D. E. GALLOWAY, ASSISTANT VICE-PRESIDENT, TORONTO, ONT.

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Todd.

C-II-2, vol. 1054, 7521
RG 10, C-
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FORM 6123

CLASS OF SERVICE	SYMBOL
Full-Rate Message	
Day Letter	D L
Night Message	N M
Night Letter	N L

If none of these three symbols appears after the check (number of words) this is a Full Rate message. Otherwise its character is indicated by the symbol appearing after the check.

CANADIAN NATIONAL TELEGRAM

CANADIAN NATIONAL TELEGRAPH AND CABLE

D. E. GALLOWAY, ASSISTANT VICE-PRESIDENT, TORONTO, ONT.



STANDARD TIME

5VR 41 NL VIA PG

ALERTBAY BC NOV 27 1934

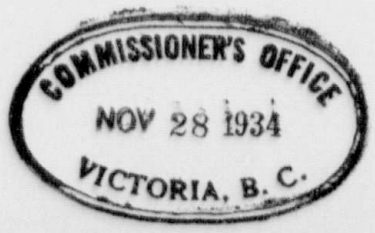
C C PERRY

ASSISTANT INDIAN COMMISSIONER VICTORIA BC

HAVE RELIABLE INFORMATION BIG POTLACH TO BE GIVEN CAPE MUDGE STARTING FRIDAY THIRTIETH SHALL REQUIRE SERVICES TWO ROYAL CANADIAN MOUNTED POLICE TO ASSIST CONSTABLE BARTLETT WHO WILL PROCEED TO HERIOT BAY WITH DEPARTMENT LAUNCH ON RECEIPT OF DEFINITE INSTRUCTIONS RUSH REPLY

TODD

732A NOV 28



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AFFAIRES INDIENNES
RG 10, C-11-2, vol. 11297

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Archives nationales du Canada

Copy

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Alert Bay, B. C.,
May 28, 1934.

Sir:-

I have the honour to report further to your letter of April 11th in reference to flour which was taken over unconditionally from Billy McDuff, Indian of the Kwawkewlth Band in connection with an admitted potlatch distribution. I have now been able to satisfactorily conclude this matter, which will close our files in this connection.

Upon receipt of your letter I arranged for an interview with Billy McDuff, and it was agreed, upon my recommendation, that he permit me to endeavour to sell the flour at the best possible price. I interviewed the directors of the Sointula Cooperative Store and after considerable discussion and correspondence I am pleased to advise they have now purchased the flour from the Department for the amount which Billy McDuff originally paid them, viz., $435.00. At the same time I arranged with Billy McDuff to deduct from this amount any expense which the Department had been put to, and am herewith enclosing you my cheque in the amount of $9.18 for telegraph account which was covered at the time by "Special Account, Voucher No. 436", and would kindly ask you to credit our telegraph account with this amount. The balance of $425.82 has been turned over to Billy McDuff, and I enclose herewith his receipt for this amount.

I would like to further comment upon the effect which this has had on potlatch activities in the Agency. From the monent I took over the flour, all potlatch activities to my knowledge practically ceased, and the fact that I did not permit the flour to be returned to Billy McDuff for distribution but rather advised him to sell it and return him the money, has in my opinion had a very good effect upon many others. Just what he proposes to do with the money of course we do not know; he advises me he is going to put it away and use it to live on, and I am satisfied this was the proper way to deal with it. As the fishing season is now drawing near I do not expect to have any more difficulty with potlatch until next fall.

I would like to add we recently lost one of our most respected Chiefs in the Agency, Chief Johnny Scow of the Kwicksutaineuk Band, Kingcome Inlet; he is known to be one of the most prominent potlatch chiefs in the Agency, and I am hoping that with his passing a lot of the potlatch has gone with him. For the first time in history here they have erected a monument in his memory rather than a totem pole; they have also taken the two coppers which he owned and which represented many thousands of dollars and buried them in the same grave as the late Chief. This is a good sign of the disappearance of the potlatch, especially from that particular family.

Your obedient servant,

(M. S. Todd)
Indian Agent

MST/T

Dr. H.W. McGill,
Deputy Superintendent General,
Department of Indian Affairs,
Ottawa, Canada.

COMMISSIONER'S OFFICE
MAY 31 1934
VICTORIA, B. C.

RG 10, C-II-2, vol 11297
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AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

Copy for McLeary

Alert Bay, B.C.,
May 28, 1934.

M.S. Todd, Esq.,
Indian Agent for Kwawkewlth Agency,
Alert Bay, B.C.

Dear Sir:-

Having authorized you to sell the said three hundred sacks of flour which I purchased from the Scintula Cooperative Store for the sum of $435.00 and later turned over unconditionally to M.S. Todd, Indian Agent, in trust for the Department of Indian Affairs, I hereby accept in full settlement the sum of $425.32 (Four Hundred and twenty-five Dollars, thirty-two cents) for the said flour, having given you permission to make the following deductions from the original amount:-

Telegraph charges . . .	$9.18
Postage & Insurance . .	.50
	$9.68

$435.00
-9.68

$425.32

I hereby release the Department of Indian Affairs and M.S.Todd, Indian Agent, of any further responsibility in connection with the same.

Yours truly,

his
Billie + McDaff
Mark

J.M. Thompson
Witness

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Alert Bay, B. C.,
March 29, 1934.

Dear Sir,-

I beg to acknowledge your letter of March 19 in reply to mine of the 15th in regard to Potlatch activities, in which Constable DeWitt's name was mentioned in error instead of Provincial Constable Embleton. Constable Bartlett informs me it was himself and Constable Embleton who saw McDuff making the distribution of flour in Alert Bay at the time mentioned in my previous letter, and it was they who reported the action to Mr. Newnham. I hope you will make a note of this in case it is used for reference in the future.

I would like also to point out when Mr. Newnham returned from his leave on his way to Mill Bay, I took up with him the matter of Billy McDuff taking an affidavit that Mr. Newnham had given him permission to distribute this flour, and Mr. Newnham's reply was that he did not give McDuff this permission, and so in fairness to Mr. Newnham I asked him if he would give me an affidavit to that effect, which he very willingly did, and I enclose herewith the same for your information in order that your file may be complete. I disucssed this matter thoroughly with Mr. Newnham and he told me that Constable Bartlett and Constable Embleton had reported the matter to him but that he could not see there was anything which he could do in the matter.

I have not as yet heard from Ottawa with instructions to their wishes and I would appreciate if the matter is referred to you, that you advise me as quickly as you can as the flour is now stored in the warehouse in Sointula and something should be done with it before very long.

Your obedient servant,

M S Todd

(M. S. Todd)
Indian Agent

MST/T

C.C. Perry, Esq.,
Asst. Commissioner for B.C.,
Department of Indian Affairs,
Victoria, B.C.

COMMISSIONER'S OFFICE
APR 3 1934
VICTORIA, B. C.

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RG 10, C-II-2, vol 11267

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RELEASED

Alert Bay, B.C.,
March 17, 1934.

I HEREBY DECLARE that never at any time have I given permission to Billy McDuff or any other Indian to give away or make presents to other Indians in connection with any celebration which is known locally as the Potlatch. At Christmas time, 1932 I did explain to certain Indians the difference between the universal custom amongst all races of making gifts at Christmas time and on other occasions, pointing out the distinction drawn between this practice and illegal acts which are covered by Section 140 of the Indian Act.

E. G. Newnham
.....

Sworn before me at
Alert Bay, British Columbia,
this 17th day of March,
A.D. 1934.

M. S. Todd
.....
Indian Agent
Ex Officio J.P., with power
and authority of two J.P.'s
under the Indian Act.

RG 10, C-11-2, vol. 11297
INDIAN AFFAIRS
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152/6/33839.

March 19, 1934.

Dear Sir:-

I beg to acknowledge receipt of your letter of March 15th in reply to mine of March 13th in regard to the Indian potlatch.

In reply it is my own opinion only that were I adjudicating upon a case such as that of McDuff, I would regard Section 140 of the Indian Act as applying to the circumstances wherein Mr. Newnham and Constable DeWitt saw the flour being distributed. Such action may in my opinion, come within the definitions set out in the words, "directly or indirectly" in the second line of Section 140 of the Indian Act, and "giving back of goods" in the fifth line and "before, at or after" in the seventh line. I would consider the evidence offered by Constables Newnham and DeWitt if given upon oath to warrant a conviction under Section 140 and would give a stated case to a higher court, if necessary upon appeal of the convicted Indian, showing that I was of the opinion that the act of giving away flour constituted in itself a ceremony or part of a ceremony which is purely Indian and is not given any color of general practice in the surrounding communities.

I would hold that McDuff had celebrated at a ceremony by giving away goods and was seen in the act of distribution by two constables who gave evidence to that effect, that is, of course, if the constables had given such evidence. I would hold that that celebration or ceremony or act, constituted a breach of Section 140 in itself whether or not a dance had taken place. The words, "or other ceremony" would, to my mind, preclude the necessity of establishing that a dance or other festival accompanied the said "other ceremony" in which the goods were distributed.

I would leave the question as to the corredtness or otherwise of my interpretation as a justice to the higher appeal court. Then in the event of the conviction being quashed, I would consider the reason for such quashing and if it became necessary would apply for an amendment to the Section 140 so as to give that section a clearer definition of the offence.

I think you can take it for granted that any conviction would be fought in the appeal court or under habeas corpus or otherwise by the Solicitor, Mr. Oscar Orr, who I believe usually represents the Indians and is glad of a chance to do so.

I am of the opinion that Mr. Newnham and Constable DeWitt lost a splendid chance when they found the goods being distributed on a previous occasion by the Indian.

In the present case, I do not know that we have the right of seizure, nor do I think we should take advantage of the

M.S. Todd, Esq.,
Indian Agent,
Alert Bay, B.C.

Indian's.....

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Indian's affidavit. I consider, however, that the Indian should be advised not to distribute the flour and if he does so the fact should be reported to the Department and its instructions asked as to whether he should be prosecuted for engaging in a ceremony contrary to Section 140 of the Indian Act. Possibly the Department would then obtain a legal opinion which after all would be simply an opinion. The issue would then have to take its course in the courts. I believe the higher courts have already given rulings on legal phases of the Indian potlatch, but if so I have never seen them. A test case would probably result in the quotation of these rulings and their consideration in the appeal court. When the appeal takes place an officer should be there to take notes or a copy of the judgment should be obtained if necessary for the purpose of advocating any amendment to the Indian Act in the event of an appeal being successful on grounds of faulty definition in the Section 140. If you happen to have copies of any rulings given already I should like to have them for study in this connection. Possibly Mr. Halliday obtained the rulings under which several Indian offenders were on various occasions given their liberty on appeal in potlatch cases.

The Department obtained a legal opinion in 1931 to the effect that the statutoty limitations of (6 months) prescribed for the institution of a prosecution would not start running until all the acts necessary to constitute the offence in question have been committed. Mr. Ditchburn had asked the Department to consider the matter of Section 1142 Criminal Code as to whether the advice given them by a solicitor to the effect that an Indian who held a dance on a certain date and six months afterwards (when the statutory limitation would apply) gave away the goods, could not be prosecuted. That is about as far as we have got in securing legal opinion through the Department. I am prepared to press the matter further if the circumstances warrant, but think the courts and not legal opinions are the channels through which the potlatch can be definitely dealt with. If the statutory prescriptions are faulty it is my opinion they should be amended or else that the potlatch should be permitted to run its course if the Department prefers to have it that way because public opinion and the opinion of the courts and possibly the church, favors the most clement consideration of the practice of the Indians in connection with their potlatch celebrations. Hence my preference that the Department who knows the issues should be consulted as to its policy and wishes.

My further view is that the Indians can be weaned away from their heathen festivals if they are given something more useful and equally interesting to do. I have seen the potlatch disappear entirely from the North through the encouragement of local councils, etc. The councils, however, were more of a domestic rather than legal establishment, but they served a needy outlet for the gifts of speech and ceremony with which the Indians are more than amply blessed. The amenity, however, of the local Indian council is one for oversight by an Indian Agent who has the psychology of the Indian reasonably within the range of his understanding and this can only be ensured by a close and painstaking study of all its phases. Form and ceremony were always paramount in the Indians' life. They can never be dispensed with. The desideratum is that local something that can

best....

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best serve as a substitute for the potlatch and when than something is found the potlatch will disappear completely in a few generations.

I would advise that you await the Department's reply to your letter of March 10th before taking further action.

Your obedient servant,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

LEGEND
INDIAN AFFAIRS
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RG 10, C-II-2, vol. 11297
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152/6/33839.

March 19, 1934.

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M.S. Todd, Esq.,
Indian Agent,
Alert Bay, B.C.

Indian's.....

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Best....

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I would advise that you await the Department's reply to your letter of March 10th before taking further action.

Your obedient servant,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Alert Bay, B. C.,
March 15, 1934.

Dear Mr. Perry:-

Your letter of March 13th has been received in reference to copy of my letter which was sent to the Department under date of March 10th in regard to Potlatch. I am very sorry indeed that I did not know there were instructions on file here to the effect that these matters should be taken up direct with you instead of the Department at Ottawa. I can assure you I would much sooner have taken it up with yourself as it takes a long time to get replies from Ottawa and besides, you are much more familiar with this phase of the work here.

My reason for taking it up with Ottawa was that I had looked up files here which we have on Potlatch and it appeared all these matters had been dealt with direct from Ottawa and it was only after I had written to Ottawa that I discovered your letter to which you refer. I am sure you will agree with me that owing to the difficulties which this Agency has had in the past with Potlatch that we must have a large amount of correspondence on file in regard to it, and it was not possible for me to go through all these files before taking action. However, I am hoping now that I know this matter is left in your hands, that the Department will refer it to you and I assure you in future I will be only too glad to seek your guidance and assistance in this connection.

As this matter now stands, I am awaiting instructions from the Department, but I understand the Indians are now seeking legal advice, and sooner or later a showdown will be necessary. Mr. Newnham has returned here from his leave, and I spoke to him about the statement which Billy McDuff made and told him this Indian had taken an affidavit to the effect that he did get permission from him. Mr. Newnham at first said he did not give him permission and then afterwards stated that he had discussed the matter with McDuff but had not told him he could distribute the flour. Constable Bartlett advises me at the time the flour was distributed in Alert Bay a year ago, he and Constable DeWitt of the Provincial Police saw the flour being distributed, and reported it to Mr. Newnham immediately, and Mr. Newnham's reply to him was that "it was too late now, nothing could be done", and the distribution was allowed to be completed without interference. This took place after dark and the flour was unloaded on a small float in front of Moses Alfred's house on the Nimpkish reservation.

I am merely giving you this information so that you will know exactly what Billy McDuff has been doing previously and also how the giving away has been permitted in this Agency. I have read Section 140 of the Indian Act over so many times that I can almost repeat it by heart and yet I am unable after going through all the files and correspondence which we have here, to determine the proper interpretation of it, as there have been so many conflicting views expressed, legal and otherwise.

This has been my first experience and I am trying to go as cautiously as I can because I do not wish to involve the Department in any avoidable difficulty, but when Billy McDuff

came to me

MAR 19 1934
VICTORIA, B. C.

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AFFAIRES INDIENNES

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came to me and asked me for permission to distribute this flour to the Kingcome Indians, stating he had purchased it and it was to complete his flour potlatch, I did not see how I could take any other course than I did. My contention is the fact that he admitted to me that this flour was for the purpose of completing his potlatch and that it was contrary to Section 140 of the Indian Act. There is no doubt that if he should obtain legal advice that we would have some difficulty in the matter, as the legal profession are able to twist things around and sometimes find a way out. I would like, however, to have your advice on the following:-

When McDuff admitted to me this flour was purchased for a Potlatch, has the Department authority to seize the flour or has McDuff committed an offence contrary to Section 140 of the Indian Act?

Is it possible to seize goods when it is known these are being held for a Potlatch?

Can an Indian belonging to one reserve take goods by a boat to another reserve and distribute them, providing he does not go ashore?

If there is any information or advice which you can give me in the meantime before we receive instructions from Ottawa, I would appreciate it very much. So far this is the only thing which has given me any difficulty, and from my observations in going through all the files and records we have since the last fifteen years, this is going to be one of my major problems here, and I am anxious to get all the information and instructions possible so that I can deal with it according to your wishes in the matter.

In future, you can rest assured that I will be only too glad to get in touch with you on anything which comes up before anything is done whatsoever.

Yours truly,

(M. S. Todd)
Indian Agent

MST/T

C.C. Perry, Esq.,
Asst. Commissioner for B.C.,
Department of Indian Affairs,
Victoria, B.C.

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152/6/33718.

March 13, 1934.

Dear Sir:-

I wish to acknowledge receipt of copy of your letter dated March 10th and enclosures as sent to the Department by you under File No. 4 in connection with certain phases of the Indian potlatch.

I have read the same very carefully and it seems rather unfortunate that the course which has been taken by you is somewhat in conflict with the instructions which have been given previously by the Department in that the matter should have been referred to this office instead of to the Department it having been arranged during the regime of Mr. Newnham, as possibly you will find on reference to your file, that the matter of attention to the developments relating to the Indian potlatch should be attended to from this office, the officers here being expected to act in concert with the Indian Agent at Alert Bay in dealing with the situation.

It seemingly would have been better had the Department referred to its own file and had referred you to myself in this connection. In view, however, of the contents of the Department's wire to you, which appears to me to be a very safe one for the Department to send, it seems best that you should now await the Department's reply to your enquiry because if I were to interfere at this stage I would feel it to be encumbent upon me to countermand the acquiescence given by the Department that the flour should be distributed to the Indians whether indigent or otherwise. It is my opinion that this Department should have no hand in the distribution of materials which have been purchased with potlatch money as it would seem at least to give the appearance of the Department being in accord with the distribution as long as its consent was obtained. Such attitude would be similar to that which in your letter it is stated the Indians have credited to Mr. Newnham. It is my view that no Indian Agent should indicate his approval in any way of such distribution whether the same is attended by ceremony or otherwise.

Possibly the Department may refer the question to this office and if so I will give you further instructions at a later date. If I do not hear from the Department, however, I shall assume that the Department may wish to give you directions independently of this office. I would suggest that you look up your file on this matter when you will note the instructions given to Mr. Newnham in this connection.

Your obedient servant,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for
B. C.

M.S. Todd, Esq.,
Indian Agent,
Alert Bay, B. C.

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I wish to acknowledge receipt of copy of your letter dated March 10th and enclosures as sent to the Department by you under File No. 4 in connection with certain phases of the Indian potlatch.

I have read the same very carefully and it seems rather unfortunate that the course which has been taken by you is somewhat in conflict with the instructions which have been given previously by the Department in that the matter should have been referred to this office instead of to the Department it having been arranged during the regime of Mr. Newnham, as possibly you will find on reference to your file, that the matter of attention to the developments relating to the Indian potlatch should be attended to from this office, the officers here being expected to act in concert with the Indian Agent at Alert Bay in dealing with the situation.

It seemingly would have been better had the Department referred to its own file and had referred you to myself in this connection. In view, however, of the contents of the Department's wire to you, which appears to me to be a very safe one for the Department to send, it seems best that you should now await the Department's reply to your enquiry because if I were to interfere at this stage I would feel it to be encumbent upon me to countermand the acquiescence given by the Department that the flour should be distributed to the Indians whether indigent or otherwise. It is my opinion that this Department should have no hand in the distribution of materials which have been purchased with potlatch money as it would seem at least to give the appearance of the Department being in accord with the distribution as long as its consent was obtained. Such attitude would be similar to that which in your letter it is stated the Indians have credited to Mr. Newnham. It is my view that no Indian Agent should indicate his approval in any way of such distribution whether the same is attended by ceremony or otherwise.

Possibly the Department may refer the question to this office and if so I will give you further instructions at a later date. If I do not hear from the Department, however, I shall assume that the Department may wish to give you directions independently of this office. I would suggest that you look up your file on this matter when you will note the instructions given to Mr. Newnham in this connection.

Your obedient servant,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for
B. C.

M.S. Todd, Esq.,
Indian Agent,
Alert Bay, B. C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

File No.4

COPY

OFFICE OF
INDIAN AGENT
Alert Bay, B.C.,
March 10, 1934.

Dear Sir:-

Enclosed please find sworn statement of Billy McDuff, Indian of the Kwawkewlth Band of the Kwawkewlth Agency living at Fort Rupert Reserve No.1, together with unconditional release of all his rights and interests in the said three hundred sacks of flour referred to in my wires of March 6th and 7th and your reply of the same date. You will also find enclosed another sworn statement in which the said Billy McDuff claims the late Acting Indian Agent, Mr. E.G. Newnham, gave him permission to distribute flour to different tribes. I am forwarding all these documents for the Department's perusal as they all have bearing on this particular case, and I am going to ask the Department for a ruling as there seems to be a wrong impression amongst the Indians in regard to Section 140 of the Indian Act.

In order that the Department will clearly understand this case, I wish to explain it from the beginning. On Tuesday, March 6th, while holding a general meeting of the Kwawkewlth Band at Fort Rupert, the matter of potlatching came up and I read Section 140 of the Indian Act which covers this and explained the same. There have been rumours recently that some celebrations have been going on in different parts of the Agency, but as it is so hard to get evidence to prove anything, I felt the time was ripe when I should make myself clear to head off any trouble which might later arise.

It was during this discussion that the said Billy McDuff admitted to me he had purchased and paid for three hundred sacks of flour from the Co-operative Store at Sointula, and was holding it there waiting for good weather to enable him to transport the same to Kingcome Inlet for distribution to the four tribes who are living there. He asked me first to get permission to make the distribution; this I told him I could not do, and pointed out to him that I would be an accessory to the offence were I to give him this permission. He then stated he did not wish to have anything further to do with it, and asked me if I would not take the flour over and make the distribution myself. This I told him was also impossible, unless he turned the flour over unconditionally to the Department to do with it as they saw fit. I told him I would give him a reply as quickly as I could, and in the meantime instructed him to have nothing further to do with it, which has been complied with.

Upon my return to Alert Bay at 9 P.M., I sent the following wire to the Department:-

2 Have definite information three hundred sacks of flour stored warehouse Sointula, B.C. to be used for potlatch. Indian purchaser admitted to me this to be used for potlatch on reservation other than his own. Advise if I can seize it. Wire full instructions."

COMMISSIONER'S OFFICE
MAR 18 1934
VICTORIA, B. C.

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The following morning a second wire was forwarded, as follows:-

"Have good friendly relations and confidence all Indians my charge. Do not wish disturb this. Indian voluntarily offers turn flour over to me for distribution amongst Kingcome Inlet Indians as relief who are in need. Advise by wire if this can be done."

Your reply was received on the same date, as follows:-

"May distribute flour Kingcome Indians provided no obligation to Department."

On March 8th the said Billy McDuff, accompanied by the Chief of the tribe and three other principal Indians of the Kwawkewlth Band, came to Alert Bay at my request in order that this situation could be definitely settled. The enclosed documents were drawn up and interpreted and signed in the presence of all those attending the meeting. It was brought out at the meeting that other Indians had been given permission to distribute their goods and the general impression is that they could go to the Indian Agent and if his consent was given, they could make this distribution without breaking the law. The fact that this apparently has been done makes it necessary that I should get a ruling from the Department in regard to Section 140 of the Indian Act. This Section of the Act is rather ambiguous, and I would ask the Department to give me a ruling on the following:-

1. Has any Indian Agent authority to give any Indian permission to distribute goods to another Indian on his own reserve?

2. Has any Indian Agent authority to give any Indian permission to distribute goods to another Indian on a reserve other than his own?

3. If not, has an Indian Agent authority to seize goods stored on an Indian's own reserve, another reserve, or off a reserve which are proven to be for potlatch distribution?

Complications have arisen through the apparent belief by the Indian Agent that these goods could be given away when accompanied by a dance or ceremony, but this is not the case, as it is well known and has been admitted to me many times by Indians that the custom would not be complete by merely the giving away; that a dance or ceremony must take place sometime, either before or after, and to get around the Act they have sometimes held their dances a year or so before the giving away or possibly several years afterwards. By doing this it is difficult to connect the two, and therefore get sufficient evidence to get a conviction. I am at present in possession of information which is authentic that several Indians who are due for a potlatch have their goods collected and stored in buildings waiting an opportune time, and they are of the opinion if they come to me and ask permission that they will receive it and will be within the law in making the distribution.

I am of the opinion the time has come when the Indian Act should be revised. Section 140 of the Indian Act as it stands today does not deal adequately with the difficulties and problems which we have to face. Most Indians whom you talk to, that is the more intelligent ones, would like to quit the potlatch but through the force of circumstances which they are bound up in and which are so far-reaching, makes it impossible

for them

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for them to do so unless some definite arrangement could be made for all Indians to give it up at the same time. I understand there is a movement on now in my Agency and possibly it will extend to many other Agencies in British Columbia, to see if there is not some way that the Indians can agree amongst themselves to quit the potlatch. They claim if they were given permission and certain privileges that they could clear it all up in three years time. They say it is absolutely impossible to do it at once as they are so bound by debts and social customs that it would take this time to free themselves entirely and they feel it a point of honour that these debts should be paid and their obligations fulfilled.

Personally I am of the opinion that the potlatch will die a natural death, possibly within the next ten to fifteen years, as the younger generation who are growing up and now being educated do not take any interest in it at all and when these old people pass on it will automatically cease. In the meantime, however, we will have to deal with it, and while I am sympathetic towards their viewpoint, yet the Act must be enforced.

The position at the present time is that we have taken over unconditionally three hundred sacks of flour which Billy McDuff purchased for the purpose of making this distribution, and I am of the opinion it would be a grave mistake to distribute this flour to the Kingcome Indians or in fact any other Indians of the Agency, for this reason:- It was not made known to me until after I had wired the Department that he had already distributed to four other tribes, and Kingcome was the last, which would have completed this part of his potlatch. In view of this, it appears to me I would be placing myself in this position - I would complete this part of his potlatch by distributing to these Indians when they are the only ones left who have not received it, and by so doing would help him to evade the penalty of the law and yet fulfil his obligations.

What I would like to do, and which I would ask the Department to approve, if it would be legal, for the Department to sell this flour back to the storekeeper from whom this Indian purchased it, pay all expenses in connection with this case, the balance of the money to be placed in a Trust Fund to be used for general benefit to all Indians in this Agency with favour to none, all money to be expended only with the approval and authority of the Department.

I would like to point out to the Department that this particular case has very far-reaching effects and the decision reached by the Department will have a very important bearing on this phase of the work here. I would request, therefore, that serious consideration be given to the whole matter, and if possible, adopt the course I have suggested. If this cannot be done, kindly advise what procedure should be followed.

I trust the Department will bear with me in this somewhat lengthy matter as this is the first snag which I have encountered since taking over the Agency and as friendly relations have been established with the Indians, I do not wish to do anything to lose their confidence but at the same time I realize that the Act must be enforced. I am hoping, however, that the situation may be dealt with in such a way that my prestige may be in no way affected or the authority of the Department diminished.

Your obedient servant,

M S Todd

(M. S. Todd)
Indian Agent

MST/T

The Secretary,
Department of Indian Affairs,
Ottawa, Canada.

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Alert Bay, B.C.,
March 8, 1934.

I, the undersigned, BILLY McDUFF, Indian of the Kwawkewlth Band of the Kwawkewlth Agency, living at Fort Rupert Reserve No. 1, admit that on Tuesday, March 6, 1934 at Fort Rupert -

I did confess and admit to M.S. Todd, Indian Agent for the Kwawkewlth Agency, in the presence of the following: Mrs. Jane Cadwallader, Interpreter, Chief Tom Johnson of the Kwawkewlth Band, and all Indians present at a general meeting held in Chief Tom Johnson's house on the day and date above mentioned, that -

I have purchased and paid for Three Hundred sacks of flour from the Sointula Co-operate Store, Sointula, B.C. and the said flour is now stored in the Warehouse of the Sointula Co-operative Store.

I further confess and admit this flour was purchased with the intention of distributing same to Indians now living at Kingcome Reserve No.7, contrary to Section 140 of the Indian Act.

I, the undersigned, did further state to M.S. Todd, Indian Agent, that I was not aware it was breaking the law to make this distribution when unaccompanied by a dance and when he read and explained Section 140 of the Indian Act, I stated I did not want to have anything further to do with making the distribution of flour, and asked him if he would permit me to turn all the said flour over to the Department of Indian Affairs for them to distribute as they saw fit to destitute Indians of this Agency as relief.

I further state the Indian Agent said he would consider the matter and advise me in a short time of his decision and gave me instructions to not in any way interfere or remove the said flour from the Warehouse of the Sointula Co-operative Store where it is now stored.

Sworn before me at Alert Bay,
in the Province of British
Columbia, this 8th day of
March, A.D. 1934.

M.S. Todd

Indian Agent
Stipendiary Magistrate,
in and for the Province of B.C.

X Billy McDuff (his mark)

Witnesses { Jane Cook
D.M. Thompson

I hereby swear that the above document has been interpreted from English into my own language by Mrs. S. Cook, Interpreter, and that I fully understand the contents and have signed the same of my own free will.

Sworn before me at Alert Bay,
in the Province of British
Columbia, this 8th day of
March, A.D. 1934.

M.S. Todd

Indian Agent
Stipendiary Magistrate.
in and for the Province of
British Columbia.

X Billy McDuff (his mark)
D.M. Thompson
witness

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Alert Bay, B.C.,
March 8, 1934.

I, BILLY McDUFF, do hereby release and forfeit unconditionally all my rights and interests in the said Three Hundred sacks of flour purchased from the Sointula Co-operative Store, Sointula, B.C., now stored in the Warehouse of the said Store at Sointula.

The said Three Hundred sacks of flour shall from this date become the property of the Department of Indian Affairs to be held in trust by M.S. Todd, Indian Agent for Kwawkewlth Indian Agency, awaiting instructions from the Department of Indian Affairs as to its disposal as they see fit.

I hereby swear that the above document has been interpreted from English into my own language by Mrs. S. Cook, Interpreter, and that I fully understand the contents and have signed the same of my own free will.

Sworn before me at Alert Bay, in the Province of British Columbia, this 8th day of March, A.D. 1934.

M.S. Todd

Indian Agent
Stipendiary Magistrate
in and for the Province of
British Columbia.

X Billy McDuff (his mark)

Witnesses { Jane Cook
D.M. Thompson

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Alert Bay, B.C.,
March 8, 1934.

I, the undersigned, BILLY MCDUFF, Indian of the Kwawkewlth Band, Kwawkewlth Agency, make oath and say:-

That on or about the 18th of March, 1933, I did go to the Indian Office at Alert Bay accompanied by Charles Nowell as Interpreter, an Indian of the Kwawkewlth Band and in his presence did ask the then Acting Indian Agent, Mr. E.G. Newnham, for permission to distribute flour to the Mamalill-ikulla, Tanakteuk, Klowitsis and Nimpkish and Kingcome tribes, and the said Acting Indian Agent did give me permission to distribute this flour to the above mentioned tribes so long as it was not accompanied by dancing, singing or speeches.

Sworn before me at Alert Bay in the Province of British Columbia, this 8th day of March, A.D. 1934,

. . . . . .

Indian Agent
Stipendiary Magistrate
in and for the Province of
British Columbia.

X Billy McDuff (his mark)

witnesses { Jane Cook
D M Thompson

I hereby swear that the above document has been interpreted from English into my own language by Mrs. S. Cook, Interpreter, and that I fully understand the contents and have signed the same of my own free will.

X Billy McDuff. (his mark)

Sworn before me at Alert Bay in the Province of British Columbia this 8th day of March, A.D. 1934.

. . . . . .

Indian Agent
Stipendiary Magistrate
in and for the Province of
British Columbia.

witnesses { Jane Cook
D M Thompson

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Alert Bay, B. C.,
August 17, 1933.

Your file 152-6-30668
Our file 4

Dear Sir,-

I am in receipt of your letter dated August 11th enclosing copy of one dated August 8th addressed to you by Rev. C.K.K. Prosser of Alert Bay, on perusal of which I am inclined to believe that the issue has been somewhat confused, unless it be that Church authorities consider that no one has a right to criticize their attitude.

All that was required in this matter was for Church authorities to be requested to refrain from giving Indians the slightest encouragement in their potlatch ceremonies, and I am convinced that the encouragement which has been given in the past is largely responsible for these pernicious habits being continued in this Agency long after they have been abandoned elsewhere, and the action of Church authorities has been tantamount to what my action would be were I to go round amongst the Indians and persuade them to refrain from attending the Anglican Church ceremony.

However there are no potlatch ceremonies taking place at the present time, and the matter will of course receive the necessary attention if another potlatch season should be re-opened. I do not believe, however, that the Department requires me in dealing with this or other matters apertaining to law and order, to give any attention to the susceptibilities of Church authorities or others who may have the misguided idea that where Indians are concerned, the law should not be enforced. This of course refers to matters which require direct action and the direct enforcement of the Act in which there would be neither the time nor the necessity for me to refer to the Department for advice or guidance.

I note that Mr. Prosser states that "my protest having been made, the matter may now drop". This I do not quite understand but naturally were I to go around and obstruct Ministers and other Church workers in their missionary work, no doubt they would resent my actions to the same extent that I do those of the Columbia Anglican Diocese in this particular matter.

Your obedient servant,
E.G. Newnham
(E.G. Newnham)
A/Indian Agent

EGN/T

C.C. Perry, Esq.,
Asst. Commissioner for B.C.,
Department of Indian Affairs,
Victoria, B.C.

COMMISSIONER'S OFFICE
AUG 21 1933
VICTORIA, B. C.

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

IN YOUR REPLY REFER TO
No. 6244-4
ALSO TO THE DATE OF THIS LETTER
PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS
CANADA

August 15, 1933.

Sir:-

I have to acknowledge receipt of your letter of the 8th instant, No. 152/6/30592, with reference to complaints made by Mr. Newnham as to the alleged encouragement given by Rev. C.K.K.Prosser to Indians to carry on the Indian ceremony known as the Potlatch, and I am obliged for the information contained therein.

Your obedient servant,

A. F. MacKenzie

A.F.MacKenzie.
Secretary.

C.C.Perry,Esq.,
Asst.Indian Commissioner,
Victoria,B.C.,

COMMISSIONER'S OFFICE
AUG 21 1933
VICTORIA, B. C.

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152/6/30667.

August 11, 1933.

Reverend and dear Sir:

I desire to acknowledge receipt of your letter of August 8th in which you have requested to allow the matter of a complaint made by the Acting Indian Agent Mr. Newnham concerning your interest in the Indian potlatch ceremonies to drop and in which you have also expressed your appreciation of the good work that has been done by Mr. E.C. Newnahm, as Acting Indian Agent at Alert Bay. In reply thereto I beg to say that I am greatly pleased to receive this letter from you. I can assure you that I would have been glad to assist both yourself and Mr. Newnham in endeavoring to bring about a mutual understanding in regard to your respective attitudes. I recently suggested to Mr. Newnham that it would be advisable that he should meet you personally and discuss the matter with you as I consider this would have been preferable to the development of a heated controversy on a matter having such deep and enigmatic aspects as those believed to be embraced in the Indian ceremonies. Possibly Mr. Newnahm may have discussed this matter with you and I hope he has done so. In any event your letter is most gracious and is fully appreciated.

Respectfully yours,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

Rev. C.K.K. Prosser,
Alert Bay,
B.C.

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(COPY)

Alert Bay

Aug 8th 1933

Dear Sir,

A letter from the Secretary of the Dept. of Indian Affairs informs me that he has referred to you a matter on which I wrote to him. No doubt you have all the correspondence.

I realise that your time is too valuable to be taken up by trivial matters, and as far as I am concerned, my protest having been made, the matter may now drop.

While I am writing I should like to add an appreciation of the good work that has been done by Mr. E.G. Newnham as Acting Indian Agent here.

Yours faithfully

"C.K.K. Prosser."

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C 5 1 0 0 0

152/6/30666.

August 11, 1933.

Dear Sir:

I have the honor to refer further to Departmental letter No. 6244-4, dated August 1st, instant, referring to the report of Acting Indian Agent E.G. Newnham, Alert Bay, Kwawkewlth Agency, concerning allegations of encouragement given by Reverend Mr. Prosser to Indians engaged in the pursuit of the Indian ceremonies known as the Potlatch. No doubt the Department will have received my letter of August 8th in this connection.

I now beg to report that I have today received from Reverend Mr. Prosser a letter dated August 8th, instant, copy of which is sent herewith, by which it will be seen that he is desirous that the matter should drop and referring to his appreciation of the work that is being done by Mr. E.G. Newnham at Alert Bay. I have acknowledged this letter and herewith transmit copy of my reply to Reverend Mr. Prosser. It is considered that correspondence on this subject should now be discontinued as the voluntary action of the complainant in dropping the case appears satisfactory.

Your obedient servant,

Encl
P/AC

C. C. Perry,
Asst. Indian Commissioner for B.C.

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

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152/6/30666.

August 11, 1933.

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Your obedient servant,

Encl
P/AC

C. C. Perry,
Asst. Indian Commissioner for B.C.

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

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152/6/30666.

August 11, 1933.

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I now beg to report that I have today received from Reverend Mr. Prosser a letter dated August 8th, instant, copy of which is sent herewith, by which it will be seen that he is desirous that the matter should drop and referring to his appreciation of the work that is being done by Mr. E.C. Newnham at Alert Bay. I have acknowledged this letter and herewith transmit copy of my reply to Reverend Mr. Prosser. It is considered that correspondence on this subject should now be discontinued as the voluntary action of the complainant in dropping the case appears satisfactory.

Your obedient servant,

Encl
P/AC

C. C. Perry,
Asst. Indian Commissioner for B.C.

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

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152/6/30668.

August 11, 1933.

Sir:

I am enclosing herewith for your information copy of a letter dated August 8th, instant, received at this office from Rev. C.K.K. Prosser. This letter will be self explanatory.In view of this communication it is considered that the matter under discussion should be dropped in accordance with Rev. Mr. Prosser's wishes. You will note that he has spoken kindly of your work at Alert Bay and apart from the issue which recently arose it is noted that you have also spoken well of your contacts with Rev. Mr. Prosser.

The matter of the Indian potlatch ceremonies is one that is being given careful consideration and attention and no doubt the action to be taken by the Department and officers in the future will be governed by conditions as they may arise. You are requested to report to this office any matter that may arise in connection with the activities of the Indians along the lines of the Indian potlatch at which time your representations will be given careful consideration and you will receive instructions as to what action is to be taken in dealing with the situation.

Your obedient servant,

Encl
P/AC

C. C. Perry,
Asst. Indian Commissioner for B.C.

E. G. Newnham, Esq.,
A/Indian Agent,
Alert Bay, B.C.

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152/6/30668.

August 11, 1933.

Sir:

I am enclosing herewith for your information copy of a letter dated August 8th, instant, received at this office from Rev. C.K.K. Prosser. This letter will be self explanatory.In view of this communication it is considered that the matter under discussion should be dropped in accordance with Rev. Mr. Prosser's wishes. You will note that he has spoken kindly of your work at Alert Bay and apart from the issue which recently arose it is noted that you have also spoken well of your contacts with Rev. Mr. Prosser.

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Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

Encl
P/AC

E. C. Newnham, Esq.,
A/Indian Agent,
Alert Bay, B.C.

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Alert Bay

Aug 8th 1933

COMMISSIONER'S OFFICE
AUG 11 1933
VICTORIA, B. C.

Dear Sir.

A letter from the secretary of the Dept. of Indian affairs informs me that he has referred to you a matter on which I wrote to him. No doubt you have all the correspondence.

I realise that your time is too valuable to be taken up by trivial matters, and as far as I am concerned, my protest having been made, the matter may now drop.

While I am writing I should like

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to add an appreciation of the good work that has been done by Mr S. G. Newnham as acting Indian agent here.

Yours faithfully

C.K.K. Prosser.

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152/6/30592.

August 8, 1933.

Sir:-

I have the honor to acknowledge receipt of Departmental letter No. 6244-4, dated August 1st, instant, in regard to the report of Acting Indian Agent E.G. Newnham, dated July 18th, ultimo, as covered by my letter to the Department dated July 22nd, ultimo, with further reference to complaints made by Mr. Newnham as to the alleged encouragement given by Rev. C.K.K. Prosser to Indians to carry on the Indian ceremony known as the Potlatch.

In reply thereto I beg to say I regret very much that my letter of July 22nd was not such as to please the Department, inasmuch as I had refrained from expressing comment and opinion upon the statements made by Mr. Newnham. I now wish to explain that as the Department has commenced correspondence with the Church authorities for which purpose it had made request for their addresses, I assumed at the date of writing that it would be quite proper for me to allow the Department to consider the action taken here following its instructions, and to await further directions. I also felt that the Department might have preferred to continue its correspondence with the Church authorities instead of my doing so.

The Department now having requested my comment and opinion, I beg to state that I have every confidence in His Lordship Bishop Schofield and believe he can be trusted to work in fullest accord with the Department in its reasonable efforts to prevent infractions of the law by the Indians. I recently discussed the situation with His Lordship, and ascertained from him that both he and Reverend Mr. Prosser had been making a study of the aboriginal customs of the Indians and His Lordship expressed the hope that it may be possible at a later date to discuss the feasibility of modifying the opposition of the Government to certain phases of the Indians' ceremonies in which it may be shown there is little or no harm to anyone.

I feel that there may be little or no actual harm done by any ministers or other white people attending the Indian dances. The objection comes more from the fact that our officers are expected to enforce Section 140 of the Indian Act while Reverend Mr. Prosser is reported to have donned Indian regalia and thereby given encouragement to the dances, the latter being held by Mr. Newnham to be closely associated or connected with the illegal act of giving away presents which is forbidden by the Section referred to.

There does not appear to be anything illegal about the carrying on of Indian dances in a reserve. It is quite possible that Reverend Mr. Prosser is aware of this. Nor do I think the presence of a minister at such a dance would have anything but a good effect as long as the performance was a dance and nothing

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INDIAN AFFAIRS
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The objection of our official is to the obvious effect upon the Indians, of a minister of the Church donning Indian regalia at dances which may or may not be associated with the giving away of presents - an unlawful act. The view of Mr. Newnham is that while the object in attending such dances may be quite free from ill intent, nevertheless the effect on the Indian mind might easily be the impression that the Church is in favor of the Indian potlatches as well as of the dances, while actually the Church authorities may see no great harm in the dances alone.

As to Mr. Newnham being able to prove, however, that Reverend Mr. Prosser is guilty of wilfully encouraging the Indians to break the law, this is another matter. He has not so far done so, and I doubt if he will ever be able to do so. I endeavoured to induce Mr. Newnham to meet Reverend Mr. Prosser and try to make the position quite clear. Mr. Newnham's response, however, is that he cannot see that any good purpose would be served by doing so as he has discussed the situation with him previously and it would be futile to expect him to "approve of the intent and meaning of the Section 140 Indian Act."

In my letter of May 16th, last, I pointed out that it must be left to the discretion of the Department as to whether it is deemed advisable to call to the attention of the respective bishops the question as to whether we could expect closer co-operation from their missionaries in an effort to suppress the heathen practices of the Indians served by them, at the same time pointing out that attendance at these celebrations is not illegal but that such attendance does not give the moral support to the officers of the Department in their endeavour to eliminate these practices from the social activities of the Indians.

Not having been supplied with copies of the correspondence which has passed between the Department and the Church authorities, nor with copies of the letters referred to by Reverend Mr. Prosser in his letter to the Department of June 29th, last, I cannot, of course, give my opinion as to whether Reverend Mr. Prosser in asking for proof or withdrawal is reasonable in the circumstances. I feel, however, that as a Christian Minister he should not evade the admission of the possible and probable effect of his presence at the Indian festivals if he attended them, by an attempt to justify himself from a strictly legal viewpoint. Even were it to be admitted that Mr. Prosser has not actually encouraged the Indians to break the law; his continued attendance at the dances as a spectator or student in Indian regalia may still be reasonably believed to have done more harm than good. In this I am in accord with Mr. Newnham, and I believe that the Bishops will be willing to respect and comply with the wishes of the Department if they are satisfied that the attendance by any of the clergy acting under their jurisdiction is a stumbling block to the social and religious progress of the Indians, apart from any question of law that may be involved.

As Mr. Newnham has, in the third paragraph of his

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letter....

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> "The Reverend C.K.K. Prosser, Anglican Minister "at Alert Bay, was present at Village Island the first "week of the celebrations, two weeks ago, and stated that "he had attended all the dances given at that time and "everything seemed to be conducted in an orderly and "lawful manner."

The above was in connection with a special investigation by the Royal Canadian Mounted Police in March, 1932, and the officer reported further as follows:-

> "At no time during this investigation has the "slightest evidence been found to substantiate the "reports that the Indians were holding a potlatch. "They were open and above board in everything and "were only too willing to explain things to our "satisfaction, and, in my opinion, the Indian Act "has not been violated in any way."

Awaiting your further instructions.

Your obedient servant,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

The Secretary,
Department of Indian Affairs,
Ottawa.

INDIAN AFFAIRS
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RG 10, C-II-2, vol 11297

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152/6/30692.

August 8, 1933.

Sir:-

I have the honor to acknowledge receipt of Departmental letter No. 6244-4, dated August 1st, instant, in regard to the report of Acting Indian Agent E.G. Newnham, dated July 18th, ultimo, as covered by my letter to the Department dated July 22nd, ultimo, with further reference to complaints made by Mr. Newnham as to the alleged encouragement given by Rev. C.K.K. Prosser to Indians to carry on the Indian ceremony known as the Potlatch.

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Awaiting your further instructions.

Your obedient servant,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for B.C

The Secretary,
Department of Indian Affairs,
Ottawa.

INDIAN AFFAIRS
AFFAIRES INDIENNES

RG 10, C-II-2, vol. 11297

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

IN YOUR REPLY REFER TO
No. 6244-4
ALSO TO THE DATE OF THIS LETTER
PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS
CANADA

52/6/30277

August 1, 1933.

Sir:-

I have to acknowledge receipt of your letter of the 22nd ultimo enclosing copy of report from Acting Indian Agent Newnham concerning the alleged encouragement given by Rev. C.K.K.Prosser of Alert Bay, to the performance of the Indian potlatch.

I cannot agree with you that the Acting Indian Agent's letter is self-explanatory as it sets forth his side of a controversial question, together with his recommendation as to action.

I may add that in the ordinary course of official procedure the department would have expected to have had the benefit of your comment and opinion as to the report of the agent, particularly in a matter of the kind above referred to which is somewhat delicate.

Your obedient servant,

A.F.MacKenzie.
Secretary.

C.C.Perry,Esq.,
Asst.Indian Commissioner,
Victoria,B.C.

COMMISSIONER'S OFFICE
AUG 7 1933
VICTORIA, B. C.

RG 10, C-11-2, vol. 11297
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Archives nationales du Canada

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

IN YOUR REPLY REFER TO
No. 6244-4

ALSO TO THE DATE OF THIS LETTER

PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS
CANADA

July 18,1933.

Sir:-

I am enclosing herewith for your information copy of a letter that has been forwarded to the Rev. C.K.K.Prosser, Rector of Christ Church, Alert Bay, B.C., with reference to his attendance at Indian potlatch celebrations.

Your obedient servant,

A. F. MacKenzie.
Secretary.

C.C.Perry,Esq.,
Asst.Indian Commissioner,
Victoria,B.C.,

encl

COMMISSIONER'S OFFICE
JUL 25 1933
VICTORIA, B. C.

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6244-4

July 18, 1933.

Rev. Sir:-

I have to acknowledge receipt of your letter of the 27th ultimo with reference to your attendance at Indian potlatch celebrations, and in reply thereto I have to advise you that this matter has been referred to the Assistant Indian Commissioner at Victoria.

Your obedient servant,

A.F.MacKenzie.
Secretary.

Rev. C.K.K.Prosser, M.A.,
Rector of Christ Church,
Alert Bay,
B.C.,

COMMISSIONER'S OFFICE
JUL 25 1933
VICTORIA, B. C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT
Alert Bay, B.C.,
July 15, 1933.

Your file 152-6-30180
Our file 411-1

Dear Sir,-

In reply to your letter dated July 10 re the above, I beg to state that a complete report can be forwarded to you by next mail. The matter referred to therein can be substantiated by B.C. Provincial Police and a number of Indians of this Agency who are now scattered. It will be remembered that I originally called in Church Authorities soon after arrival here with a view to them using their influence in illiminating potlatch celebrations, but this did not have the desired result. It was not considered by me that the Minister referred to knew very much about the matter and that his attitude and moral encouragement he had given was more the result of ignorance than otherwise, but there is no doubt that the slightest encouragement given by any Minister of the Gospel in this connection renders the whole matter unnecessarily difficult to deal with.

Your obedient servant,
E.G. Newnham
(E.G. Newnham)
A/Indian Agent

EGN/T

C.C. Perry, Esq.,
Asst. Commissioner for B.C.,
Department of Indian Affairs,
Victoria, B.C.

COMMISSIONER'S OFFICE
JUL 18 1933
VICTORIA, B. C.

RG 10, C-II-2, vol. 11297
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152/6/30377.

July 22, 1933.

Sir:-

I have the honor to refer to Departmental letter dated July 4th, instant, No. 6244-4, with enclosure relating to the report of Acting Indian Agent Newnham concerning the alleged encouragement given by Rev. C.K.K. Prosser, of Alert Bay, to the performance of the Indian potlatch.

In the above connection I beg to transmit herewith copy of report dated July 18th, instant, received from the Acting Indian Agent, Mr. Newnham, in response to my letter to him of the 10th instant. This letter will be self-explanatory.

Your obedient servant,

P/KD.

Enclosure:-

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

The Secretary,
Department of Indian Affairs,
Ottawa.

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RG 10, C-II-2, vol. 11297

INDIAN AFFAIRS
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152/6/30377.

July 22, 1933.

Sir:-

I have the honor to refer to Departmental letter dated July 4th, instant, No. 6244-4, with enclosure relating to the report of Acting Indian Agent Newnham concerning the alleged encouragement given by Rev. C.K.K. Prosser, of Alert Bay, to the performance of the Indian potlatch.

In the above connection I beg to transmit herewith copy of report dated July 18th, instant, received from the Acting Indian Agent, Mr. Newnham, in response to my letter to him of the 10th instant. This letter will be self-explanatory.

Your obedient servant,

P/KD.

Enclosure:-

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

The Secretary,
Department of Indian Affairs,
Ottawa.

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National Archives of Canada
Archives nationales du Canada

Copy.

Office of the Indian Agent.

Alert Bay, B.C.,
July 18, 1933.

Dear Sir:-

In compliance with instructions contained in your letter dated July 10th re the above, I have the honour to report as follows:-

The Church authorities appear to have dealt with this matter in a rather roundabout way. In order to thoroughly explain my feeling in the matter, it is necessary to touch upon matters which may seem to be irrevelent. Whilst en route to Alert Bay on transfer from the Naas River in October last, the steamer on which I was travelling was joined at Hardy Bay by the Right Rev. C.C. Schofield, Bishop of this Anglican Diocese. I was introduced to His Lordship, and in the course of conversation with me he expressed his disapproval of any action being taken to suppress the old customs of the Indians. I did not pay much attention to this at the time, but have thought a lot about it since, and it has occurred to me that it would not be unnatural for clergy subordinate to him in his Diocese to have the same view point. However this report deals with the Rev. C.K.K. Prosser of Alert Bay.

Mr. Prosser is my neighbor here and I have the greatest respect for him, He undoubtedly is most sincere and endeavours to do his best under difficult conditions. There is positive proof that he has attended Indian celebrations commonly known as Potlatches, undoubtedly with innocent intentions and not illegally, and the result of this has been more harmful than he himself probably ever thought it could be, he being considered by the Indians to be an upholder of the potlatch and the general idea being that the Anglican Church supports these practices.

I would refer to paragraph 7, C.I.B. Report of Reg. No. 5394, Corporal P. Reddyhoff, R.C.M.P., dated March 11th, 1932, which mentioned Rev. C.K.K. Prosser as having attended all the tribal dances given at that time. I would also refer to paragraph 10 of my monthly report for December, 1932, touching on a mass meeting of Indians held here at which I gave them the one and only warning I intend to give them in regard to infractions of Section 140, Indian Act. This was attended by Constable C.V. Embleton, at that time in charge of the Alert Bay Detachment of the B.C. Police, who reported to his department on the proceedings; also by Rev. C.K.K. Prosser, who in my desire to depend more on the moral suasion of the Church than in drastic action by the Police, I invited to address the Indians. He did so, sympathizing with them in their desire to retain all their old customs and as I have already reported, stated "that if he had any influence with the Government he would try to have the potlatch law repealed."

Mr. Prosser might have stated this in all sincerity and in accordance with his conscientious belief, and possibly from ideas derived from the views of his Bishop, but the result of that statement has been more harmful than it was thought it would be at the time. In conversation with Mr. Prosser afterwards, I emphasized the evils accruing from unrestricted "potlatching" and the difficulty in enforcing the law in regard to it. To this Mr. Prosser replied that the "Church succeeded

where.....

C.C. Perry, Esq.,
Asst. Indian Commissioner for B.C.,
Victoria, B. C.

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where legislation failed", thus conveying the veiled suggestion that the Church was in supreme control here and not the Government. Further conversation with Mr. Prosser convinced me that it was quite futile to expect him to approve of the intent and meaning of Section 140 Indian Act, and I have not discussed the matter with him since, nor do I consider that any good purpose would be served by doing so now. However to me falls the responsibility of having the law enforced, and perhaps I am possessed of a little more knowledge of this matter than Rev. C.K.K. Prosser.

It is of course my duty to report on this situation to the Department, and I thought it might improve matters if Bishop Schofield could be officially requested to instruct Mr. Prosser to refrain from encouraging these celebrations by his attendance. Actually he has done nothing illegal but it has been my experience that Minister of the Gospel who cannot influence Indians to be law-abiding, usually refrain from doing an act which might encourage law-breaking among them.

There has been no attempt to defame Mr. Prosser's character as is suggested in his letter to the Department dated June 29th, but his attendance at tribal dances during the early part of this year has been reported on by Constable C.V. Embleton, B.C. Police, now stationed at Courtenay, B.C., also by the following Indians:- Chief Bob Harris, Tanakteuk Tribe; Chief Harry Mountain, Mamalillikulla tribe; Charles Nowell, Kwawkewlth tribe, and Herbert Cook, Nimpkish tribe; the last named describing how Mr. Prosser invariably donned a red blanket on entering the lodge; certain tribes however insist on this being done by whites whom they allow to witness their tribal dances and potlatch rites.

The potlatch season is now over and there have been none of these activities for the past two months. My relations with Mr. Prosser remain most cordial although we cannot agree in regard to the potlatch. I would request that Bishop Schofield be officially informed that Section 140 Indian Act must be enforced and requested to advise his clergy to refrain from becoming involved in any act - inadvertent or otherwise - which may lead Indians to believe that the Church is supporting them in law-breaking.

Needless to state I do not interfere with the religious liberties of the Indians, but I do resent the prevailing idea at Alert Bay that the Indian Department is subordinate to the Church, as this tends to hinder me in my work and does not tend to work out to the advantage of either. Although it is not usually desirable that two denominations should be working in one Indian village, it should be stated that in addition to the Anglican Church the Apostolic Faith Mission have also been working among the Indians at Alert Bay for the past four years. It must be admitted that the latter id doing good missionary work and is winning the Indians over gradually, their special features being to induce Indians to forsake pernicious old customs, also immorality and intemperance. Officially I extend the same courtesies to one denomination as I do to the other, and am strictly impartial.

In a recent conversation with Rev. C.K.K. Prosser, I gather that it is not likely that he will go out of his way to attend any more aboriginal celebrations. He has informed

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RG 10, C-11-2, vol 11267
INDIAN AFFAIRS
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Archives nationales du Canada

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REPEAT
REPETITION

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RG 10, vol. 11297, file 27,211-2-3, pt. 1
INDIAN AFFAIRS
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me that he does not intend to remain at Alert Bay, and will return to England as soon as possible. I would therefore suggest that his successor be fully posted as to the potlatch situation here and the evils accruing from it before he arrives here.

From information I have gathered, I learn that among these Indians the celebrations or proceedings referred to never consist solely of a tribal dance, but are always connected with unlawful acts such as giving away features, and it is probable that if necessary action is not taken, even more harmful proceedings may be reverted to, and Indians who are most prone to potlatching seize upon the slightest excuse for claiming that the Church supports them in these unlawful acts.

Your obedient servant,

"E.G. Newnham"

A/Indian Agent.

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AFFAIRES INDIENNES

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Copy.

Office of the Indian Agent.

Alert Bay, B.C.,
July 18, 1933.

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In compliance with instructions contained in your letter dated July 10th re the above, I have the honour to report as follows:-

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Mr. Prosser is my neighbor here and I have the greatest respect for him. He undoubtedly is most sincere and endeavours to do his best under difficult conditions. There is positive proof that he has attended Indian celebrations commonly known as Potlatches, undoubtedly with innocent intentions and not illegally, and the result of this has been more harmful than he himself probably ever thought it could be, he being considered by the Indians to be an upholder of the potlatch and the general idea being that the Anglican Church supports these practices.

I would refer to paragraph 7, C.I.B. Report of Reg. No. 5394, Corporal P. Reddyhoff, R.C.M.P., dated March 11th, 1932, which mentioned Rev. C.K.K. Prosser as having attended all the tribal dances given at that time. I would also refer to paragraph 10 of my monthly report for December, 1932, touching on a mass meeting of Indians held here at which I gave them the one and only warning I intend to give them in regard to infractions of Section 140, Indian Act. This was attended by Constable C.V. Embleton, at that time in charge of the Alert Bay Detachment of the B.C. Police, who reported to his department on the proceedings; also by Rev. C.K.K. Prosser, who in my desire to depend more on the moral suasion of the Church than in drastic action by the Police, I invited to address the Indians. He did so, sympathizing with them in their desire to retain all their old customs and as I have already reported, stated "that if he had any influence with the Government he would try to have the potlatch law repealed."

Mr. Prosser might have stated this in all sincerity and in accordance with his conscientious belief, and possibly from ideas derived from the views of his Bishop, but the result of that statement has been more harmful than it was thought it would be at the time. In conversation with Mr. Prosser afterwards, I emphasized the evils accruing from unrestricted "potlatching" and the difficulty in enforcing the law in regard to it. To this Mr. Prosser replied that the "Church succeeded .....

C.C. Perry, Esq.,
Asst. Indian Commissioner for B.C.,
Victoria, B. C.

where.....

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INDIAN AFFAIRS
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where legislation failed", thus conveying the veiled suggestion that the Church was in supreme control here and not the Government. Further conversation with Mr. Prosser convinced me that it was quite futile to expect him to approve of the intent and meaning of Section 140 Indian Act, and I have not discussed the matter with him since, nor do I consider that any good purpose would be served by doing so now. However to me falls the responsibility of having the law enforced, and perhaps I am possessed of a little more knowledge of this matter than Rev. C.K.K. Prosser.

It is of course my duty to report on this situation to the Department, and I thought it might improve matters if Bishop Schofield could be officially requested to instruct Mr. Prosser to refrain from encouraging these celebrations by his attendance. Actually he has done nothing illegal but it has been my experience that Minister of the Gospel who cannot influence Indians to be law-abiding, usually refrain from doing an act which might encourage law-breaking among them.

There has been no attempt to defame Mr. Prosser's character as is suggested in his letter to the Department dated June 29th, but his attendance at tribal dances during the early part of this year has been reported on by Constable C.V. Embleton, B.C. Police, now stationed at Courtenay, B.C., also by the following Indians:- Chief Bob Harris, Tanakteuk Tribe; Chief Harry Mountain, Mamalillikulla tribe; Charles Nowell, Kwawkewlth tribe, and Herbert Cook, Nimpkish tribe; the last named describing how Mr. Prosser invariably donned a red blanket on entering the lodge; certain tribes however insist on this being done by whites whom they allow to witness their tribal dances and potlatch rites.

The potlatch season is now over and there have been none of these activities for the past two months. My relations with Mr. Prosser remain most cordial although we cannot agree in regard to the potlatch. I would request that Bishop Schofield be officially informed that Section 140 Indian Act must be enforced and requested to advise his clergy to refrain from becoming involved in any act - inadvertent or otherwise - which may lead Indians to believe that the Church is supporting them in law-breaking.

Needless to state I do not interfere with the religious liberties of the Indians, but I do resent the prevailing idea at Alert Bay that the Indian Department is subordinate to the Church, as this tends to hinder me in my work and does not tend to work out to the advantage of either. Although it is not usually desirable that two denominations should be working in one Indian village, it should be stated that in addition to the Anglican Church the Apostolic Faith Mission have also been working among the Indians at Alert Bay for the past four years. It must be admitted that the latter is doing good missionary work and is winning the Indians over gradually, their special features being to induce Indians to forsake pernicious old customs, also immorality and intemperance. Officially I extend the same courtesies to one denomination as I do to the other, and am strictly impartial.

In a recent conversation with Rev. C.K.K. Prosser, I gather that it is not likely that he will go out of his way to attend any more aboriginal celebrations. He has informed

me.....

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me that he does not intend to remain at Alert Bay, and will return to England as soon as possible. I would therefore suggest that his successor be fully posted as to the potlatch situation here and the evils accruing from it before he arrives here.

From information I have gathered, I learn that among these Indians the celebrations or proceedings referred to never consist solely of a tribal dance, but are always connected with unlawful acts such as giving away features, and it is probable that if necessary action is not taken, even more harmful proceedings may be reverted to, and Indians who are most prone to potlatching seize upon the slightest excuse for claiming that the Church supports them in these unlawful acts.

Your obedient servant,

"E.G. Newnham"

A/Indian Agent.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

COMMISSIONER'S OFFICE
JUL 21 1933
VICTORIA, B. C.

INDIAN AGENT

Alert Bay, B. C.,
July 18, 1933.

Your file 152/6/30180

COMMISSIONER'S OFFICE
JUL
VICTORIA, B. C.

Dear Sir,-

In compliance with instructions contained in your letter dated July 10th re the above, I have the honour to report as follows:-

The Church authorities appear to have dealt with this matter in a rather roundabout way. In order to thoroughly explain my feeling in the matter, it is necessary to touch upon matters which may seem to be irrevelent. Whilst en route to Alert Bay on transfer from the Naas River in October last, the steamer on which I was travelling was joined at Hardy Bay by the Right Rev. C.D. Schofield, Bishop of this Anglican Diocese. I was introduced to His Lordship, and in the course of conversation with me he expressed his disapproval of any action being taken to suppress the old customs of the Indians. I did not pay much attention to this at the time, but have thought a lot about it since, and it has occurred to me that it would not be unnatural for clergy subordinate to him in his Diocese to have the same view point. However this report deals with the Rev. C.K.K. Prosser of Alert Bay.

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Your obedient servant,

E.G. Newnham

(E.G. Newnham)
A/Indian Agent

EGN/T

C.C. Perry, Esq.,
Asst. Commissioner for B.C.,
Department of Indian Affairs,
Victoria, B.C.

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152/6/30180.

July 10, 1933.

DearSir:-

Kindly find herewith copy of letter dated June 29th sent to the Department by the Rev. C.K.K. Prosser, which will be self-explanatory. The two letters referred to in the first line of this letter were not quoted in my advice to the Department, the Department in its letter to me of July 4th, No. 6244-4, states as follows:-

> "I am enclosing herewith for your attention
> "and report copy of a letter that has been
> "received from the Reverend C.K.K. Prosser,
> "Rector of Christ Church, Alert Bay, B.C.,
> "with reference to his attendance at Indian
> "potlatch celebrations."

You will note that the matter is submitted for my attention and I can only request that you kindly give the matter your careful consideration and report to me in due course thereon for the Department's information.

The correspondence has arisen as a result of your report to the Department for the month of April, last, in regard to an Anglican Minister who makes a practice of attending Indian potlatch celebrations and donning Indian regalia while present, who attends as a spectator and makes no effort to point out to the Indians the error of their way. This Minister was later represented by you as being the Rev. C.K.K. Prosser. I would suggest that you discuss this matter with Rev. Mr. Prosser personally if you think this would be the best thing to do.

Your obedient servant,

P/KD.

Enclosure:-

Chas. C. Perry,
Asst. Indian Commissioner for B. C.

E.G. Newnham, Esq.,
Acting Indian Agent,
Alert Bay, B. C.

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152/6/30130.

July 10, 1933.

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Your obedient servant,

P/KD.

Enclosure:-

Chas. C. Perry,
Asst. Indian Commissioner for B. C.

E.G. Newnham, Esq.,
Acting Indian Agent,
Alert Bay, B. C.

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Copy.

Alert Bay, B.C.,
June 29/33.

Department of Indian Affairs.

Dear Sir:-

I enclose extracts from two letters I have recrntly received. The inference from hem is obvious. There are only four Anglican "Ministers" working in this agency; Greene at Quathiaski Cove who has no connections with Indians, Govier at Port Alice, who has very little, Thompson of M.S. Columbia, who to my knowledge has never attended any Indian ceremony, and myself. Thus the Archdeacon of Vancouver suspects, my own bishop presumes, that I am the person referred to.

It seems to me a gross abuse of public position thus unjustly to defame a man's character in the eyes of his superiors.

I suggest therefore that you either:-

1. Produce from your informant proof of the truth of his statements, giving me an opportunity in so far as they refer to me to make comments,

or

B. send to the Archdeacon of Vancouver and to the Bishop of British Columbia an apology and with drawal, to me an apology, and to your informant a severe rebuke.

I have the honour to be,
Sir,
Your obedient servant,
(Sgd) C.K.K. Prosser.
Rector of Christ Church, Alert Bay.

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152/6/30179.

July 10, 1933.

Sir:-

I have the honor to acknowledge receipt of Departmental letter dated July 4th, No. 6244-4, covering copy of letter received at the Department from Rev. C.K.K. Prosser, of Alert Bay, with reference to his attendance at Indian potlatch celebrations.

In reply thereto I beg to say I have deemed it advisable to furnish Mr. E.G. Newnham, Acting Indian Agent, who reported Rev. Prosser in this connection in the first instance as previous correspondence will show, in order that he may consider the matter and make reply thereto.

I would point out that while it is unfortunate that this circumstance has arisen it would appear more desirable that the question should be thoroughly aired now with a view to correcting the conditions complained of thereby bringing about a clearer understanding for the future than that the Department should be saddled with a large amount of expense in sending a considerable number of police officers into the Alert Bay area with doubtful results.

It is apparent, of course, that any complaints such as Mr. Newnham has made involving any clergyman or any other person as being responsible in encouraging the Indians to break the law, should be truthful in every respect.

I shall do my best to bring about the best possible understanding locally in the matter insofar as this may be possible.

I may say that during the recent visit of Dr. Stone to Victoria I mentioned the matter to His Lordship Bishop Schofield in his presence and His Lordship stated that he understood that Rev. Mr. Prosser was engaged in studying the question of the Indian potlatch with a view to a conference being Held amongst the clergy on the subject some time in the future.

I have advised Mr. Newnham to see Rev. Mr. Prosser personally and discuss the matter with him if he thinks that is the best thing to do.

P/KD.

Your obedient servant,

Chas. C. Perry,
Asst. Indian Commissioner for B.C

The Secretary,
Department of Indian Affairs,
Ottawa.

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152/6/30179.

July 10, 1933.

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P/KD.

Your obedient servant,

Chas. C. Perry,
Asst. Indian Commissioner for B.

The Secretary,
Department of Indian Affairs,
Ottawa.

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

IN YOUR REPLY REFER TO
No. 6244-4

ALSO TO THE DATE OF THIS LETTER

PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS
CANADA

July 4,1933.

Sir:-

I am enclosing herewith for your attention and report copy of a letter that has been received from the Reverend C.K.K.Prosser, Rector of Christ Church, Alert Bay, B.C., with reference to his attendance at Indian potlatch celebrations.

Your obedient servant,

A. F. MacKenzie

A.F.MacKenzie.
Secretary.

C.C.Perry,Esq.,
Asst.Indian Commissioner,
Victoria, B.C.,

encl

COMMISSIONER'S OFFICE
JUL 10 1933
VICTORIA, B. C.

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copy

Department of Indian Affairs,

Alert Bay,
B.C.
June29/33.

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I have the honour to be,

Your obedient servant,

(Sgd) C.K.K.Prosser,

Rector of Christ Church,Alert Bay.

COMMISSIONER'S OFFICE
JUL 10 1933
VICTORIA, B. C.

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152/6/29995.

June 28, 1933.

Venerable Sir:-

I desire to acknowledge receipt of your letter dated June 21st, addressed to Mr. W.E. Ditchburn, Indian Commissioner.

I am replying thereto as I am now in charge of the office which was vacated last year by Mr. Ditchburn through retirement and subsequent death.

For your information I quote hereunder an abstract from the official report of Acting Indian Agent Mr. E.G. Newnham, for the month of April, last:-

> "In certain other parts of the country these "old customs which are pernicious have been prac- "tically eliminated by concentrated Missionary "effort, but unfortunately this is not so in this "Agency; in fact it is not too much to say that "these evil practices continue to flourish under "missionary encouragement. I know of at least one "Anglican Minister who makes a practice of attending "as many of these celebrations as possible and "actually dons Indian regalia while present, although "he merely attends as a spectator and makes no effort "to point out to them the error of their ways. Of "course this is not illegal, but it gives the Indians "the impression that if they flout the Government in "this regard they can rely on the support of the Church. "Indians have invited me to attend these celebrations, "but I have declined. Having witnessed many kinds of "native dances whilst on duty in another province, "they are no novelty to me, and in compliance with "Section 68, Instructions to Indian Agents, dated Ottawa, "December 15, 1926, I do not intend to countenance these "celebrations in any manner, in fact I am considering "the advisability of regarding white persons who do "attend but who do not actually violate Section 140 "themselves, as trespassers, and dealing with them under "Section 116."

I wrote to Mr. Newnham on May 2nd, requesting that he give the name of the Anglican Minister referred to in the above-mentioned report. On May 4th Mr. Newnham advised me by letter that the Minister referred to is Rev. C.K.K. Prosser.

Yours respectfully,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

The Ven. F.C.C. Heathcote, Lth.,
Archdeacon of Vancouver,
Synod Office, 198 Hastings St. W.,
Vancouver, B.C.

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152/6/29996.

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Synod Office, 198 Hastings St. W.,
Vancouver, B.C.

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THE DIOCESE OF NEW WESTMINSTER

Archbishop: THE MOST REV. A. U. DE PENCIER, D. D.
RESIDENCE: SEE HOUSE, NANTON AVE., VANCOUVER, B. C. PHONE: BAYVIEW 4286

Archdeacon of Vancouver:
THE VEN. F. C. C. HEATHCOTE, LTH.
KERRISDALE 186OL

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A. McC. CREERY, ESQ.
416 SEYMOUR ST., VANCOUVER

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LAY—J. R. SEYMOUR, ESQ.
SYNOD OFFICE

TELEPHONE SEY. 8189

SYNOD OFFICE, 198 HASTINGS STREET W.
VANCOUVER, B. C.

June 21st. 1933

W.E. Ditchburn, Esq.
Indian Commissioner for B.C.
1220 Government St.
Victoria, B.C.

Dear Mr. Ditchburn:

A letter addressed to the Rev. John Antle from Mr.A.F. Mackenzie, Dept. of Indian Affairs, Ottawa, in which he says that he has a report from the Agent in B.C. in the Alert Bay area, of an Anglican Minister who makes a practise of attending potlatches, and actually dons Indian regalia while present, although he merely attends as a spectator.

Would you mind letting me know if any such occurrence has happened within your knowledge, and the name of the minister.

Yours very truly,

F. C. C. Heathcote

Archdeacon of Vancouver.

COMMISSIONER'S OFFICE
JUN 22 1933
VICTORIA, B. C.

INDIAN AFFAIRS
AFFAIRES INDIENNES

RG 10, C-II-2, vol. 11297

National Archives of Canada
Archives nationales du Canada

152/6/29668.

June 6, 1933.

Dear Sir:

I have the honor to acknowledge receipt of your letter dated May 30th, No.6244-4, requesting to be furnished with the address of His Lordship the Bishop of Columbia and Rev. Captain Antle, Superintendent of the Columbia Coast Mission, in order that the Department may communicate with each in connection with the suppression of the Indian potlatch in the Kwawkewlth Indian Agency. In reply thereto I beg to advise that the address of Rev. John Antle is Columbia Coast Mission, Inc., Room 603--198 Hastings St. West, Vancouver, B.C.; and the address of the Bishop of Columbia is Rt. Rev. Charles D. Schofield, D.D., Lord Bishop of British Columbia, Victoria, B.C.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

IN YOUR REPLY REFER TO
No. 6244-4

ALSO TO THE DATE OF THIS LETTER

PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS
CANADA

May 30,1933.

Sir:-Re Pot-Latching - Alert Bay.

Referring to your letter of the 16th instant regarding Pot-latching in the Alert Bay District, will you kindly let me have the addresses of His Lordship the Bishop of Columbia and Rev. Captain Antle, Superintendent of the Columbia Coast Mission. Upon receipt of these addresses, we will communicate with each.

DEPARTMENT OF INDIAN AFFAIRS
JUN 5 1933
VICTORIA, B. C.

Your obedient servant,

A. F. MacKenzie.

A.F.MacKenzie.
Secretary.

C.C.Perry,Esq.,
Asst.Indian Commissioner,
Victoria,B.C.,

RG 10, C-II-2, vol. 11297
INDIAN AFFAIRS
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Archives nationales du Canada

152/6/29400.

May 16, 1933.

Sir:-

I have the honor to refer to Departmental letter No. 6244-4B, dated December 19th, 1932, and attendant correspondence in regard to thw subject of the suppression of the ceremony known as the Indian potlatch which Mr. Newnham, Acting Indian Agent, has been urging since the time of his encumbency at Alert Bay. The Department will be aware that I have counselled the slow and careful treatment of conditions alluded to in several reports and I pointed out that the expenditure of large sums of money on sending special police to the Alert Bay Agency could not be advocated as a lot of money could be spent without obtaining the desired results. The Department will probably have observed in the monthly reports of Acting Agent Newnham for December, 1932, and April, 1933, that he has complained of encouragement being given by certain clergy of the Anglican Church to the continuation by the Indians of their potlatch celebrations and in acknowledging Mr. Newnham's report for April, ultimo, I informed him that if he would give me the name of the Anglican Minister referred to in the concluding paragraph of his April report, I would communicate with the Department with a view to having the Church Authorities communicated with by the Department in connection with the matter, as it is felt to be quite useless for our Agents to be seeking enforcement of Section 140 of the Indian Act on the one hand and for Indian missionaries on the other to sympathize with the Indians and attend their ceremonies, sometimes donning their regalia in the course of their aboriginal orgies.

Mr. Newnham has written me by letter dated May 4th, copy of which is being sent herewith and will be self-explanatory.

It must be left to the Department's discretion as to whether it is deemed advisable to call attention to the respective bishops having oversight of the Columbia Coast Mission as well as the diocese of New Westminster, the question as to whether we could expect closer co-operation from their missionaries in an effort to suppress the heathen practices of the Indians served by them. It will be noted that Mr. Newnham points out in his letter that attendance at these celebrations is not illegal but that such attendance does not give the moral support to the officers of the law in their efforts to carry out the instructions of the Department to its Agents to eliminate wherever possible such practices from the social activities of the Indians.

P/KD.

Enclosure:-

Your obedient servant,

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

The Secretary,
Department of Indian Affairs,
Ottawa.

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16211 vol. 10, 0-11-2
RG 10
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National Archives of Canada
Archives nationales du Canada

152/6/29400.

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P/KD.

Your obedient servant,

Enclosure:-

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

The Secretary,
Department of Indian Affairs,
Ottawa.

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RG 10, C-11-2, vol 11297 1627

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AFFAIRES INDIENNES

National Archives of Canada
Archives nationales du Canada

Copy.

Office of the Indian Agent.

Alert Bay, B.C.,
May 4, 1933.

File 11-1.

Dear Sir:-

Replying to your letter dated May 2 re the above, I have to inform you that the name of the Anglican minister referred to in the concluding paragraph of my report for April, 1933, is Rev. C.K.K. Prosser.

As I pointed out, the actions of this gentleman in attending celebrations referred to are of course not illegal, but the moral support which is given to these pernicious practices by the Church - or I should not say the Anglican Church generally but that portion of it covered by the Diocese of Columbia, is detrimental to this matter being effectively dealt with, and I consider that if some communication is addressed to the Church authorities concerned by the Department, it would be advisable.

It has also been reported to me by Provincial Police that in connection with investigations which have been made for several years, some of the staff of the Mission Ship "Columbia" also make a practice of attending these celebrations. I would therefore suggest that this matter be taken up with the Columbia Coast Mission as well as the Diocese of Columbia.

In regard to this situation at Kingcome I would say that this action need not be taken with the Diocese of New Westminster, as from what I know of Archbishop De Pencier he is most careful to see that as far as he can all those working under his jurisdiction do nothing towards embarrassing the forces of law and order. This can also be said in regard to the United Church authorities and it is unnecessary for me to add that in other parts the old Methodist Church was largely responsible for these pernicious practices being totally eliminated.

Yours truly,

"E.G. Newnham"

A/Indian Agent.

C.C. Perry, Esq.,
Asst. Indian Commissioner,
Victoria, B. C.

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AFFAIRES INDIENNES

National Archives of Canada
Archives nationales du Canada

Copy.

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Yours truly,

"E.G. Newnham"

A/Indian Agent.

C.C. Perry, Esq.,
Asst. Indian Commissioner,
Victoria, B. C.

REPEAT
REPETITION

0 0 0 1 6 8 6

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Alert Bay, B. C.,
May 4, 1933.

Your file 3-29182
Our file 11-1

Dear Sir:-

Replying to your letter dated May 2 re the above, I have to inform you that the name of the Anglican minister referred to in the concluding paragraph of my report for April 1933, is Rev. C.K.K. Prosser.

As I pointed out, the actions of this gentleman in attending celebrations referred to are of course not illegal, but the moral support which is given to these pernicious practices by the Church - or I should not say the Anglican Church generally but that portion of it covered by the Diocese of Columbia, is detrimental to this matter being effectively dealt with, and I consider that if some communication is addressed to the Church authorities concerned by the Department, it would be advisable.

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Yours truly,
E.G. Newnham
(E.G. Newnham)
A/Indian Agent

C.C. Perry, Esq.,
Asst. Indian Commissioner,
Victoria, B.C.

MAY 9 1933
VICTORIA, B. C.

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INDIAN AFFAIRS
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National Archives of Canada
Archives nationales du Canada

3/29182.

May 2, 1933.

Dear Sir:-

I beg to acknowledge receipt of your letter dated April 29th, File 11-1, covering copy of your diary and report for the month of April, also copy of Expense Voucher No. 20 and financial statement. If you will kindly give me the name of the Anglican Minister referred to in the concluding paragraph of your report, I will communicate with the Department with a view to having the Church authorities communicated with by the Department in connection with the matter.

Your obedient servant,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

E.G. Newnham, Esq.,
Acting Indian Agent,
Alert Bay, B. C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Alert Bay, B. C.,
April 29, 1933.

File No.11-1

Dear Sir:-

I am enclosing herewith the following reports for the month of April:-

Agent's Diary,
Agent's Report,
Expense voucher No.20 for $46.30,
Financial Statement.

Trusting these will be found in order,

Your obedient servant,
E. G. Newnham

(E.G. Newnham)
A/Indian Agent

T

C.C. Perry, Esq.,
Asst. Commissioner for B.C.,
Department of Indian Affairs,
Ottawa, Canada.

COMMISSIONER'S OFFICE
MAY 2 1933
VICTORIA, B. C.

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Form 6128

CLASS OF SERVICE	SYMBOL
Day Message	
Day Letter	D. L.
Night Message	N. M.
Night Letter	N. L.

If none of these three symbols appears after the check (number of words) this is a day message. Otherwise its character is indicated by the symbol appearing after the check.

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C C PERRY

ASSISTANT INDIAN COMMISSIONER FOR BRITISH COLUMBIA

VICTORIA BC

REFERENCE YOUR LETTER TWENTY EIGHTH ULTIMO REGARDING ACTING AGENT NEWNHAMS PLANS FOR SUPPRESSION OF POTLATCH IN KWAWKEWLTH AGENCY STOP IN VIEW OF REPRESENTATIONS YOU HAVE MADE THIS WIRE WILL BE YOUR AUTHORITY TO DEAL WITH THE SITUATION AS YOU MAY DEEM PROPER AND TO ADVISE MR NEWNHAM ACCORDINGLY

A F MACKENZIE

717A APR 6

COMMISSIONER'S OFFICE
APR 6 1933
VICTORIA, B.C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT
Alert Bay, B. C.,
March 28, 1933.

Your file 152-6-28248
Our file 4.

Dear Sir:-

Adverting to my letter of even date re the above, having completed all arrangements for handling whatever action may be necessary in connection with alleged potlatching at Fort Rupert this week, instructions eminating from the Commissioner of B.C. Police by wireless from Victoria have eliminated the possibility of us having the assistance of either the B.C. Police or the B.C. Game Department. Whatever action is taken will now have to be carried out solely by Constable Bartlett and myself.

This bears out my contention both in regard to the situation at Campbell River and other points that at the present time the Provincial Force is very busy on other matters and cannot render assistance in the enforcement of the Indian Act. It is unnecessary for me to state that there is absolutely no unwillingness on the part of the Constable in charge of the detachment here to co-operate, but he is simply compelled to comply with the orders which have just been received by wireless.

Your obedient servant,
E.G. Newnham
(E.G. Newnham)
A/Indian Agent

EGN/T

C.C. Perry, Esq.,
Asst. Commissioner for B.C.,
Department of Indian Affairs,
Victoria, B.C.

COMMISSIONER'S OFFICE
MAR 31 1933
VICTORIA, B. C.

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National Archives of Canada
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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Alert Bay,B,C.

March,28th,I933.

Your file #I52/6/28248.
Our file #4.

INDIAN AFFAIRS BRANCH
VICTORIA, B. C.
MAR 31 1933

Sir,-

In consequence of information received to the effect that a big potlatch attended by Indians from many tribes is arranged to take place at Fort Rupert this week also that 900 sacks of flour for Indians at that point have been unloaded by a Union Steamship at Sointula,Malcolm Island which is a Finnish settlement of fairly easy access to Fort Rupert,also that settlers of Malcolm Island manufacture liquor and often supply it to Indians,I have arranged to leave for Fort Rupert tomorrow (Wednesday,March,29th) accompanied by Dominion Constable,T,T, Bartlett,Constables Embleton and Ingleson of the B,C,Police and Special Constable,O,Mottishaw,B,C,Game Department.

We are leaving Alert Bay,surreptitiously,in a private launch and hope to take the Indians unexpectedly and by surprise. We may be away several days and will of course,be guided by events and what evidence is obtained in whatever action is taken.

If possible,I would request that a police patrol-it does not matter which Force undertakes it-be made to Kingcome Inlet as soon as possible as from information received it would appear that such action is very necessary at that point, not only in connection with potlatching but also in regard to liquor ramifications and it is impossible for all the available local police and myself to handle all the law breaking which is alleged to be going on in this Agency at the present time.

Kingcome Inlet can very easily be reached by Union Steamship from Vancouver via Charles Creek.

I would further point out that there are three white ladies connected with the Mission and Indian Day-school living on the Reserve at Kingcome,one of whom underwent an unpleasant experience on a former occasion,when police action was warranted.

Your obedient servant.

E.G.Newnham

(E,G,Newnham.)
A/Indian Agent.

C,C,Perry Esq:
Assistant Commissioner for B,C.
Department of Indian Affairs.
Victoria,B,C.

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INDIAN AFFAIRS
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152/6/28671.

March 28, 1933.

Sir:

I have the honor to advise the Department that Mr. E. C. Newnham, Acting Indian Agent at Alert Bay, has sent me a copy of his communication dated March 20th, instant, addressed to the Department in regard to the matter of suppression of the Indian potlatch in the Kwawkewlth Agency and in which he pointed out that Constable Bartlett had seen a number of Indians walking around in aboriginal costume. He mentioned a telegram which he sent me asking for not less than four Royal Canadian Mounted Police Constables to be sent to Alert Bay as soon as possible.

I feel that the Department should be advised that the matter has been fully discussed by me with Mr. Superintendent Woods, Officer Commanding the R.C.M.P. at Vancouver, and we have agreed that there are two considerations that must be given especially to this matter. The first is that Constable Newnham has had little or no experience in dealing with the Indian potlatch and any hasty action on his part may possibly defeat the very ends for which plans should be carefully and systematically made in view of the failure which has attended the activities of police on previous occasions. Moreover, to send constables to Alert Bay with as little knowledge of the subject as Constable Newnham has would not be likely to improve the situation but rather stir up much trouble and expense for the Department and its officers not only of the Agency but of the schools and other services. We feel instead of taking any precipitate action the matter should be delayed with a view to seeing whether or not Mr. Newnham is to be permanently stationed at Alert Bay as Indian Agent. If he is not to be permanently stationed there and we were to commence any comprehensive operations against these Indians, the possible appointment of a new man might possibly nullify the work commenced by Mr. Newnham as he would not be familiar with the matter.

Secondly, as the R.C.M.P. are expecting a major labor demonstration on April 4th in which the services of all available men will be required and as no guarantee could be given that any constables who may be sent to Alert Bay could be returned by that date it was mutually agreed that there will likely be plenty of opportunities to deal with the Indians as soon as the outlook for intensive application appears more possible than at present. The question, however, of the suppression of the potlatch is one which will be dealt with as expeditiously as possible and along the lines which experience would suggest. I may say further that I appreciate Mr. Newnham's enthusiastic desire to suppress the Indian potlatch

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

but....

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AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

but I cannot conceive that he has in a few months of his sojourn at Alert Bay been able to acquire sufficient knowledge of the practices of the Indians to enable him to promise results along the line of active suppression under a prospectively economic arrangement. In dealing with such cases the Department could spend a very large sum of money without achieving the desired results and as the Department at the present time finds it necessary to economize wherever possible Mr. Newnham has been informed that he must carry on as best he can with the assistance of Dominion Constable Bartlett.

Your obedient servant,

P/AC

C. C. Perry,
Asst. Indian Commissioner for B.C.

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INDIAN AFFAIRS
AFFAIRES INDIENNES

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT
Alert Bay, B. C.,
March 20, 1933.

COMMISSIONER'S OFFICE
MAR 24 1933
VICTORIA, B. C.

Copy.

File # 4

Sir,-

On March 18th, Dominion Constable T.T. Bartlett reported as follows:-

During the course of a patrol on that date, he had called at the Indian Reserve on Harbledown Island, known as New Vancouver, and had seen a number of Indians walking around in aboriginal costume. This in itself of course, constituted no offence, but the fact that a large number of Indians from other tribes were present and from other observations which he made, he deduced that it was intended to violate the provisions of Section 140, Indian Act. Realizing that, single handed he could do nothing, he returned to Alert Bay and reported to me.

I immediately sought to enlist the services of the local detachments of the B.C. Police and B.C. Game Department, but owing to both these detachments being absent could not do so. Constable Bartlett and myself then discussed the possibility of the two of us being able to attend to the matter successfully ourselves, but decided that it would be futile, in view of the fact that the successful enforcement of this Section requires a fairly large body of men, especially at night time, not so much on account of resistance, but owing to the necessity of discriminating between an ordinary tribal dance and a potlatch when evidence is adduced in Court. Two men alone would find it difficult to prove that there were any illegal features and it would be hard to distinguish between legitimate household effects and goods intended for potlatch purposes. These difficulties can be better overcome by a large number of men, landing quietly and converging on the assembly from different directions, so that the hurried activities of the offenders in moving goods from one place to another and furnishing alibis for themselves in endeavouring to avoid arrest can be well covered.

Having information that potlatches have occurred at other reserves during the past winter, including Kingcome and Cape Mudge and by all accounts that it is intended to proceed with the full "potlatch programme", I wired to the Assistant Commissioner at Victoria, requesting that not less than four R.C.M.P. be sent here as soon as possible.

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AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

It is now too late in the season for the original suggestions made by me to senior officers of the R.C.M.P. to be carried into effect, and I hope that the services of the Federal Force will now be available, as owing to exceptional pressure of other duties we cannot depend upon the B.C. Provincial Force being free to enforce the Indian Act. It is unfair to expect the Dominion Constable to attend to difficult problems single handed and to say nothing of me having to neglect other work in order to give a hand in police work, it is not always possible for the two of us to enforce Section 140, owing to the many technicalities which could easily upset a conviction under that Section.

Having issued a general warning to the Indians of this Agency with regard to potlatching at the end of last year, I do not feel that any good purpose is served by continuing to warn them and that drastic action by way of strong prosecutions which no defence counsel could possibly beat, is the only satisfactory method of dealing with the situation.

Your obedient servant,

E.G. Newnham

(E.G. Newnham)
A/Indian Agent

A.F. MacKenzie, Esq.,
Secretary,
Department of Indian Affairs,
Ottawa, Canada.

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RG 10, C-II-2, vol. 11297

INDIAN AFFAIRS
AFFAIRES INDIENNES

National Archives of Canada
Archives nationales du Canada

152/6/28633.

March 24, 1933.

Dear Sir:-

I beg to acknowledge receipt of your telegram dated March 18th, as follows:-

"Infractions Section 140 occurring many points
"kindly arrange for not less than four Mounted
"Police to be sent here soon as possible."

In this matter I beg to say that your message arrived just as I was preparing to leave for Vancouver so I decided to take it with me and discuss the matter with Superintendent Wood, of the Royal Canadian Mounted Police.

This I did, but was informed by him that owing to the fact that a major labour demonstration is expected at any time, he had been obliged to intercept some of his men who were travelling by train in various parts so as to have them in readiness for this emergency. For this reason it was not found possible or deemed advisable to divert the services of any of the officers for the work alluded to in your telegram, at least for the present. It is hoped, therefore, that you will be able to manage with the assistance of Constable Bartlett until such time as it will be conveniently possible to obtain assistance from the Royal Canadian Mounted Police.

Your obedient servant,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

E.G. Newnham, Esq.,
Acting Indian Agent,
Alert Bay, B. C.

RG 10, C-II-2, vol. 11297
INDIAN AFFAIRS
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National Archives of Canada
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152/6/28633.

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Your obedient servant,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

E.G. Newnham, Esq.,
Acting Indian Agent,
Alert Bay, B. C.

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GOVERNMENT TELEGRAPH SERVICE

Form No. 1

DEPARTMENT OF PUBLIC WORKS
DOMINION OF CANADA

☞ Write Plainly — Give Full Address — Use no Figures or Abbreviations

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The Government shall not be liable for any act or omission occurring beyond its own lines, but will endeavour to forward telegrams by any other lines necessary to reach their destination.

F. G. Sims, *General Superintendent.*

Sent No.	Sent by	Received by	Time Sent	Time Filed	Check
					(COPY)

Send the following Message subject to the above terms which are agreed to:

To INDIAN COMMR

ALERT BAY, B.C. MAR. 18, 1933.

VICTORIA B.C.

INFRACTIONS SECTION 140 OCCURRING AT MANY POINTS KINDLY ARRANGE FOR NOT LESS THAN FOUR MOUNTED POLICE TO BE SENT HERE SOON AS POSSIBLE.

E. G. NEWNHAM.

Lut. Hood 535 Geo V

☞ READ THE NOTICE AND AGREEMENT AT THE TOP ☜

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INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
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Form No. 2 XX.

GOVERNMENT TELEGRAPH SERVICE

DEPARTMENT OF PUBLIC WORKS

DOMINION OF CANADA

The following message was received by the Government for transmission, subject to the terms and conditions printed on the blank form No. 1, which terms and conditions have been agreed to by the sender.

J. E. GOBEIL, *General Superintendent.*

Please reply by Gov't. Tel. Service
Telephone E mpire 2032
1228 Government St.

2CR MN 25

ALERTBAY BC MAR 18 1933

INDIAN COMMR

VICTORIA BC

INFRACTIONS SECTION 140 OCCURING AT MANY POINTS KINDLY ARRANGE FOR NOT LESS THAN FOUR MOUNTED POLICE TO BE SENT HERE SOON AS POSSIBLE

E G NEWNHAM

511P

E pl 18

TELEPHONE No.....
TIME 5.17 P DATE 18
TO CC P BY A

COMMISSIONER'S OFFICE
MAR 20 1933
VICTORIA, B. C.

C-II-2, vol. 11297
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GOVERNMENT TELEGRAPH SERVICE

DEPARTMENT OF PUBLIC WORKS
DOMINION OF CANADA

Form No. 1

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F. G. Sims, *General Superintendent.*

Sent No.	Sent by	Received by	Time Sent	Time Filed	Check
					(COPY)

Send the following Message subject to the above terms which are agreed to:

To INDIAN COMMR — ALERT BAY, B.C. MAR. 18, 1933.

VICTORIA B.C.

INFRACTIONS SECTION 140 OCCURRING AT MANY POINTS KINDLY ARRANGE FOR NOT LESS THAN FOUR MOUNTED POLICE TO BE SENT HERE SOON AS POSSIBLE.

E. G. NEWNHAM.

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152/6/28248.

February 17, 1933.

Dear Sir:

I beg to acknowledge receipt of your letter of February 14th, file No.4, in regard to your interview with Inspector M.J. Mead of the R.C.M.P., in regard to the matter of suppressing the potlatch in the Kwawkewlth Agency. In reply I beg to say I appreciate fully the contents of your letter as well as that of the R.C.M.P. to which you refer. I am inclined to think that we should have some definite and practically sure grounds upon which to work with a view to obtaining convictions against Indians without necessarily involving the Department in any great expenditure under the circumstances mentioned by you. At the same time you will no doubt be like minded with me in that wherever possible the practice of potlatching should be discouraged at every available opportunity. Knowing your views on this subject I feel quite sure that you will do your best in this connection.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

E. G. Newnham, Esq.,
Acting Indian Agent,
Alert Bay, B.C.

51 8 8 8 8

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT
Alert Bay, B. C.,
February 14, 1933.

COMMISSIONER'S OFFICE
FEB 17 1933
VICTORIA, B. C.

File # 4

Sir:-

In compliance with your instructions conveyed by telegram dated Victoria, February 6, I proceeded to Vancouver on Wednesday last the 8th instant arriving at my destination on Thursday the 9th, and had an interview with Inspector M.J. Mead of the R.C.M.P. on the same day, who explained to me that general conditions throughout the country were considered by the authorities to be most serious. It was of course quite understood by me that this information was not intended for general publication and in view of not only that Force but all other forces needing all the men available, and in fact being under the necessity of taking on extra men in order to deal with the general situation, it would be almost impossible for them at this time to furnish a patrol for the special purpose of enforcing Section 140 Indian Act as we had requested.

Inspector Mead dictated a letter to you whilst I was there, copy of which has been forwarded to the Deputy Minister at Ottawa, and I presume that this is now in your hands. It outlined the scheme suggested by me, and it is therefore unnecessary for me to make any further reference to this. You will note however that it is expressly stated that if this Department insists on this patrol being made, that the R.C.M.P. will do their best to comply with it, in which case special arrangements have been made for communicating with me. I am quite sure that in normal times this matter would have been attended to promptly and without any difficulty and it is unfortunate that so much time has been taken up unavoidably by the exchange of correspondence, as the possibility of the original arrangements leading to successful prosecutions which I had hoped would go a long way towards delivering a death blow to Potlatching, have become considerably minimized as time goes on. I had thought it necessary, in order to secure absolutely cast-iron evidence to have at least two advance scouts right on the ground when preparations were being made and to be present when the celebrations were being held so that if possible the Crown could cover every feature at a subsequent prosecution and so embarrass every point that might be raised by the defence lawyer.

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However as things stand, if we cannot get this assistance we will have to do the best we can without it. The general situation referred to by Inspector Mead has caused a number of outlying districts to be more or less depleted of Police protection, and it is inevitable that extra work should be forced on those who are not directly engaged in necessary concentration at different points which the general situation calls for. The fact that two riot calls were made whilst I was there was ample proof that the situation was not exaggerated.

Your obedient servant,

E.G. Newnham

(E.G. Newnham)
A/Indian Agent

EGN/T

C.C. Perry, Esq.,
Asst. Commissioner for B.C.,
Department of Indian Affairs,
Victoria, B. C.

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152/6/28157. February 11, 1933.

Dear Sir:-

I desire to acknowledge, with thanks, receipt of your letter dated February 9th, Reference No. 33E.1250-6, with reference to the subject "Potlatching at Alert Bay, assistance to Indian Department".

In reply thereto I beg to say it is my opinion that any steps to be taken in regard to the above mentioned matter should be confined only to calls of an emergent nature made on your Force by Acting Indian Agent Newnham, through this office, until such time as a permanent appointment has been made to the Indian Agency at Alert Bay of which Mr. Newnham is in charge temporarily pending a permanent appointment. I want to avoid entering into any expensive or experimental enterprises along the lines of suppressing the potlatch unless we are able to follow it up from its beginning through logical process to a successful conclusion and this can only be done when we are assured that the Indian Agent at Alert Bay will be in charge to assist in the work with a reasonable degree of permanency.

I appreciate the frank expression of your views on the matter and am in full agreement with the same.

Your obedient servant,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

S.T. Wood, Esq.,
Superintendent,
Commanding "E" Division,
R.C.M. Police,
Vancouver, B. C.

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81 8 0 0 0

152/6/28157. February 11, 1933.

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In reply thereto I beg to say it is my opinion that any steps to be taken in regard to the above mentioned matter should be confined only to calls of an emergent nature made on your Force by Acting Indian Agent Newnham, through this office, until such time as a permanent appointment has been made to the Indian Agency at Alert Bay of which Mr. Newnham is in charge temporarily pending a permanent appointment. I want to avoid entering into any expensive or experimental enterprises along the lines of suppressing the potlatch unless we are able to follow it up from its beginning through logical process to a successful conclusion and this can only be done when we are assured that the Indian Agent at Alert Bay will be in charge to assist in the work with a reasonable degree of permanency.

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Chas. C. Perry,
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Superintendent,
Commanding "E" Division,
R.C.M. Police,
Vancouver, B. C.

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"E" DIVISION
C.I.B.

Royal Canadian Mounted Police

Ref. No. 33E.1250-6.

Vancouver, B.C. February 9th, 1933.

C.C. Perry, Esq.,
Asst. Indian Commissioner for B.C.,
P.O. Box 666,
Victoria, B.C.

Dear Sir:

Re: Potlatching at Alert Bay,
Assistance Indian Department.

1. Referring to recent correspondence in connection with the subject named above:

2. Acting Indian Agent Newnham called on me today, and we discussed this question from several angles, and it was decided that an expression of your opinion would be desirable before any action was taken, after taking into consideration several factors, the first of which is that of expense.

3. Mr. Newnham advises me that the chief seat of trouble is a small village named Kingcome, situated at the head of Kingcome Inlet, approximately 60 miles from Alert Bay. This Indian village has no means of communication with Alert Bay, and in order that members of this Force might be sent there it would be necessary for them to leave Vancouver by Union Steamship and proceed to Charles Creek, from there make connections with a mail boat run by a Mr. Halliday, one of the three white settlers in the district. The patrol would be entirely a matter of speculation insofar as obtaining evidence of potlatching is concerned. Mr. Newnham is of the opinion that potlatching has taken place this winter at Kingcome, but there is no information that same is being carried on at the present time. To obtain this evidence, it is necessary that men in plain clothes be sent to the village for the purpose of observation, and this presents difficulties that would not be the case if there were more white persons living in the surrounding area. As it is, there are only half a dozen white people living there and it seems to me that it would be difficult for our men to have a sufficiently good alibi to carry on without arousing suspicion for very long.

4. Mr. Newnham suggests the best role these men could play would be that of posing as fur buyers, but unless they purchase some furs, this role could not be adopted for very long.

COMMISSIONER'S OFFICE
FEB 10 1933
VICTORIA, B.C.

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Re: Potlatching at Alert Bay -
Assistance Indian Department.

5. Another question that should be considered is that of rendering assistance to the plain clothes men who might obtain evidence of potlatching, and then it would be necessary to have other members of the Force at a place called Charles Creek, which is about fourteen miles away, and this would necessitate transportation being available as well.

6. I wish to place myself on record as being willing to assist your Department in any and every way possible, and if you consider that the situation at Kingcome warrants the expenditure of money and the use of the men that would have to be engaged in the work, I shall be glad to comply with your wishes by issuing the necessary instructions.

7. I consider, however, that the economic factor at the present time is one that should not be overlooked, and Mr. Newnham agrees with me in this.

Yours truly,

S.T. Wood

(S.T. Wood) Supt.
Commanding "E" Division.

M/M.

The Commissioner,
R.C.M.P., Ottawa.

Sir: Forwarded for your information.

(SGD)

Vancouver.
9-2-33.

(S.T. Wood) Supt.
Commanding "E" Division.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT
Alert Bay, B. C.,
February 8, 1933.

File # 4

Dear Sir:-

Your wire to the effect that you cannot go to Vancouver this week, and instructing me to discuss matters with Superintendent Woods and report afterwards was duly received.

I am leaving by Union Steamship tonight and will return on Saturday next, and as soon as possible will forward you a report. The attached enclosures may be of interest to you, although it is quite likely that you already have copies of the same in your files.

Your obedient servant,

E.G. Newnham

(E.G. Newnham)
A/Indian Agent

Encs.
EGN/T

C.C. Perry, Esq.,
Asst. Commissioner for B.C.,
Department of Indian Affairs,
Victoria, B.C.

COMMISSIONER'S OFFICE
FEB 10 1933
VICTORIA, B. C.

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COPY

Alert Bay, B. C.,
March 22, 1919.

We, the undersigned Chiefs and Indians of the Kwawkewlth Indian Agency, knowing that there is a law against what is commonly known as the Potlatch, and that the said law is contained in Section 149 of the Indian Act, do hereby covenant and agree that as long as the provisions of the said section remain unaltered, that we will obey the law, and will not potlatch in any form. And we further agree that we will use our influence every way to uphold the law, and to discourage any others from violating this section of the law.

We however wish to reserve the right to make representations to the Government to have the law changed, to enable us to keep up some of our own old customs, including the right to potlatch as we have been accustomed to, which is now forbidden by law.

In witness whereof we do hereby set our hands and seals at the Court House, Alert Bay, on the day and date above mentioned.

Harry Mountain
Paul Rufus
August
M. Alfred
Chas. Nowell
Robert Wilson
Big Tom
Thomas Duncan
Cesahasalas
Lekiosa
Billy Matilpi
Peter Scow
Samuel Scow
Mahwa
Herbert Johnson
J. Harris
Ben Alfred
Heber Harris
Billy Hakwis
N.W. Flanders
Smith Seaweed
Billy Williams
Sam Gordon
Friday Johnson
William Dawson
Ned Harris
Big Sam

Mike
McDougall
P. Frank
Peter Knox
Dan Cranmer
Oly Shaughnessy
Toby West
Sam Matilpi
Kwostulsas
Tom Dawson
Dixon
Tom Alfred
Louis Ambers
Johnny Moon
Billy Sundzy
Abraham
James C. Keen
Bob Hanaday
Robert Brown
Dick Price
Michael Benjamin
Matthew
Jerry May
Peter Brown
Hector Webb
Benjamin Dutch

Isaac
Woyala
Amos Dawson
Art. Gordon
Johnny Drabble
John Spike
F. Walker
Joe Hadony
John Scow
George Scow
Peter Smith
Spruce Martin
Johnny Nelson
Jim Cultis
Otsastalas
Punkwid
Harry Moon
James Knox
Bob Taylor
Billy McDuff
Jim Smoky
Tom Lakis
Billy Williams(C.Mdge)
Johnson Cook
Robson Johnson
Sandory

WITNESS TO THE ABOVE

"R. L. Matthews", Provincial Constable
"Frank Lyons", Barrister, Vancouver
"J.N. Sinkler", Barrister, Vancouver.

COMMISSIONER'S OFFICE
FEB 10 1933
VICTORIA, B. C.

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COPY

Alert Bay, B. C.,

February 1st,1919

Duncan C. Scott,
Deputy Superintendent General,
Indian Affairs, Ottawa.

Dear Sir:

I take the liberty of addressing this letter to you because of the attempt being made by the authorities to enforce the Indian Act, Section 140.

Our Indian people feel that this act should not be enforced, as it would do away with the system known as the "Potlatch" practised here by the Indians, and which has for its features the festivals, Dances and ceremonies which cannot be conducted without giving or paying of money, goods or articles.

This Potlatch as practised among the Kwagults here, is a system governing all Indian life. Every Indian man, woman or child have their part in it; each one has to be initiated into the Festivals and Ceremonies through the giving or paying of money or goods into different clans, ranks or positions.

I will begin with the birth of the Indian child. Just as soon as the parents can collect enough money or goods to call a Band or Bands together to have a Festival and Dancing and all the ceremonies of naming and classing the child, it is done. If a sacred Red Bark dance is on the following winter, the Child has to be initiated into the Festival of Red Bark through another Potlatch. It there receives its Red Bark name, giving it the right of belonging to the Red Bark system which has its features often wounding or mutilation of the dead or living body.

When the child comes to an age when it can take a wife, which is as younga s 14 in a boy or as young as 11 or 12 years in a girl, money has to be collected by parents or guardians of the boy to be paid to the parents or guardians of the girl, as many as 3, 4 or 5 persons profiting by the transaction of the male party giving money or goods for the bride, the amount depending on how high or low the standing of the family of the bride. The bride

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and bridegroom have no choice in the matter, but are only used as Pawns in a contract of the system called Marriage, which is not binding.

All these festivals, dances, ceremonies, giving and paying, is determining the future status of the child, boy, girl, man or woman.

This is only a glimpse into the system known as the Potlatch. There are many other features, not any one part can be practised without collecting or paying or giving away money, goods or articles all worked on the 100% system. (All money, goods or articles borrowed, or given, has to be paid or given back double.) You will see how bound and tied every man, woman and child is to this system. They are slaves to it, all their time is devoted to it, their mind and money has to be used for it, therefore there is no expansion of mind or progress of anything worth while.

The Potlatchers are sending delegates to Ottawa, presumably to ask you or Mr. Clements, M.P. (who has promised to help them) to take steps to have this act 140 repealed.

Now, Sir, we who have cast off the Potlatch system (whom I represent in this letter), wish to give you a few reasons why this Indian Act section 140 should not only stand but to also be strongly enforced.

1st The Kwagult people as a whole will never own Allegiance to the Government or King as long as they are allowed to practice their allegiance to the Potlatch system, for to them this excludes every other Government. No Potlatchers volunteered to serve overseas.

2nd It is because of this system that they will not marry according to the laws of Canada. Their system allows them to contract for a wife, and it being made so easy for them to cast one wife away and take another man's wife, according to the laws of Potlatch. Out of all this agency there are only five couples who have married legally by Church laws, and these have left the Potlatch.

3rd There is no liberty in the Potlatch, no choice whatever. They are all bound and have to practice all the different features of this system or they will lose their casts. Those who have left

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the Potlatch are looked upon as not Indians. They have no standing or voice in any matters affecting their tribe or band; they are practically Outcasts.

4th This system keeps them from progress, every cent they have must be used to keep them in caste. There is nothing new done or allowed them. All must be done as their ancestors did. Therefore there is no progress on their lands and homes.

5th It hinders education. They would not allow their children to go the school, if it was not for the children wanting to go to school themselves.

Sir, we feel that the system has served its purpose, a Government to govern Indians before the Canadian Laws were established in these lands, but now that Canada has laws, these laws should be accepted and obeyed by all peoples in Canada.

We, whose ancestors made the Potlatch System, a constitution for the Indians, are sure we have a right and are right in asking that this Indian Act section 140 be allowed to stand, and the Potlatch be abolished from these lands and the laws of Canada take its place.

This is only a few reasons why this Indian Act Section 140 should be enforced.

Begging your indulgence,

I remain

Yours faithfully,

"Mrs. S. Cook"

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GOVERNMENT TELEGRAPH SERVICE

DEPARTMENT OF PUBLIC WORKS
DOMINION OF CANADA

Form No. 1

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F. G. Sims, *General Superintendent.*

Sent No.	Sent by	Received by	Time Sent	Time Filed	Check

Send the following Message subject to the above terms which are agreed to:

Victoria, B.C., February 6, 1933.

To E.G. Newnham,
Acting Indian Agent,
Alert Bay, B. C.

152/6/28081

Cannot go Vancouver this week (STOP) Discuss matter with Superintendent Woods and report afterwards.

C.C. Perry.

Day Message.
Charge Indian Office Victoria.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT
Alert Bay, B. C.,
February 3, 1933.

File No. 152-6-27969
File # 4

Dear Sir:-

Replying to your letter dated January 27 re the above, subject to your approval I propose to leave here by Union Steamship on Wednesday next, February 8, and will report at Mr. Ball's office as soon as possible after landing at Vancouver the following day. This should enable me to be back in Alert Bay by Saturday, February 11.

Kindly advise me by wire if this arrangement does not meet with your approval.

Yours truly,
E.G. Newnham
(E.G. Newnham)
A/Indian Agent

EGN/T

C.C. Perry, Esq.,
Asst. Commissioner for B.C.,
Department of Indian Affairs,
Victoria, B. C.

COMMISSIONER'S OFFICE
FEB 6 1933
VICTORIA, B. C.

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152/6/27969.

January 27, 1933.

Dear Sir:-

I beg to acknowledge receipt of your letter of January 24th, File No. 4, in connection with the matter of enforcement of Section 140 of the Indian Act.

I am just leaving for Nanaimo and I cannot, therefore, attend to the arrangements immediately for an interview with the Royal Canadian Mounted Police to discuss the various phases of the matter, but perhaps you will be good enough to advise me when you would be able to go to Vancouver to discuss the matter so that I may arrange to meet you there.

Your obedient servant,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

E.G. Newnham, Esq.,
Acting Indian Agent,
Alert Bay, B. C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT
Alert Bay, B.C.,
January 24, 1933.

File # 4

Dear Sir:-

In continuation of previous reports in regard to enforcement of section 140, Indian Act, I have now visited and know the local conditions at the three places in this Agency where infractions of the above section are alleged to be most rampant, namely Kingcome Inlet, Fort Rupert and Village Island. It does not follow of course that these ramifications will not occur at other points also. There is no doubt whatever that enforcement of this section will be attended by the utmost difficulty and to ensure successful prosecutions great expense will of necessity be entailed.

As reported in my Patrol Report of even date, I find that access to Kingcome Inlet is not so difficult as what I had been led to believe, and a party going from Vancouver could take passage on the Union Steamship leaving Vancouver Thursday night, arriving at Charles Creek on Friday, when connections could be made with the mail boat operated by Mr. R. Halliday, and accommodation arranged with one of the settlers within two or three miles of the Indian village, if not right in the village itself. In regard to the other two places, it is just a matter of proceeding in a boat and on arrival just making a landing.

There is certainly much to be said for Superintendent Wood's suggestions and point of view, as I find amongst whites who frequently come in contact with these Indians the subject of Potlatch is a constant source of conversation, and this bears out his point very considerably, but I do not see how the desired ends could be obtained without following the course I have suggested. As much correspondence is likely to cause confusion and general misunderstanding, I think the only way to decide on a plan of campaign is for a personal conference with the Police officials concerned, when other phases of the matter can be considered. I do not think that any of these celebrations will be held for at least another three weeks.

COMMISSIONER'S
JAN 27 1933
VICTORIA, B. C.

Your obedient servant,
E.G. Newnham
(E.G. Newnham)
A/Indian Agent

C.C. Perry, Esq.,
Asst. Commissioner for B.C.,
Victoria, B. C.

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RG 10, C-II-2, vol. 11297

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152/6/27844.

January 18, 1933.

Dear Sir:

I wish to refer to your letter dated January 10th Ref.No.C.I.B.,33E.1256v6, concerning potlatching at Alert Bay and assistance therein to be furnished this Department.

In the above connection I have pleasure in sending you herewith copy of letter dated January 12th sent from this office to Mr. E.G. Newnham, Acting Indian Agent at Alert Bay, and also copy of letter dated January 14th, instant, in reply thereto received yesterday. These letters will be self explanatory.

Touching the concluding paragraph of Mr. Newnham's letter, I think it will be advisable to take no action until Mr. Newnham's further report has been received. It is probable that we may be able to arrange a discussion of the matter as suggested by the Acting Indian Agent.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B. C.

Encl.
P/AC

S. T. Wood, Esq.,
Superintendent,
Commanding "E" Division,
R. C. M. P.,
Vancouver, B.C.

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(C O P Y)

Department of Indian Affairs
Canada

Office of Indian Agent

Alert Bay, B.C.,
January 14, 1933.

Your file 152-6-27763
Our file 4.

Sir:-

Replying to your letter dated January 12 re the above, I would state that the policy of prevention would certainly be better than one of cure, but unfortunately in this Province the R.C.M.P have not the initial responsibility for law and order generally as in certain other provinces. Consequantly, when a patrol is made by that Force it is generally known that they have been called in on some special work, and that they are not going to remain in the district very long. Therefore it is an easy matter for intended law enfrantions to be delayed until they have the left the district, and celebrations which Indians put on do not feature any law enfractions. This is exactly what happened when patrols were made last spring. If that Force was making frequent patrols and had full control of law and order generally in the province, I think it would be an easier matter for Superintendent Woods' suggestion to be carried out.

Replying to the second paragraph of your letter, I would state that the procedure you outlined there is exactly the same as that carried out by myself accompanied by two members of the Provincial Force this last Christmas, and which was reported in my monthly report for December. At a general meeting which was held after this occasion I issued a warning that this was the last chance that was being given, and that any further enfractions would be dealt with in accordance with Section 140, Indian Act. Therefore I do not think that the dignity of the law would be well upheld by going over the same ground again.

However I have been to some of the points where potlatching is alleged to be most rampant, and I must confess that the original scheme suggested by myself would be most difficult to carry out, but I have knowledge of other work which is most difficult in the enforcement of other Acts, and I think if it was possible to have a conference with senior officers of the R.C.M.P. away from Alert Bay after I visit another point which I plan to go to during the coming week, when geographical conditions can be explained and the whole thing gone into thoroughly, I think it might be possible to decide upon some scheme which would tend to secure the necessary evidence in such a way that the most skilled lawyers in the country could do nothing towards upsetting the case.

Your obedient servant,

"E. G. Newnham"

EGN/T

A/Indian Agent

C.C. Perry, Esq.,
Asst. Commissioner for B.C.,
Victoria, B.C.

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(C O P Y)

DEPARTMENT OF INDIAN AFFAIRS
CANADA

Commissioner's Office
P. O. Box 666

No.152/6/27763.

Victoria, B.C., January 12, 1933.

Dear Sir:

As indicated in my letter to you of January 4th I requested Mr. Supt. Wood of the R.C.M.P. at Vancouver to make any observations which he might deem to be necessary in the matter of the correspondence relating to the suppression of Indian potlatches in your Agency and I am herewith sending you a copy of Supt. Wood's letter dated January 10th in order that you may see how he reacts to the matter. I may say I am inclined to the view held by Supt. Wood that the policy of the Department should be one of prevention rather than one of cure and that an occasional patrol by officers in uniform may have such an effect if carried out. On the other hand I know, of course, how insidiously the Indians have been conducting their potlatches under advice given them by men in legal circles in order to prevent involvement under the laws.

I am of the opinion that it may be advisable to have a few patrols made by officers in uniform about the time when you receive information that the Indians are liable to conduct a potlatch and that should it be found that the Indians still persist in these forbidden ceremonies we might find it necessary to adopt an entirely different course with a view to prosecution of offenders under the Act. Such a procedure would be giving the Indians a fair chance to obey and respect the laws of the land and they would have no cause to complain if after this experiment they should defy the law intentionally. Before writing to Supt. Wood, however, I would like to have a line from you saying whether or not you are in accord with my views.

Your obedient servant,

C.C. Perry,
Asst. Indian Commissioner for B.C.

Encl.
P/AC

E. G. Newnham, Esq.,
Acting Indian Agent,
Alert Bay, B.C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Alert Bay, B. C.,
January 14, 1933.

JAN 17 1933
VICTORIA, B. C.

Your file 152-6-27763
Our file 4.

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Your obedient servant,

E.G. Newnham

(E.G. Newnham)
A/Indian Agent

EGN/T

C.C. Perry, Esq.,
Asst. Commissioner for B.C.,
Victoria, B. C.

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152/6/27763

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Your obedient servant,

P/AC
Encl.

C. C. Perry,
Asst. Indian Commissioner for B.C.

E. G. Newnham, Esq.,
Acting Indian Agent,
Alert Bay, B.C.

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152/6/27763

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Your obedient servant,

P/AC
Encl.

C. C. Perry,
Asst. Indian Commissioner for B.C.

B. G. Newnham, Esq.,
Acting Indian Agent,
Alert Bay, B.C.

REPEAT
REPETITION

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(C O P Y)

ROYAL CANADIAN MOUNTED POLICE

"E" DIVISION.
C.I.B.

Ref. No.33E.1250-6.

Vancouver, B.C.,
January 10th, 1933.

Your File:
152/6/27646.

Charles C. Perry, Esq.,
Assistant Indian Commissioner for British Columbia,
P.O. Box 666,
Victoria, B.C.

Dear Sir:

Re: Potlatching at Alert Bay,
Assistance Indian Department.

1. I have read with much interest, your letter of the 4th instant, as well as the correspondence attached.

2. I appreciate the points made by Mr. Newnham in his letter to you of the 29th of November, last, regarding the securing of evidence by plain clothes men, however, my opinion is the same as that expressed by Inspector Mead to Mr. Newnham at the time of their conversation, that is, that members of this Force in uniform should be used rather than plain clothes men, so that contemplated potlatching on the part of the Indians in the Alert Bay District might be prevented, as I am of the opinion that prevention is what is desired.

3. Further to the above, it must be taken into consideration, that strangers (plain clothes men) arriving in an isolated district such as Alert Bay where there is only a small population, will immediately come under suspicion.

4. I believe you have had considerable experience in connection with the matter under discussion, and I should like to have an expression of your opinion on the subject.

5. It is perhaps, needless for me to say that we are ready to co-operate with the Department in whatever way we can, and if you are of the opinion that Mr. Newnham's suggestion is the best one to follow, I will gladly fall in with that suggestion.

Yours truly,

"S. T. Wood"

Superintendent,
Commanding "E" Division.

M/Ch.

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Royal Canadian Mounted Police

"E" DIVISION.
C.I.B.

Ref. No. 33E.1250-6.

Vancouver, B. C.,
January 10th, 1933.

Your File:
152/6/27646.

Charles C. Perry, Esq.,
Assistant Indian Commissioner for British Columbia,
P.O. Box 666,
Victoria, B. C.

Dear Sir:

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Yours truly,

(S.T.Wood) Superintendent,
Commanding "E" Division.

M/Ch.

COMMISSIONER'S OFFICE
JAN 12 1933
VICTORIA, B. C.

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152/6/27647.

January 4, 1933.

Dear Sir:-

I beg to acknowledge receipt of your letter dated December 31st in regard to arrangements to be made with the Officer Commanding "E" Division, Royal Canadian Mounted Police, at Vancouver, to co-operate with this Department in the matter of suppression of Indian potlatches in the Kwawkewlth Agency.

In reply I beg to say I have today written to Mr. Supt. Woods sending him copies of our correspondences, together with a synopsis of our office file on the subject. I have notified Superintendent Woods to make any observations which he may deem to be necessary in this matter so that we may have the fullest possible co-operation therein.

Your obedient servant,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

E.G. Newnham, Esq.,
Acting Indian Agent,
Alert Bay, B. C.

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152/6/27646.

January 4, 1933.

Dear Sir:-

I deem it advisable that you should be furnished with correspondence which has been had with the Acting Indian Agent at Alert Bay and with the Department at Ottawa in connection with the subject of potlatching amongst the Indians of the Alert Bay district.

I, therefore, have pleasure in sending you herewith:-

1. Copy of letter received by me from Acting Indian Agent Newnham, dated November 29th.

2. Copy of my letter dated December 3rd, addressed to the Department, together with synopsis of office file on the subject of potlatch.

3. Copy of Departmental letter of reply dated December 19th, 1932.

4. Copy of my letter to Mr. Newnham dated December 27th.

5. Copy of Mr. Newnham's letter dated 31st December to this office.

I think you will find that this correspondence will be self-explanatory and will suggest what action might be deemed to be necessary in case of a call being made upon your Force for assistance in the suppression of these unlawful practices amongst the Indians in the Alert Bay Agency. You will kindly notice that the Department's letter is somewhat cautiously written and I deduce therefrom that it is important that every step to be taken should be carefully considered and plans prescribed as circumstances may warrant. If there is anything you may desire to make observation upon in this connection before any actual work is undertaken in co-operation with Mr. Newnham, I should be very glad to hear from you and to give you the benefit of any experience of mine that may have bearing upon the matter.

Your obedient servant,

P/KD.

Enclosures:-

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

S.T. Wood, Esq.,
Superintendent,
Commanding "E" Division,
Royal Canadian Mounted Police,
Vancouver, B. C.

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152/6/27646.

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Your obedient servant,

P/KD.

Enclosures:-

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

S.T. Wood, Esq.,
Superintendent,
Commanding "E" Division,
Royal Canadian Mounted Police,
Vancouver, B. C.

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Copy.

Office of the Indian Agent.

Alert Bay, B. C.,
Dec. 31st, 1932.

Dear Sir:-

I am in receipt of your letter dated Dec. 27th, re the above with copy of Departmental letter dated Dec. 19th, No. 6244-4B, and beg to state that by the time you have received this reply and the necessary arrangements have been completed, it will not be a moment too soon to call in the R.C.M.P. to deal with expected infractions of Section 140, Indian Act at Kingcome and elsewhere.

On receiving the necessary authority from you, I hope that I am not going too far if I suggest that I communicate direct with the Officer Commanding "E" Division, R.C.M.P., at Vancouver, B.C. The proposition is a very deep one and I will take care that my letter will be mailed on the Union Steamer and not through the local Post Office, at the same time, of course, forwarding you a copy of the letter. It is absolutely essential that the R.C.M. P. should not on any account communicate direct with me, neither through the mail nor by telegraph nor come in contact with me in any way until they have their cases all ready for trial.

I would further state that, unless there is an unlikely possibility of R.C.M.P. being permanently stationed at the points where trouble is expected, it would be quite useless and absolutely futile for men to be sent on the job in uniform.

It calls for very astute detective work and if the R.C.M.P. can be persuaded that Indian work is not easy and cannot be made easy, also that Indians today are not so impressed by the red coat as prairie Indians were about forty years ago, especially when they have lawyers and others putting ideas into their heads, the results should be quite as successful as other cases handled by the Federal Force throughout its history.

So far as I can see a number of white people in this district take varying kinds of interest in the "potlatch" and their interference, both innocent and otherwise, is apt to be obstructive, hence the necessity for an extreme amount of strategy.

Your obedient servant,

"E.G. Newnham"

A/Indian Agent.

C.C. Perry, Esq.,
Assistant Indian Commissioner for B.C.,
Victoria, B. C.

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Copy.

Office of the Indian Commissioner

for B. C.

152/6/27541.

Victoria, B.C.,
December 27, 1932.

Sir:-

With further reference to your letter of November 29th on the matter of suppression of the lotlatch amongst the Indians in your Agency, I am sending herewith for your perusal copy of Departmental letter dated December 19th, No. 6244-4B, bearing upon this matter and which will be self-explanatory.

Your obedient servant,

"Chas. C. Perry,"

Asst. Indian Commissioner for B.C.

E.G. Newnham, Esq.,
Acting Indian Agent,
Alert Bay, B. C.

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6244-4B.

Copy.

Department of Indian Affairs

Canada.

Ottawa, December 19th, 1932.

Sir:-

I have to acknowledge receipt of your letter of the 3rd instant, No. 152/6/27248, enclosing copy of communication addressed to you by Mr. Constable Newnham, Acting Indian Agent, Alert Bay, in regard to the suppression of the potlatch among Indians of the Kwawkewlth Agency. While the Department does not wish to take any harsh measures, it is our wish that no opportunity should be given these Indians to renew their potlatch activities, and the suggestion made by Constable Newnham as to calling upon the Royal Canadian Mounted Police Force should necessity arise, is approved. The matter will be left largely to the discretion of yourself and the other officials. Will you be good enough to communicate with Mr. Newnham.

Your obedient servant,

"A.F. MacKenzie"

Secretary.

C.C. Perry, Esq.,
Assistent Indian Commissioner,
Victoria, B. C.

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Copy.

Office of the Indian Commissioner

for B. C.

152/6/27248.

Victoria, B. C.,
December 3, 1932.

Sir:-

I have the honor to transmit herewith copy of a letter dated November 29th, ultimo, received at this office from Mr. E.G. Newnham, Acting Indian Agent at Alert Bay, in regard to suggestions offered by him with a view to the suppression of the potlatch among Indians of the Kwawkewlth Agency where Mr. Newnham is temporarily stationed pending the appointment of a permanent successor to Mr. Agent Halliday who is now on retiring leave.

I have deemed it advisable in this connection to furnish the Department with a brief synopsis of our office files, so that some of the recent phases of action taken and the results might be seen more or less at a glance.

As Captain Barry's name has been mentioned, I should remind you that he is the District Inspector of Indian Schools for British Columbia, who in his reports has mentioned that the absence of Indian children with their parents in attendance upon the occasional potlatch ceremonies, results in their necessary absence from school thereby being deprived of the advantages of education.

In view of the contents of the file and of the conditions which are reported to prevail in the Kwawkewlth Agency, as reported by Mr. Newnham, perhaps the Department may wish to give some directions for Mr. Newnham's guidance, which is recommended.

Your obedient servant,

"Chas. C. Perry"

Asst. Indian Commissioner for B.C.

The Secretary,
Department of Indian Affairs,
Ottawa.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

I52/6/2754I.

COMMISSIONER'S OFFICE
JAN 3 1933
VICTORIA, B. C.

Alert Bay,B,C.

Dec,3Ist,I932.

Dear Sir,-

I am in receipt of your letter dated Dec,27th, re the above with copy of Departmental letter dated Dec,I9th, No,6244-4B,and beg to state that by the time you have received this reply and the necessary arrangements have been completed, it will not be a moment too soon to call in the R,C,M,P,to deal with expected infractions of Section I40,Indian Act at Kingcome and elsewhere.

On receiving the necessary authority from you,I hope I am not going too far if I suggest that I communicate direct with the Officer Commanding"E"Division,R,C,M,P,at Vancouver,B.C. The proposition is a very deep one and I will take care that my letter will be mailed on the Union Steamer and not through the local Post Office,at the same time,of course,forwarding you a copy of the letter. It is absolutely essential that the R,C,M,P,should not on any account communicate direct with me,neither through the mail nor by telegram nor come in contact with me in any way until they have their cases all ready for trial.

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So far as I can see a number of white people in this district take varying kinds of interest in the"potlatch"and their interference,both innocent and otherwise,is apt to be obstructive,hence the necessity for an extreme amount of strategy.

C,C,Perry Esq:
Assistant Indian Commissioner for B,C
Victoria,B,C.

Your obedient servant,
(E,G,Newnham,)
A/Indian Agent

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152/6/27541.

December 27, 1932.

Sir:

With further reference to your letter of November 29th on the matter of suppression of the potlatch amongst the Indians in your Agency, I am sending herewith for your perusal copy of Departmental letter dated December 19th, No.6244-4B, bearing upon this matter and which will be self explanatory.

Your obedient servant,

Encl.
P/AC

C. C. Perry,
Asst. Indian Commissioner for B.C.

E. C. Newnham, Esq.,
Acting Indian Agent,
Alert Bay, B.C.

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(C O P Y)

No. 6244-4B.

DEPARTMENT OF INDIAN AFFAIRS
CANADA

Ottawa, December 19th, 1932.

Sir:-

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Secretary,

C.C. Perry, Esq.,
Assistant Indian Commissioner,
Victoria, B.C.

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

IN YOUR REPLY REFER TO

No. 6244-4B.....

ALSO TO THE DATE OF THIS LETTER

PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS

CANADA

Ottawa, December 19th, 1932.

Sir:-

I have to acknowledge receipt of your letter of the 3rd instant, No. 152/6/27248, enclosing copy of communication addressed to you by Mr. Constable Newnham, Acting Indian Agent, Alert Bay, in regard to the suppression of the potlatch among Indians of the Kwawkewlth Agency. While the Department does not wish to take any harsh measures, it is our wish that no opportunity should be given these Indians to renew their potlatch activities, and the suggestion made by Constable Newnham as to calling upon the Royal Canadian Mounted Police Force should necessity arise, is approved. The matter will be left largely to the discretion of yourself and the other officials. Will you be good enough to communicate with Mr. Newnham.

Your obedient servant,

A. F. MacKenzie,
Secretary.

C. C. Perry, Esq.,
Assistant Indian Commissioner,
Victoria, B.C.

COMMISSIONER'S OFFICE
DEC 27 1932
VICTORIA, B. C.

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152/6/27256.

December 5, 1932.

Dear Mr. Newnham:-

I have referred your recent letter regarding the matter of police assistance with a view to the suppression of the potlatch to the Department for directions. Please do not take action along the lines indicated in your letter until you have received the Department's authority to do so.

Your obedient servant,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

E. G. Newnham, Esq.,
Acting Indian Agent,
Alert Bay, B. C.

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152/6/27248.

December 3, 1932.

Sir:

I have the honor to transmit herewith copy of a letter dated November 29th, ultimo, received at this office from Mr. E. G. Newnham, Acting Indian Agent at Alert Bay, in regard to suggestions offered by him with a view to the suppression of the potlatch among Indians of the Kwawkewlth Agency where Mr. Newnham is temporarily stationed pending the appointment of a permanent successor to Mr. Agent Halliday who is now on retiring leave.

I have deemed it advisable in this connection, to furnish the Department with a brief synopsis of our office files, so that some of the recent phases of action taken and the results might be seen more or less at a glance.

As Captain'Barry's name has been mentioned, I should remind you that he is the District Inspector of Indian Schools for British Columbia, who in his reports has mentioned that the absence of Indian children with their parents in attendance upon the occasional potlatch ceremonies, results in their necessary absence from school thereby being deprived of the advantages of education.

In view of the contents of the file and of the conditions which are reported to prevail in the Kwawkewlth Agency, as reported by Mr. Newnham, perhaps the Department may wish to give some directions for Mr. Newnham's guidance, which is recommended.

Your obedient servant,

P/AC

C. C. Perry,
Asst. Indian Commissioner for B.C.

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

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SUMMARY OF INDIAN COMMISSIONER'S FILE, VICTORIA, B.C. (No.152/6), OF CORRESPONDENCE RELATING TO THE DIFFICULTIES IN SUCCESSFULLY PROSECUTING INDIANS FOR HOLDING THE INDIAN "POTLATCH" OR FEAST AT WHICH THE GIVING AWAY OF PRESENTS FORMS A PART" AS PROHIBITED BY SECTION 140 OF THE INDIAN ACT

1924

Jan. 26. Agent reports Mark Seaweet, Indian, has inquired about a large quantity of goods which he wants to "potlatch" or give away. Dr. Scott has had discussion with Mrs. Cook at Vancouver. Has suggested that Department purchase material and if it does, Indian feels he should "potlatch" the money.

Jan. 29. Commissioner advises Agent he knows not what decision was arrived at between Dr. Scott and Mrs. Cook.

1929

Jan. 19. Agent reports Rev. A.W. Corker, former Vicar at Alert Bay, wants Indians to dance in aboriginal costume at Missionary exhibition at Victoria cathedral. Agent had referred the Vicar to sub-Sec.3, Sec.140 Indian Act. Had suggested refer to Commissioner at Victoria. Agent thinks it step in wrong direction. Indians crave potlatching and Bishop should discourage this.

Jan. 22. Commissioner writes Agent to inquire re report of potlatching in progress at Indian Village, Mamallikulla.

Jan. 26. Commissioner tells Agent he and Bishop Schofield had discussed matter and His Lordship had informed Rev. Conley (present rector at Alert Bay) that there will not now be time to take matter up with Superintendent General. Commissioner agrees with views of Agent in letter January 19th.

Jan. 31, Agent replies to Commissioner's letter Jan.22, saying frequent changes in B.C. Police prevents officers from understanding the "potlatch." Has heard of potlatching at Village Island (Mamallikulla) but happened to be away a week with "flu." Intends however to investigate reports.

1930

May 19. Commissioner writes Agent he has received letter from Dr. Duncan C. Scott who states he is informed that practice of potlatching by Indians being openly indulged in in Kwawkewlth Agency, also sale of liquor rife, particularly at canneries,etc. Asks for report.

1931

Jan. 15. B.C. Police reports to Commissioner big potlatch reported at Village Island Reserve (Mamallikulla) 1,500 sacks of flour purchased from Chinese by Indians to give away. Constable says he has spent a lot of time trying to investigate but ended in obtaining no information, and seeing nothing. In April 1922, after several months of intensive investigation the Mounted Police brought cases into Court and about 16 Indians sentenced to imprisonment. Agent anxious to take proceedings now but Indians will divulge no information. Indians complain that potlatches are held by other Indians in Province but no action taken against them. Suggests special police officers or investigators should be detailed to investigate and follow "each thread of complicated ramifications," if Department of Indian

Affairs...

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SUMMARY OF INDIAN COMMISSIONER'S FILE, VICTORIA, B.C. (No.152/6), OF CORRESPONDENCE RELATING TO THE DIFFICULTIES IN SUCCESSFULLY PROSECUTING INDIANS FOR HOLDING THE INDIAN "POTLATCH" OR FEAST AT WHICH THE GIVING AWAY OF PRESENTS FORMS A PART" AS PROHIBITED BY SECTION 140 OF THE INDIAN ACT

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Affairs...

REPEAT
REPETITION

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Affairs want to have potlatch stamped out. Constable finds himself "up against a stone wall," so far as getting evidence that could be of use in Court. Constable says he knows potlatching going on and is trying to get evidence. What is attitude of the Department in the matter. Some Indian pillars of church away potlatching. Church element anxious to stop it, but gracefully ask Constable to suppress it. Inspector of Police, and Commissioner urge Agent to assist police in investigations.

Feb. 7. Agent informs Commissioner he believes potlatches going on are on large scale, and intends to take matter of prosecutions up with Constable on latter's return from trip. Agent says he has no intention to let matter go by default. Indians try to camoflage potlatches to keep clear of law, as he understands dances given in one village and the distribution made in another, with an intervening time of approximately two weeks between them.

Feb. 12. Agent writes:- Reference letter Jan. 27, was investigating with Constable two days. No doubt 1500 sacks flour given away, but have not been able to establish the fact that any dance or ceremony took place in connection with the same. The Indian Act very specific must be Indian festival or ceremony, at which the giving away forms a part or is a feature. Reverend Antle has been telling Indians he will try and have Act amended to allow them to carry on certain of the festivities without breaking the law, and any statement of the kind unsettles them. Believe lawyers giving advice to Indians. At a recent potlatch no gifts of any kind. Indians' names written down in a book, with intention of giving away gifts after more than 6 months had elapsed, as then no prosecution could take place. Public and judges take sympathetic view of the Indians' viewpoint, and think Indians' liberties being interfered with. Indians are secretive, will systematically lie before giving evidence. Indians are trying to find ways of potlatching without violating Sec.140 Indian Act. Will have to be watched quietly for positive evidence of practice.

Apl. 2. Commissioner reports to Dr. Duncan C. Scott on legal advice being given Indians and asks for legal opinion from Department of Justice.

Apl. 9. Agent tells Commissioner he has also sought advice from Dr. Scott. Had investigated but could get no direct evidence. Either amend Act or enforce same with full rigor. If latter adopted necessary to have assistance and suggests R.C.M.Police in plain clothes. Reports potlatch at Capt Mudge in February where considerable sums of money were given away by Indians from Kingcome Inlet. Information came from Indian who could not give evidence through fear of being ostracized, but same Indian wished to see practice suppressed. Says Mr. Williams (Acting Deputy Supt.General) advises R.C.M.P. officer might be sent if Commissioner and Agent agree on this, but that before any prosecutions taken would like to see officers report. Agent thinks he should not prosecute as he might thereby impair his influence with Indians. Latter do not resent his judicial acts.

Apl. 13. Commissioner writes Bishop Schofield and explains Act re potlatching, enacted at request of Missionaries years ago, as aid to moral advancement of Indians. Improvement shown where Indians have given up the custom. Explains difficulty of obtaining evidence and of Agent acting as prosecutor and magistrate as well. Potlatches are going on. Indians have been getting some legal advice. Have referred matter for opinion of Department of Justice, to Ottawa. Desires closer co-operation between Christainized Indians, and Missionaries, and the Department, than appears at present, for while information brought to this office of potlatches going on, either by Missionaires or members of Anglican Church at Alert Bay, These

when....

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when asked if they were prepared to supply evidence that their allegations were correct, have refused to do so, their excuse being that they did not wish to be brought into the case. This hardly fair to Department, particularly as said informants have complained of laxity of Agent in dealing with cases. (Copy of this letter sent to Dr. Scott.

Apl. 13. Commissioner writes Agent "it is likely, if it is found that the obtaining of a conviction could not be had owing to the manner in which Indians are taking advantage of technicality, a way will be found during the present Session of Parliament of overcoming difficulty by passing such legislation as will meet needs of case. Sends Agent copy of his letter to Dr. Scott of April 2nd.

Apl. 21. Department sends Commissioner letter No.6244-4B, with enclosed written opinion of Department of Justice regarding technicality which that Department thinks could not be sustained.

Apl. 27. Commissioner forwards Agent copy of opinion of Department of Justice.

1932.

Mar. 2. Commissioner wires Department potlatch reported to have recently taken place and asks that two Mounted Police be sent to Alert Bay and Village Island to assist prosecutions.

Mar. 4. Dr. Scott replies to Commissioner giving authority asked for March 2nd and report of officers before determining whether prosecutions desirable. Also requesting Indians be warned against contraventions of Act.

Mar. 5. Commissioner wires Agent have boat ready to take party of two out who would call and explain.

Mar. 7. Agent advised of directions of Dr. Scott in wire March 4, and instructs Agent place boat at disposal of R.C.M.P. officers and assist them in every way possible.

Mar. 5. Agent replies to wire of 5th. Have had trouble with boat which may be corrected by time parties arrive at Alert Bay.

Mar. 7. Agent acknowledges Commissioner's letter to him of March 3rd(not on file--presumed private).Notes remarks re reported potlatch at Fort Rupert. States only dance took place and no gifts made. Bad weather had prevented Agent from leaving office to investigate.

Mar. 23. R.C.M.Police sends to Commissioner copy of report of officer 5394 Corporal Reddyhoff, dated March 22nd, re investigations made at Village Island, without the slightest evidence being found to substantiate the reports that the Indians were holding a potlatch. In the opinion of the Police the Indian Act had not been violated in any way; nor were there any signs of intoxicants having been held at the Indian dances which had been held and during the course of which Rev. C.H.K. Prosser, Anglican Minister of Alert Bay, had been present in the first week of the celebration.

Mar. 29. Indian Agent reports confirming the report of the Mounted police.

Acting....

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- 4 -

1932.

Nov.29 Acting Indian Agent Newnham sends letter asking for R.C.M.P. Assistance upon his urgent call where necessary, to deal with potlatch cases. Copy sent to Department by Assistant Indian Commissioner.

Assistant Indian Commissioner
for British Columbia

December 2nd, 1932.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Alert Bay, B. C.,
November 29, 1932.

File # 4

Dear Sir:-

I have been giving some attention to enfractions of section 140 Indian Act, which undoubtedly occur at Alert Bay and other points in the agency at certain periods; I have not only been guided by what I have been told and what I have casually learned, but also what I have seen for myself in the shape of several hundred dollars worth of goods stored up which might possibly be intended for a potlatch which has been frustrated in the past, but at any rate is available for a future celebration.

As no doubt you know, whilst in Victoria I had a conversation with Captain Barry on this subject, and in view of his knowledge of conditions at Alert Bay and some knowledge of Indians, although quickly acquired, also certain previous experience which has proved to be of value in matters of this kind, I considered this opportunity I had of referring with him most helpful, and I was completely in accord with his ideas as to the best method of suppressing the worst features of these celebrations. The two members of the local detachment of the B.C. Police, for reasons which give absolutely no discredit to themselves, frankly admit that they cannot handle this situation. Therefore whilst in Vancouver last week I called on Inspector M.J. Mead, head of the C.I. branch of the R.C.M. Police at his office at 535 Georgia Street. I needed no introduction, and the visit was informal and not official as I am thoroughly aware that the sanction of the Department must be obtained before the services of the Federal force are requisitioned. My primary object was to draw up a tentative plan of campaign with the officer in charge personally, with a view to avoiding the following:-

(1) The R.C.M.P. arriving unnecessarily or at the wrong time.

(2) The dispatch of correspondence or exchange of telegrams which might tend in some manner to hinder or frustrate the objects of the patrol.

COMMISSIONER'S OFFICE
DEC 2 1932
VICTORIA, B. C.

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This latter is in view of the fact that some encouragement is given to Indians to indulge in most pernicious forms of these practices by certain white people who can be classified as follows:-

(1) Some mostly connected with the Church who apparently are unable to discriminate between the innocent and illegal features of these celebrations and resent what they construe to be an attempt to eliminate the old customs of the native people.

(2) Others who are always ready to exploit Indians in this case by supplying them with goods at a considerable profit also liquor probably with which to hold these celebrations.

My interview with Inspector Mead resulted therefore in arrangements being made to "release the trigger at the psychological moment", when I will make official request to you, and the next move, if you approve, will be for the R.C.M.P. to arrive. There will be no need for me to send any further correspondence or exchange of telegrams will be quite unnecessary. Before taking this action however, I will make certain as far as possible that it is absolutely necessary. Inspector Mead explained to me that under present R.C.M.P. regulations the members of that force differed to others in that they can be maintained at no higher cost to public funds whilst out on special duty than when they are in at headquarters, so that the only charge to the various departments which utilize their services is for transportation.

However Inspector Mead's views were not exactly in line with those of Captain Barry and myself, owing to the concensus of public opinion being strongly against the use of "agents provocatur" and what I presume to be a natural desire on the part of the R.C.M.P. to be entirely dissociated with the ramifications of former operatives of the Provincial Liquor Board; he was strongly in favour of employing men in uniform. My own idea is that men who succeed in attaining the desired objective in an intricate case of this nature which calls for astute detective work, do not come under the heading of "agent provocatur" at all, inasmuch that they deal with crime which is known to exist and do not manufacture it for the sake of getting convictions only. Still if we entrust a piece of work to that force, we must leave the plan of campaign in their hands, and furnish them with what local details as are available. This will be done when I make my offical request to you.

There are no indications of these celebrations taking place at any point in this agency at present, but in view of the fact that I do not expect to be in Vancouver often I took the opportunity of meeting Inspector Mead and discussing it with him whilst in town, my main idea being that in event of action becoming necessary probably next February, to have details arranged without undue publicity. Inspector Mead expressed some concern at the delay necessarily incurred in my communicating with you at your office in Victoria;

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perhaps it would be possible to arrange for tentative sanction to be granted for th e Force to be called upon as soon as required through Mr. Ball's office in Vancouver, as I feel that an element of surprise would be helpful in attaining the desired objective.

As Captain Barry is interested in the matter, and further information from him may be helpful, I would a sk that you kindly show him this letter.

I have the honour to be,

Your obedient servant,

E.G. Newnham

(E.G. Newnham)
A/Indian Agent

EGN/T

C.C. Perry, Esq.,
Assistant Commissioner for B.C.,
Victoria, B. C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Alert Bay, B.C.,
March 29, 1932.

4.

Sir:-

With further reference to your letter advising me of the coming of the Royal Canadian Mounted Police to make investigations into the matter of alleged potlatching which was taking place at Fort Rupert and at Village Island, I have to inform you that I spent a whole week with the Police as will be shown when my monthly Diary goes in.

We first visited Village Island, and I took them round and showed them everybody who was in the vicinity who would be likely to know what was going on, and we got absolutely not one tittle of evidence to show that anything illegal had taken place or was about to take place. There was dancing going on, and we attended the dances while we were there, but of course it goes without saying that while we were on the ground nothing illegal would be done, but from others living near by it was quite apparent that the dances were harmless gatherings.

At Fort Rupert we found that when the dance was over the Indians had been detained nearly two weeks by weather conditions. It is impossible to launch a boat from the beach when a wind is anywhere between the north-east and south-east, as there is a very heavy swell runs in and it breaks three or four hundred yards away from the beach, and this has made Fort Rupert a very poor place for the Indians to live, and consequently hardly anybody stays there unless they cannot help it.

We questioned everybody living in the vicinity, and none of them had heard that even a five cent piece had been given away. There was a dance the night we were there, the last of the series, and the Indians left the next morning.

COMMISSIONER'S OFFICE
APR 1 1932
VICTORIA, B. C.

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W.E. Ditchburn.

They were loading when we left, and I took what my boat would carry from this end of the Agency and brought them to Alert Bay. From all I can gather, there was absolutely nothing illegal; the Act, as you are aware, allows aboriginal dances on their own reserves, and I am of the opinion that no one outside of their own tribesmen danced at any of these dances.

I believe the Mounted Police will be sending you a copy of their Report; at any rate there will be a copy of it come from Ottawa, and I regret that anyone should make himself or herself so busy as to send in these fictitious reports, as from my long experience in dealing with potlatch matters and from the close touch which I have with everything in the Agency I was in a position to know what was going on.

However the visit of the Mounted Police will do a certain amount of good as the Indians will know they are under surveillance

Your obedient servant,

W M Halliday

(W.M. Halliday)
Indian Agent

WMH/T

W.E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
Victoria, B.C.

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Form No

ROYAL CANADIAN MOUNTED POLICE

Division	Sub-District	Detachment
"E"		C.I.B. VANCOUVER, B.C.
District		Date
B.C.		March 22nd. 1932.

COMMISSIONER'S OFFICE
MAR 23 1932
VICTORIA, B. C.

Fyle References

Re: Potlach at Village Island, B.C.

Headquarters
32 D.128-J-1.

Division or Dist.
32E. 1250-3.

Sub-District

Detachment

P. C. R.
Nil.

Acting on instructions received from the Officer Commanding, "E" Division, Constable Glover and I left Vancouver for Alert Bay on Friday, March 11th. at 9 a.m. on the S.S. "Catala" to investigate the above mentioned case.

On arrival at Alert Bay on Saturday, the 12th. instant, I interviewed W. M. Halliday, Indian Agent, and arranged to leave for Village Island on the following day, Sunday, but owing to weather conditions, we were unable to start until Monday, at 9 a.m. Accompanied by W.M. Halliday, we arrived at Village Island at 11 a.m. and spent the remainder of the day interviewing Indian Chiefs and attended the Indian dance (aboriginal) in the evening. On Tuesday we cvisited the only white people on the Island, E.E. Owen and wife, James Jolliffe, and Michael Kamano (Half-breed) all of whom are respectable citizens, and attended the aboriginal dance that night.

The following Indian Chiefs were present at the above mentioned dances:- Chief Harry Mountain, Manlillikulle Tribe, from Village Island. Chief August of the Klawatsis Tribe, and Chief Sam Gonkinis of the Matilpi Tribe. The two latter tribes are from Harbledown Island and Turner Island - totalling about 140 in all, including the Indians from Fort Rupert.

This dance terminated at about 11.30 p.m. and all the Indians dispersed before we went. On the following day (Wednesday) all visiting Indians left Village Island at about 10 a.m. for the respective homes and we started shortly afterwards for Alert Bay, arriving there at noon. On Thursday, owing to weather conditions, we stayed at Alert Bay, and left for Fort Rupert the following day (Friday) at 9 a.m., arriving there at 11.30 a.m., going ashore xx in the afternoon and attending the dance in the evening. This dance was also aboriginal.

Most of the Indians attending were of the Naluakto and Quashela Tribes from Blunden Harbour and Smith Inlet, about 140 all told. This dance terminated about midnight and the Indians dispersed before we left.

At 10 a.m. next day all Indians left for their respective settlements, in accordance with orders given them by the Indian Agent. At all the dances, the Indians were warned re. violating the Indian Act, especially Section 140.

Fyle numbers must be quoted.

INDIAN AFFAIRS
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Re; Potlach at Village Island, B.C.

The Rev. C.M.K. Prosser, Anglican Minister at Alert Bay, was present at Village Island the first week of the celebrations, two weeks ago, and stated he had attended all the dances given at that time and everything seemed to be conducted in an orderly and lawful manner.

The Indians at Fort Rupert were waiting for 13 days for favourable weather to enable them to leave for Village Island, but owing to the nature of the Coast line and high winds, they were not able to get away before Monday, March 14th, this coast being very dangerous when South East winds are blowing, a heavy surf running at these times, making it very difficult, if not impossible, to either leave or land at Fort Rupert.

According to information received from Mrs. Cadwallader and her two sons, Store Keepers at Fort Rupert, there was no Potlach during that time, the dances being orderly and quiet.

At no time during this investigation has the slightest evidence been found to substantiate the reports that the Indians were holding a Potlach, they were open and above-board in everything, and were only too willing to explain things to our satisfaction, and, in my opinion, the Indian Act has not been violated in any way. There were no signs of intoxicants at any of the dances at any time.

We returned to Vancouver on the S.S. "Cardena", arriving at midnight, March 20th.

Expenses in connection with the above total $23.00 for Board and lodging at Alert Bay. Distance travelled 480 miles.

(SGD.)

(P. Reddyhoff) Corporal
Reg. No.5394.

THE COMMISSIONER:
R.C.M.Police, OTTAWA.

Sir: Forwarded for your information.
On receipt of your memorandum dated the 7th. instant, I telephoned to the Indian Commissioner, Mr.Ditchburn, at Victoria, who stated that the celebration referred to was in progress. Reg. No.9707, Constable Glover, J.W., was detailed to accompany Corporal Reddyhoff to Alert Bay, leaving the same night. You will note that the Indian Agent, Mr. W.M. Halliday, was also in attendance throughout the celebration.
CASE CONCLUDED.
HANDED TO DEPARTMENT. (SG .)

Vancouver.
22-3-32.

(S.T.Wood) Supt. Commanding B.C. District.

The Indian Commissioner for British Columbia,
Victoria, B.C.
Sir: Copy for your information.

Vancouver.
22-3-32.

(S.T.Wood) Supt. Commanding B.C.District.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

COMMISSIONER'S OFFICE
MAR 12 1932
VICTORIA, B. C.

Alert Bay, B. C.,
March 7, 1932.

11-1

Sir:-

I am in receipt of your letter of March 3rd, file 22-24224, and note the remarks you have made regarding the occurrence of a potlatch at Fort Rupert, and I am somewhat surprised that you should have made the remarks without being a little more credibly informed as to what had taken place.

How do I get know

I did not know that any potlatch took place at Fort Rupert, and from all that I can find out from the Indians who were at Fort Rupert at a dance that was being held there, there was nothing given away at all. In fact those who went there were very much disappointed. The facts of the case are that Peter Knox, whom you doubtless will remember, is the hereditary chief of all the Kwawkewlths, but had never taken his place owing to the fact that there were certain dances which had to be given before he could assume his position. He came to the office about a month ago and told me about it, and said that it was necessary for him to give these dances as they had been promised. I read that portion of the Indian Act relating to the Potlatch to him, and I told him it was not the intention of the Department in any way to curtail the pleasures of the Indians, and if it was only a dance that he was going to give, so long as the dance was confined to members of his own tribe on his own reserve, and nothing was given away, he would not be violating the law, but if it was found out afterwards that he had given anything away or that Indians from other reserves were dancing there, that action would have to be taken, and on account of the fact that he had received a good liberal education at the expense of the Department and on account of his general knowledge, he could not expect to be let off with the minimum penalty provided by the Act. He assured me that it was not his intention at all to give away anything, simply to hold these ceremonial dances, as he had a number of masks which demanded dances to be given for them.

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With reference to that part of your letter commenting on the fact that I remained in the office instead of going to Fort Rupert, I would advise you that we have had exceptionally stormy weather. Fort Rupert is an open roadstead, and the only way in which shelter can be obtained is by going about two miles from the Indian village behind an island, and if that is done it is impossible to land on the beach in front of the reserve. To be candid, many of the Indians who went up there have not yet been able to get away because they went in small boats and they had to pull them up high and dry to avoid the terrific swell that runs in, and they are waiting for the big tides to come to get the boats off again. It is because of the poor shelter there that the Indians at Fort Rupert do not care to remain on their own reserve.

So far as I have been able to find out there were very few outsiders at Fort Rupert, and none of them took any part in the proceedings.

Regarding the second paragraph of your letter pertaining to the operations of the Indians of the Mamalillikulla Band, I did not consider it necessary to make a detailed report on it as they have not any more logs ready for shipment yet. During the month of January and all the month of February snowy weather prevailed, and very little work was done. They had when I was there possibly one hundred logs pulled out to the spar tree, and as soon as they cleaned up what is known as that "setting" they would then be put into the water, so it may be a month yet before they will be a shipment made. I have been urging on them the necessity of continuing with the work and at any rate get the indebtedness cleaned off, but the difficulty is they have never had any money so far themselves, and the food problem crops up; in fact some of them refused to work any more, so they are only working with a moderate sized crew.

Your obedient servant,

W.M. Halliday

(W.M. Halliday)
Indian Agent

WMH/T

W.E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
Victoria, B.C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Alert Bay, B. C.,
March 5, 1932.

49

Sir:-

I am in receipt of your telegram today asking me to have the launch in readiness to take out a party of two and that their business will be explained on their arrival, and for your information I may say that I have just taken the launch off the ways. When we were at Kingcome Inlet with Capt. Barry we struck a submerged log, and bent the propeller blade, and had to take the boat out of the water to have it straightened. At the same time I took the opportunity to have a new piece of planking put in where the worms had eaten through.

When the boat took the water again I started the engine up and the clutch absolutely refused to work, and it was necessary to tow the boat back to the machine shop and take the clutch out. On examination I found it would be just as costly to repair the old one as it would be to get a new one, so I immediately wired the Vivian Gas Engine Works to send a complete new clutch. I sent the wire yesterday afternoon about 2:30, and the boat sailed last night, but I am pleased to report that the new clutch came and will be installed on Monday. There has been a slight change in the specification of their clutches since the original one was put in, but the adjustment will not be very difficult to do.

I presume the party will not arrive until Tuesday next or Wednesday as these are the first two boats coming, but everything should be in first-class condition by that time.

Your obedient servant,

(W.M. Halliday)
Indian Agent

WMH/T

W.E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
Victoria, B.C.

DEPARTMENT OF INDIAN AFFAIRS
MAR 9 1932
VICTORIA, B. C.

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152/6/24255.

March 7, 1932.

Dear Sir:-

I wired you on Saturday to have your launch ready to take a party of two out and they would call on you and explain.

In connection with the above I have to say the Department has been given to understand that a potlatch is taking place at Village Island and that two members of the Royal Canadian Mounted Police are being sent to Alert Bay to watch the proceedings and report, also to warn the Indians against any contravention of the Act. Following the report of the Constables the Department will consider whether prosecutions are desirable. When these officers call at Alert Bay you should take them to Village Island and explain matters to them and assist them in every way possible.

Yours respectfully,

WED/KD.

W. E. Ditchburn.
Indian Commissioner for B. C.

W. M. Halliday, Esq.,
Indian Agent,
Alert Bay, B. C.

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J. E. Gobeil, *General Superintendent.*

Sent No.	Sent by	Received by	Time Sent	Time Filed	Check

Send the following Message subject to the above terms which are agreed to:

To W. M. Halliday, Indian Agent,
Alert Bay, B.C.

Victoria, B.C.
Mar. 5, 1932. 192

HAVE YOUR LAUNCH READY TO TAKE PARTY OF TWO OUT STOP THEY WILL CALL ON YOU AND EXPLAIN.

W. E. Ditchburn,

152/6/24243

READ THE NOTICE AND AGREEMENT AT THE TOP

INDIAN AFFAIRS
AFFAIRES INDIENNES
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FORM T. D. 1

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(Printed in Canada)

J. McMILLAN, General Manager of Telegraphs, Montreal.

STANDARD TIME

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OTTAWA ONT 3

W E DITCHBURN

INDIAN COMMISSIONER VICTORIA BC

TELEGRAM RECEIVED WITH REFERENCE TO POTLATCHES IN KWAWKEWLTH AGENCY STOP I HAVE REQUESTED ROYAL CANADIAN MOUNTED POLICE TO SEND TWO OFFICERS TO ALERTBAY TO WATCH PROCEEDINGS AND REPORT ALSO TO WARN INDIANS AGAINST CONTRAVENTIONS OF THE ACT STOP FOLLOWING REPORT OF THE CONSTABLES DEPARTMENT WILL CONSIDER WHETHER PROSECUTIONS ARE DESIRABLE

DUNCAN C SCOTT.

P

COMMISSIONER'S OFFICE
MAR 5 1932
VICTORIA, B. C.

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Form 6102, replacing Form 2A-T.W.

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Send the following message, subject to the terms on back hereof, which are hereby agreed to

Victoria, B. C., March 2, 1932.

Duncan C. Scott,
Deputy Superintendent General
of Indian Affairs,
Ottawa.

152/6/24209

School Inspector Barry just returned from Kwawkewlth Agency and reports potlatch having taken place very recently at Fort Rupert and another one about to start at Village Island STOP Recommend that two Mounted Police be sent Alert Bay at once with instructions to Indian Agent Halliday to convey them to Village Island and assist in prosecution of offenders. Answer.

NIGHT LETTER.
CHARGE INDIAN OFFICE VICTORIA.

W. E. DITCHBURN.

Telephone
Empire 7121

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152/6/20988.

April 27, 1931.

Sir:-

With further reference to the matter of prosecutions with respect to the practice of potlatching by Indians in your Agency, and our correspondence in that connection anent your File 246/4 and 98/4, I beg to send herewith for your information copy of a letter dated 18th April, instant, received by the Deputy Superintendent General from the Deputy Minister of Justice in regard to the application of the time limit for prosecutions which will be self-explanatory. Kindly keep this before you for your future guidance.

Your obedient servant,

P/KD.

Enclosure:-

W. E. Ditchburn.
Indian Commissioner for B. C.

W. M. Halliday, Esq.,
Indian Agent,
Alert Bay, B. C.

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Copy.

B/IS

715/21.

Ottawa, 18th April, 1931.

Dear Sir:-

Replying to your letter of 16th instant (6244-4B) with respect to a question raised in Commissioner Ditchburn's letter of 2nd instant concerning the celebration that is commonly known as the potlatch, which is described in section 140 of the Indian Act, R.S.C. 1927, chapter 98, I beg to say that I entertain no doubt that the statutory limitation prescribed for the institution of a prosecution would not start running until all the acts necessary to constitute the offence in question have been committed; in other words, I do not think that the legal view represented to have been given to certain Indians by Mr. W.R. Vaughan of Vancouver could properly be sustained.

I am returning your file herewith.

Yours truly,

(Sgd) W. Stuart Edwards,

Deputy Minister of Justice.

The Deputy Superintendent General
of Indian Affairs,
Ottawa.

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

YOUR REPLY REFER TO

No. 44-4B

ALSO TO THE DATE OF THIS LETTER

PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS
CANADA

Ottawa, 21st April, 1931.

Sir,

I beg to acknowledge the receipt of your letter of 2nd instant, No.152/6/20765, in which you ask that an opinion of the Department of Justice be obtained with respect to the question of potlaching,and also your letter of the 14th instant enclosing a copy of your letter to the Reverend Bishop Schofield.

In reply I beg to enclose a copy of the opinion of the Deputy Minister of Justice which has just been received in respect of this matter which speaks for itself.

enc.

Your obedient servant,

Secretary.

W.E.Ditchburn, Esq.,
Indian Commissioner,
Victoria, B.C.

COMMISSIONER'S OFFICE
APR 27 1931
VICTORIA, B. C.

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Copy

PB/IS

715/31.

Ottawa, 18th April, 1931.

Dear Sir,-

Replying to your letter of 16th instant (6244-4B) with respect to a question raised in Commissioner Ditchburn's letter of 2nd instant concerning the celebration that is commonly known as the potlatch, which is described in section 140 of the Indian Act, R.S.C. 1927, chapter 98, I beg to say that I entertain no doubt that the statutory limitation prescribed for the institution of a prosecution would not start running until all the acts necessary to constitute the offence in question have been committed; in other words, I do not think that the legal view represented to have been given to certain Indians by Mr. W. R. Vaughan of Vancouver could properly be sustained.

I am returning your file herewith.

Yours truly,

(Sgd.) W. Stuart Edwards,

Deputy Minister of Justice.

The Deputy Superintendent General
of Indian Affairs,
O t t a w a.

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152/6/20869.

April 14, 1931.

Dear Dr. Scott:-

Recently I had a telephone enquiry from the Rt. Rev. Bishop Schofield as to what the policy of the Department was in connection with the potlatch and I, therefore, wrote to him fully on this subject, and while pointing the difficulties in obtaining prosecutions in certain cases, at the same time asked that there should be greater co-operation between the Church workers and the Indian Agent in an endeavour to eradicate this pernicious system. I am attaching hereto copy of my letter to the Rt. Rev. Bishop Schofield for your information.

Yours respectfully,

WED/KD.

Enclosure:-

W. E. Ditchburn.
Indian Commissioner for B. C.

Duncan C. Scott, Esq.,
Deputy Superintendent General
of Indian Affairs,
Ottawa.

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152/6/20868.

April 13, 1931.

Dear Sir:-

Referring to your letter of 12th February in which you supplied information in regard to alleged potlatches supposed to have taken place on Village and Turnour Islands during the past winter, I beg to say I have observed your statement to the effect that insofar as you have been able to find out the function at Village Island comprised only the giving away of certain goods, and that at Turnour Island the Indian Johnny Speck held a big ceremonial dance and took down the names of the Indians present and promised that the giving away of presents would take place after a period of six months had elapsed, this action being taken by him on the advice of a Mr. Vaughan, of Vancouver, in order to nullify any prosecution under Section 140 of the Indian Act.

I note your remark that "the Indian Act is very specific on the matter that it must be an Indian festival, dance, or ceremony at which the giving away forms a part or is a feature", before a successful prosecution can be maintained. This is not the correct wording of the Section referred to, for it specifies that the dance, festival, or ceremony is illegal if the presents are given away before, at, or after the ceremony.

Mr. Vaughan has, no doubt, based his opinion after reading Section 1142 of the Criminal Code of Canada which sets out the period of limitation of cases tried by summary conviction, in this case the period being six months.

I am, however, of the opinion that Mr. Vaughan's views would not be held as sound if it could be proved that the giving away features were connected with the first ceremony though a period of six months had elapsed. For, in reality, it was really an adjourned part of the potlatch. I fully appreciate the fact that this point might be very difficult to establish and, therefore, I wrote to Dr. Scott on the 2nd instant pointing out the new phase of the question and asking that a legal opinion should be obtained from the Department of Justice as to the advisability of laying informations before going further into the matter. It is likely, therefore, if it is found that the obtaining of a conviction could not be had owing to the manner in which the Indians are taking advantage of the technicality, a way will be found during the present Session of Parliament of overcoming the difficulty by passing such legislation as will meet the needs of the case. A copy of my letter to Dr. Scott in this regard is attached hereto for your information.

April 14th, 1931.

This morning I received your further communication of

W.M. Halliday, Esq.,
Indian Agent,
Alert Bay, B. C.

the.....

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the 9th instant pointing out that you also had written to Dr. Scott suggestion that one of the Royal Canadian Mounted Police plain clothes men be stationed in your Agency to endeavour to get what information he can, and going on to furnish information that a potlatch was held in February at Cape Mudge at which the giving away of a considerable sum of money took place, but your Indian informant refused to give evidence, but hope that action would be taken to suppress the potlatch system. You do not, however, state whether this festival ceremony and the giving away of money took place at Cape Mudge at or about the same time or whether it was conducted on the same lines as was the case at Village Island and Turnour Island.

I observe your remarks to the effect that it would be a technical mistake for you to prosecutr any such cases as it would impair your influence amongst the Indians. Under the circumstances I beg to say that I can hardly agree with you for it is quite evident that the Indians are and have been taking advantage of you and I am of the opinion that if you once give the Indians to understand that you are prepared not only to lay information against them in such cases, but also to convict them in others, the sooner you will have full control of your Agency. Indeed it seems peculiar that you have not found it possible to be present at some of these functions yourself to get your own information as there should be some way of your gaining advanced knowledge of their taking place if you keep your ear to the ground in an effort to gain such information. Experience goes to show that the people who complain about the potlatch, that is, missionaries, church workers and christianized Indians, will not or are not prepared to give information and act as witnesses for the Crown in the event of a prosecution and, therefore, the only thing possible is for you to work out a system of getting your own information and acting as informant now that you have another Stipendiary Magistrate in your district.

Yours respectfully,

WED/KD.

Enclosure:-

W. E. Ditchburn.
Indian Commissioner for B. C.

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Copy.

Office of the Indian Commissioner,

Victoria, B. C.,
April 2, 1931.

152/6/20765.

Dear Sir:- Re-Potlatches - Section 140 Indian Act.

I have been recently fairly reliably informed that at least two potlatches have been held some little time ago in the Kwawkewlth Agency, one at Village Island and the other at Turnour Island, but they have been disjointed, if I may use such a term, that is, the ceremony of dancing and feasting has not taken place at the same time as the giving away features, a period of over six months elapsing between the two.

In correspondence I have had with Mr. Indian Agent Halliday in regard to these potlatches when I requested that he endeavour to obtain suffucient evidence to warrant a prosecution, he has informed me that he was told by the Indians that they had obtained a legal opinion from Mr. W.R. Vaughan, of McKenzie & Vaughan, of Vancouver, B. C., that, provided a period of over six months elapsed between the festival dances, etc., and the giving away of presents, the Indians could not be prosecuted, he, no doubt, being guided in his opinion by Section 1142 of the Criminal Code of Canada which provides for a period of limitation.

You will remember that we had some complaint early last summer that a lotlatch had been held at Village Island. In January of this year, the Provincial Constable stationed at Alert Bay reported that a potlatch had been going on at Village Island that month. I immediately wrote to Mr. Indian Agent Halliday instructing what he should do in this matter, but his reply was to the effect that so far as he could learn this last affair merely consisted of the giving away of about 1,500 sacks of flour, but there was no dancing or other kind of festival connected with it. I am inclined, however, to the opinion that this was the concluding part of the potlatch reported last May.

The second case is that of an Indian named Johnny Speck, of the Turnour Island Band, who in January last had a big ceremonial dance but did not give away anything. Speck, however, took down the names of all the Indians who attended this dance, after which he informed them that when a period of six months had elapsed he proposed giving away the presents, he having been advised to this effect by Mr. Vaughan.

Personally, I think the advice given by Mr. Vaughan will not hold good provided that the second feature can be established as forming part of the first, but this may be difficult and I would prefer that no legal action be taken if there is any chance of it being thrown out of the Courts. Section

Duncan C. Scott, Esq.,
Deputy Superintendent General
of Indian Affairs,
Ottawa.

140.....

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140 of the Indian Act states that the giving away of these presents must not take place before, at or after the celebration and, therefore, it appears to me that the period of limitation provided for in Section 1142 of the Criminal Code could not be resorted to successfully in defending an Indian for potlatching if it can be proved that the giving away feature was merely an adjournment of the original ceremony. I would, however, like you to obtain a legal opinion from the Department of Justice in this connection.

Your obedient servant,

"W.E. Ditchburn."

Indian Commissioner for B.C.

WED/KD.

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152/6/20861.

April 13, 1931.

My Lord:-

Referring to your recent telephone enquiry as to the policy of my Department in regard to the potlatch, I beg to say that I consider it advisable in the first place to hereunder quote Section 140 of the Indian Act:-

"140. Every Indian or other person who engages "in, or assists in celebrating or encourages either "directly or indirectly another to celebrate any "Indian festival, dance or other ceremony of which the "giving away or paying or giving back of money, goods "or articles of any sort forms a part, or is a feature, "whether such gift of money, goods or articles takes "place before, at, or after the celebration of the "same, or who engages or assists in any celebration "or dance of which the wounding or mutilation of the "dead or living body of any human being or animal "forms a part or is a feature, is guilty of an offence "and is liable on summary conviction to imprisonment "for a term not exceeding six months and not less than "two months.

"2. Nothing in this section shall be construed "to prevent the holding of any agricultural show or "exhibition or the giving of prizes for exhibits thereat.

"3. Any Indian in the province of Manitoba, "Saskatchewan, Alberta, or British Columbia, or in the "Territories who participates in any Indian dance out- "side the bounds of his own reserve, or who participates "in any show, exhibition, performance, stampede or "pageant in aboriginal costume without the consent of "the Superintendent General or his authorized agent, "and any person who induces or employs any Indian to "take part in such dance, show, exhibition, performance, "stampede or pageant, or induces any Indian to leave "his reserve or employs any Indian for such a purpose, "whether the dance, show, exhibition, stampede or "pageant has taken place or not, shall on summary "conviction be liable to a penalty not exceeding twenty- "five dollars or to imprisonment for one month, or to "both penalty and imprisonment. R.S., c.81, s.149; 1914, "c.35, s.8; 1918, c.26, s.7."

This section was enacted many years ago at the request of the various ecclesiastical denominations whose missionaries were working among the Indians of British Columbia and other Provinces of Canada, as it was felt that little or no progress could be made along the lines of moral advancement

Rt. Rev. Bishop Schofield ,
Bishop's Close,
Corner Burdette and Vancouver Streets,
Victoria, B. C.

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so long as they were allowed to continue the potlatch system, which was considered to be pernicious in all its ramifications, all of which are well known to those whose endeavours have been to civilize and christianize the aborigines. It has, therefore, been the object of my Department to eradicate this practice entirely as there appears to be no half-way measures that could be put into effect.

It must be admitted that the condition of any Indians who have ceased to take part in the potlatch has greatly improved both morally and financially. Nevertheless, I am free to admit that all the Indians have not readily complied with the law, and rumours have been received at this office from time to time that at certain out-of-the-way points, particularly in the Kwaekewlth Agency, the practice of potlatching has been carried on surreptitiously. The difficulty, however, insofar as bringing the offenders to justice has been that the people who have supplied the information and who appear to know all about it, have not been willing to come forward and produce evidence sufficient to warrant prosecutions. The Indians know the law, but you will quite readily understand that it is almost impossible for an Indian Agent to get his evidence first-hand, for in the event of his putting in an appearance at one of these potlatches, all the ceremony ceases and everything is cleared away before he could make a landing from his boat.

Another difficulty confronting my Department in the Kwawkewlth Agency in the past has been that the Indian Agent has been the only person in the district who had any authority to deal with such cases either as Indian Agent or Stipendiary Magistrate, and even though he may have had at times personal knowledge that the above quoted section of the Indian Act has been contravened he could not act as both informant and magistrate. However, this condition does not pertain in that district at the present time for I believe Mr. Wastell, of Telegraph Cove, a short time ago received a commission as Stipendiary Magistrate.

Information was received at this office in January through the Provincial Constable at Alert Bay that potlatching had been going on at Village Island (Mahmalillikullah), but he stated he did not know enough about the system to give intelligent legal information. Indian Agent Halliday was communicated with in regard to this matter and instructed to make every effort to obtain sufficient evidence to warrant bringing a charge against the offending Indians and he has been working on the case for some time, his last information being to the effect that while he felt certain that about 1,500 sacks of flour had been given away, he so far had been unable to establish the fact that any dance, ceremony or festival had taken place in connection with the giving away feature. Another case is reported of an Indian of Turnour Island who held a big ceremonial dance, but did not at the time give away anything. He, however, took down all the names of the Indians at the function and stated that he would give away the presents after a period of six months had elapsed.

The Indians appear to have had some legal advice to the effect that so long as the giving away of presents does not take place until after a period of six months has elapsed from

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the time of the festival ceremony, they are not contravening the law. In the case above referred to it is probable that the festival ceremony was held at least six months prior to January of this year when Constable Clark reported.

No doubt you are aware that some years ago numerous Indians were successfully prosecuted by my Department for potlatching and this action had a very wholesome effect generally, but there are some Indians who are not inclined to give up the old custom and have resorted to every means in their power to carry on the potlatch. Their latest move in this direction has been to consult a lawyer to see if there was any way to defeat the intention of the Department as set forth in Section 140 of the Indian Act which states that the giving away must be connected with the ceremony or festival. I understand that a lawyer named Vaughan, of Vancouver, has given them an opinion that, provided the giving away does not take place until after six months following the ceremony, no conviction could be obtained. This lawyer is, no doubt, being guided in his opinion after having studied Section 1142 of the Criminal Code of Canada (Limitation of Actions) which reads as hereunder:-

> "1142. In the case of any offence punishable on
> "summary conviction, if no time is specially limited
> "for making any complaint, or laying any information,
> "in the Act or law relating to the particular case,
> "the complaint shall be made, or the information laid,
> "within six months from the time when the matter of
> "the complaint or information arose, except in the
> "Northwest Territories and the Yukon Territory, in all
> "which Territories the time within which such complaint
> "may be made or such information laid shall be twelve
> "months from the time when the matter of the complaint
> "or information arose. (1907, c.8)."

While I do not think that the information given to the Indians in this connection would hold good, particularly if the ceremony and the giving away of presents can be definitely connected, I have, however, taken up this point with the Deputy Superintendent General of Indian Affairs and have requested that a ruling should be obtained from the Department of Justice.

It is altogether probable that the two potaltches which have been reported to me as having been held were so held on the assumption that there was a way in which the Section of the Indian Act could be defeated.

Having pointed out to you what the policy of the Department is in connection with this matter, I deem it advisable to go a little further and say that if the intention of the Indian Act is to be put into effect, it is absolutely essential that there should be a closer co-operation between the christianized Indians, missionaries and the Department of Indian Affairs than there appears to be at the present time, for, while information has been brought to this office in regard to alleged potlatches going on, this information has been given by either missionaries or members of the Anglican Church at Alert Bay who, when asked if they were prepared to supply evidence that their allegations were correct, have refused to do so, their

excuse.....

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excuse being that they did not wish to be brought into the case. This, I hardly think is fair to the Department, particularly in view of the fact that these parties who have given a certain amount of information that potlatches have been going on, have also complained about the laxity of the Indian Agent in not dealing with the cases. I have pointed out to you the difficulties an Indian Agent is confronted with in such an Agency as the Kwawkewlth and, therefore, I feel that if we are going to stop the potlatch system entirely it is essential that we should have full co-operation from the members of your Church, particularly such as favor the suppression of the potlatch and its objectionable concomitants.

Iam, my Lord Bishop,
Your obedient servant,

WED/KD.

W. E. Ditchburn.
Indian Commissioner for B. C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

COMMISSIONER'S OFFICE
APR 14 1931
VICTORIA, B. C.

246/4

Alert Bay, B. C.,
April 9, 1931.

Sir:-

You will doubtless remember that when I was in your office last, we had a discussion regarding prosecutions under the Potlatch Act, and you thought that I should myself prosecute these cases, as there was another Magistrate present. However I went with Constable Clark to try and get some evidence on the matter, and I found it absolutely impossible to get any direct evidence that would connect the giving away of the goods, which was easy to prove, with any ceremony that had taken place, and I wrote to Dr. Duncan C. Scott, the Deputy Superintendent General, on the matter, and asked him for an advice and ruling on the same, and I suggested to him in the letter that either the part of the Indian Act relating to the Potlatch be amended, or be enforced with full rigor, but that if the latter course were adopted, it would be necessary to have additional assistance, and a suggestion was made or might be made, that the Royal Canadian Mounted Police be asked to send a man in plain clothes to get what information might be obtained.

There was some money, in fact quite considerable sums, given away in February at Cape Mudge by Indians from Kingcome Inlet, but my informant who was an Indian of Cape Mudge Band, when asked if he would come forward and give evidence, told me that if he did so, it would mean that he would be absolutely ostracized from his own people for all time, and he said that he would be very much averse to being called on to give evidence. At the same time he sincerely hoped that every effort would be made to suppress it, as he himself did not believe in it at all, although he had received money at this distribution.

Apparently Dr. Scott is away from home at the time, and Mr. Williams has written, asking for me to take the matter up with you, and get your opinion as to whether

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or not a Mounted Policeman should be sent, but he says he should like to receive the officer's report before giving directions for any prosecutions to be undertaken.

With regard to this matter, I feel that it would be a mistake tactically for me to prosecute, as it would impair very much the influence which I have with the Indians, and interfere seriously with the results of my labors in other respects, although the Indians themselves never have any resentment against me for anything I do judiciously. This is for your consideration.

Your obedient servant,

(W.M. Halliday)
Indian Agent

WMH/SMT

W.E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
Victoria, B.C.

0 0 0

152/6/20765.

April 2, 1931.

Dear Sir:- Re-Potlatches - Section 140 Indian Act.

I have been recently fairly reliably informed that at least two potlatches have been held some little time ago in the Kwawkewlth Agency, one at Village Island and the other at Turnour Island, but they have been disjointed, if I may use such a term, that is, the ceremony of dancing and feasting has not taken place at the same time as the giving away features, a period of over six months elapsing between the two.

In correspondence I have had with Mr. Indian Agent Halliday in regard to these potlatches when I requested that he endeavour to obtain sufficient evidence to warrant a prosecution, he has informed me that he was told by the Indians that they had obtain a legal opinion from Mr. W.R. Vaughan, of McKanzie & Vaughan, of Vancouver, B. C., that, provided a period of over six months elapsed between the festival dances, etc., and the giving away of presents, the Indians could not be prosecuted, he, no doubt, being guided in his opinion by Section 1142 of the Criminal Code of Canada which provides for a period of limitation.

You will remember that we had some complaint early last summer that a potlatch had been held at Village Island. In January of this year, the Provincial Constable stationed at Alert Bay reported that a potlatch had been going on at Village Island that month. I immediately wrote to Mr. Indian Agent Halliday instructing what he should do in this matter, but his reply was to the effect that so far as he could learn this last affair merely consisted of the giving away of about 1,500 sacks of flour, but there was no dancing or other kind of festival connected with it. I am inclined, however, to the opinion that this was the concluding part of the potlatch reported last May.

The second case is that of an Indian named Johnny Speck, of the Turnour Island Band, who in January last had a big ceremonial dance but did not give away anything. Speck, however, took down the names of all the Indians who attended this dance, after which he informed them that when a period of six months had elapsed he proposed giving away the presents, he having been advised to this effect by Mr. Vaughan.

Personally, I think the advice given by Mr. Vaughan will not hold good provided that the second feature can be established as forming part of the first, but this may be difficult and I would prefer that no legal action be taken if there is any chance of it being thrown out of the Courts. Section

140.....

Duncan C. Scott, Esq.,
Deputy Superintendent General
of Indian Affairs,
Ottawa.

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140 of the Indian Act states that the giving away of these presents must not take place **before**, **at** or **after** the celebration and, therefore, it appears to me that the **period** of limitation provided for in Section 1142 of the Criminal Code could not be **resorted to** successfully in defending an Indian for potlatching **if it** can be proved that the giving away feature was merely an adjournment of the original ceremony. I would, however, like you to obtain a legal opinion from the Department of Justice in this connection.

Your obedient servant,

WED/KD.

W. E. Ditchburn.
Indian Commissioner for B. C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Alert Bay, B. C.,
February 12, 1931

Your file 152/6/20098
Our file 98/4

Sir:-

With reference to your letter of January 27, regarding the report that potlatching had been going on, and mentioning the names of Owawwhalagaleese, Mike Seaweed and Edward Whonnock, I would advise you that with Constable Clark I was away parts of two days making investigations with a view of instituting prosecutions against them. There is no doubt whatever that approximately fifteen hundred sacks of flour were given away, but so far I have not been able to establish the fact that any dance or ceremony took place in connection with the same. The Act is very specific on the matter that it must be an Indian festival dance or ceremony, at which the giving away forms a part or is a feature, before a successful prosecution can be maintained.

The Rev. John Antle has been advising the Indians regarding the potlatch, and he has told them that he will try and have the Act amended to allow them to carry on certain of the festivities without breaking the law, and any statement of this kind always unsettles them.

Then, too, a number of them have been writing to various lawyers in the city of Vancouver trying to get advice how they can carry on their customs without violation of the Act. I have been told, and I believe it to be correct, that Mr. W.R. Vaughn, of McKenzie & Vaughn, has been giving them advice on the matter.

An Indian known as Johnnie Speck, or Spike, of the Klowitsis Band, had a big ceremonial dance which only was completed about two days before our visit, but so far as I can find out, he did not give away even a five cent piece or a cup of tea to any of those who were there, but their names were all written down in a book and he told

COMMISSIONER'S OFFICE
FEB 14 1931
VICTORIA, B. C.

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them that, acting on the advice of Mr. Vaughn, he was going to give away the things after more than six months had elapsed from the time of holding the dance, as then no prosecution could be instituted.

As I told you in our conversation in Victoria, the Act itself is not a popular one with the white people, even with the judges, who all take a very sympathetic view of the Indian's view point, and think that it is more or less like the eighteenth amendment to the American Constitution, that interferes with the liberties of a great many people.

I am aware that the Indians are very secretive at times, and they have all made up their minds that they will lie systematically before any of them will give evidence against any of the others who have potlatched and violated the Act, but the Indians themselves are changing their own old customs so that they can give away without the violation of Section 140 of the Indian Act. In the meantime we will work quietly and see whether positive information cannot be obtained that the dancing or other ceremonies were indulged in, but for the present we have absolutely no evidence on which to institute any prosecution.

Your obedient servant,

W.M. Halliday

(W.M. Halliday)
Indian Agent

WMH/SMT

W.E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
Victoria, B. C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Alert Bay, B. C.,
February 7, 1931.

Your file 152/6/20098
Our file 85/4

Sir:-

I arrived home safely yesterday, and I saw Constable Clark on the wharf, but he informed me that he expected to leave for Hardy Bay immediately in order to bring Inspector Parsons from Hardy Bay to Alert Bay, and on his return I will take up the matter with him of the potlatch prosecutions. He had intended to do some investigating while I was away, but there was no opportunity to discuss it with him, and I will let you know later how things are going on.

I can assure you, however, that there is no intention to let the matter go by default, as the potlatches in question from all the rumors I have heard were very large, and they have tried to camoflage them in order to keep clear of the law, as I understand that the dances were given in one village, and the distribution made in another, with an intervening time of approximately two weeks between them.

Your obedient servant,
W.M. Halliday

(W.M. Halliday)
Indian Agent

WMH/SMT

W.E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
Victoria, B. C.

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FEB 10 1931
VICTORIA, B. C.

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152/6/20098.

January 27, 1931.

Dear Sir:-

I have received a report from the Provincial Police Department that there has been a big potlatch going on at Village Island and that the leading Indians in this affair were Owawwhalagaleese, an Indian Chief of Fort Rupert, Edward Whonnock and Mike Seaweed. It is stated that 1,500 sacks of flour were purchased from local Chinese merchants to be given away during the ceremony and it is probable that much other merchandize is also playing an important part.

It is reported you are very anxious that some action be taken and that you would, as magistrate, be very glad to sit on any such cases if they are brought before you.

The Constable contends it is extremely difficult for him to get such evidence as would lead to a conviction and goes on to state in his report that if the Department of Indian Affairs wishes the potlatch stamped out, we should appoint a special man to investigate the matter.

I am creditably informed that Mr. Wastell has been recently appointed Stipendiary Magistrate for that district and, therefore, it is thought you as Indian Agent should be in a position to get such information with regard to this potlatch as will lead to the conviction of the Indians who have been contravening the Act. While you were the only Stipendiary Magistrate of the district, of course it was not to be expected of you that you could be both informer and magistrate, but now that Mr. Wastell has been appointed Stipendiary Magistrate, there does not appear to be any good reason why you cannot take an active part in having these Indians prosecuted and I have to request that you will give this matter your most diligent attention as you are aware of the fact that complaint has been made to the Department several times of late that potlatches have been going on, but the people who have informed the Department to this effect were not willing to come forward with their evidence.

Unless some action is taken in this case I foresee that another report will go to Ottawa on the subject.

Yours respectfully,

WED/KD.

W. E. Ditchburn.
Indian Commissioner for B. C.

W. M. Halliday, Esq.,
Indian Agent,
Alert Bay, B. C.

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Address all communications to:
THE COMMISSIONER
British Columbia Provincial Police
(C. I. D.)
Victoria, B.C.

CRIMINAL INVESTIGATION DEPARTMENT
VICTORIA

Your File No.

In reply quote File No.

January 23rd,
1 9 3 1.

SUBJECT:

Indian Potlatches -
Alert Bay area.

W.E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
P.O. Box 666,
Victoria, B.C.

Dear Sir:

I am enclosing copy of memorandum received from Inspector Parsons, together with copy of Constable Clark's report mentioned therein.

I notice that you have already had a conversation with the Inspector in connection with this matter and I am sending this report for your information.

Yours truly,

J.H.McMullin,
Commissioner,
B. C. Police.

JHMcM/DN
Encl.

COMMISSIONER'S OFFICE
JAN 24 1931
VICTORIA, B. C.

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The Commissioner,

B.C.Prov.Police (CIB),

Victoria, B.C.

January 21st., 1.

Indian potlatches - Alert Bay area.

I enclose a report, dated the 15th. instant, received from Const. G.H. Clark, Alert Bay Detachment, in the above connection.

I saw Mr. Ditchburn herein this morning. He points out that as there is an independent Stipendiary Magistrate at Alert Bay now, there should be nothing to prevent Mr. Halliday becoming jointly associated with the Police in prosecuting the infractions complained of. He also feels that Mr. Halliday might assist in the investigation and proposes to write to him to this effect.

As Const. Clark is being notified, I would ask you to be kind enough to provide the Indian Commissioner with a copy of the report.

Thomas W.S. Parsons.

T.W.S.Parsons, Inspr.,
Commandg."A" Division.

TWSP/M.

RECEIVED
C. I. B. HQRS.
JAN 21 1931
B. C. POLICE
VICTORIA, B. C.

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DIVISION: "A".

DISTRICT Courtenay.

DETACHMENT Alert Bay.

FILE No.

DATE: Jan. 15th. 1931.

PR or PCR.

CONFIDENTIAL REPORT.

Re;- Indian potlatching at Alert Bay Area.

On my return from a recent patrol I learned that there was a big potlatch in progress at Village Island.

Nil

Mr Halliday, Indian Agent informed me that there were three leading lights in this affair; Owawhalagaleese, an Indian Chief at Fort Rupert, Edward Whonnock and Mike Seaweed. I know that 1500 sacks of flour were purchased from local Chinese merchants to be given away during the ceromony. It is probable that much other merchanise is also playing a part.

On previous years I spent a lot of time running around to places where potlatches were being held, but when I got at the scene of activity, there was nothing to see.

H'QRS. REF.

In April 1922, after several months intensive investigation the Mounted Police brought cases into Court and about sixteen Indians were sentenced to various terms of imprisonment. I have been told by an Indian who was among those (Moses Alfred) that they were threatened with long terms for perjury if they did not tell what they knew, and so pleaded guilty when charged with taking part in a potlatch.

DIV'L REF.

Mr Halliday, the Indian Agent, is very anxious that some action be taken, and will be glad to sit on such cases when and if they are brought before him. There is a Stipendiary Magistrate here now..

DIST. REF.

Obtaining evidence that would convict is a very difficult matter; naturally the Indians who take part will not divulge the proceedings, and those who dont take part (who are few) have their own reasons for not wishing to become implicated in any prosecution proceedings.

13/31

DET. REF.

Indians have told me, whether or not it is true, that tribes in other parts of the Province hold potlatches, and no attention is paid to the practice.

It would seem to me that if the Indian Department is anxious to stamp out the practice, they would appoint special men to investigate; men who could devote their whole time to the matter and follow each thread of the complicated ramifications. As it is with me, I have been, and am interviewing Indians who could tell me what is going on, but evrywhere I find myself up against a stone wall, so far as getting evidence that could be used in Court.

53*31

I understand that some of the Indian pillars of the Church even, are away potlatching. Naturally the Church element is anxious to stop the potlatching, but when it comes to doing anything they gracefully infer that I'm the one that should do it. There is so much Provincial work to be done in this district that frankly, I dont see why our Department should be called upon to neglect it's own work to spend the time and incur the expense to enforce this particular phase of the [illegible] Act.

The purpose of this report is advise you t[illegible] that potlatching is going on at present, tha[illegible] enough evidence to bring a case into Cour[illegible] been unsuccesful, and to ask the Departme[illegible] wishes me to take in the matter. Also if [illegible] action to be taken by me.

09

d show whether its subject matter relates to organized c[illegible]

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CONFIDENTIAL REPORT.

Re:- Indian Potlatching in Alert Bay Area.

The N.C.O. i/c
B.C.Police,
Courtenay District.

Geo. H. Clark
Geo. H.Clark,Constable,
i/c Alert Bay Detachment,
B.C.Provincial Police.

The Officer Commanding. 19-1-31.
"A" Div. BCPP. Victoria.

Perhaps the Federal authorities would feel disposed to assist our officer at Alert Bay in this matter.

H.H. Mansell.
H.H. Mansell. Sgt.BCPP.
i/c Courtenay District.

FORWARDED
To the O. C. "A" Division
JAN 19 1931
N. C. O. i/c. District

RECEIVED
C. I. B. HQRS.
JAN 21 1931
B. C. POLICE
VICTORIA, B. C.

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Copy for fyle 152/6.

157/6/17747.

May 19, 1930.

Dear Sir:-

I beg to inform you I have received a letter from Dr. Scott in which he states that information has been given him to the effect that the practice of potlatching is quite openly indulged in in your Agency, also that the sale of liquor is rife, particularly at the canneries when the Indian help is being paid off in the early autumn and that Kingcome Inlet is the centre of these illegal operations. These matters were brought to your attention on the 19th of November, 1928, and your explanation with regard to the alleged supplying of liquor to Indians of the district was that the Provincial Police had run a launch, which was suspected of this elicit liquor traffic, out of the district and it had not again returned.

In view of this second letter I have received from Dr. Scott with regard to these matters, I have to request that you will furnish me with a full report without any delay.

Yours truly,

WED/KD.

W. E. Ditchburn.
Indian Commissioner for B. C.

W.M. Halliday, Esq.,
Indian Agent,
Alert Bay, B. C.

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Copy for fyle 152/6.

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Yours truly,

WED/KD.

W. E. Ditchburn.
Indian Commissioner for B. C.

W.M. Halliday, Esq.,
Indian Agent,
Alert Bay, B. C.

REPEAT
REPETITION

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Alert Bay, B. C.,
January 31, 1929.

Your file 152/13503

Sir:

Referring to your letter of January 22 in which you state that it has been brought to your attention that potlatching had been going on in this agency, I beg to advise you that I heard rumors that some potlatching had been done at Village Island, but as I had been somewhat under the weather with the flu, and things were rather slack in the agency at the time, I thought that a little change and holiday would be in order, and I have been away for a week, but I intend to try to look into it at the earliest possible chance. We have had so many changes in the Provincial Police at Alert Bay that they are absolutely unfamiliar with that phase of the work, and as you know, one has to thoroughly understand the potlatch before he would be in a position to gather any evidence.

I am very glad that you turned down the proposition of the Indians going to Victoria to give their exhibition dances, as I feel it would only be inserting the thin edge of the wedge.

Your obedient servant,

W. M. Halliday,
Indian Agent.

WMH/SMT

Mr. W. E. Ditchburn,
Victoria, B. C.

COMMISSIONER'S OFFICE
FEB 2 1929
VICTORIA, B. C.

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152/13503.

January 22, 1929.

Dear Sir:-

Reports have been made to this office that potlatching has been going on in your Agency on a fairly large scale of late and one is reported to be at present being held at Mahmalillikullah if it is not now over.

Please inform me without delay if you know anything about this matter and if there is any truth in the statement, whether any action has been taken by yourself against the Indians contravening the law.

WED/KD.

Yours truly,

W. E. Ditchburn.
Indian Commissioner for B. C.

W. M. Halliday, Esq.,
Indian Agent,
Alert Bay, B. C.

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152/13542.

January 26, 1929.

Your fyle No. 4.

Dear Sir:-

I beg to acknowledge receipt of your letter of the 19th instant with reference to the proposal of some of the authorities of the Anglican Church at Alert Bay and the Indians that several Indians should come to Victoria to attend meeting at Christ Church Cathedral and give an exhibition in their tribal costumes.

In reply I beg to say this matter was taken up with me by His Lordship Bishop Schofield and I informed him that I could not give my consent as it would be a contravention of Section 140 of the Indian Act. We had considerable discussion on this matter and the idea was, therefore, dropped and His Lordship is informing the Rev. Mr. Comley and others that there will not be time to take the matter up with the Superintendent General of Indian Affairs, whom I contend is the only person having power to give authority. You will, therefore, see that I am entirely in accord with the views set forth in your communication.

Yours truly,

WED/KD.

W. E. Ditchburn.
Indian Commissioner for B.C.

W.M. Halliday, Esq.,
Indian Agent,
Alert Bay, B. C.

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COMMISSIONER
JAN 22 1929
VICTORIA, B. C.

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Alert Bay, B. C.,
January 19, 1929.

4

Dear Mr. Ditchburn:

A few days ago the Rev. A. W. Corker, ex-principal of the Alert Bay residential schools and late vicar of this parish paid a visit to Alert Bay with the idea of getting Indian curios, etc., for an exhibition which is being held by the authorities of Christ Church Cathedral in Victoria, beginning, I believe early in February. He approached some of the Indians with the view of borrowing some dancing masks, and he was promised that they would lend them, but a suggestion was made by the Indians at the time that if the church wanted it they themselves would send one delegate from each tribe to put on their tribal dances during the time the exhibition was in progress. Rev. Mr. Comley, the present rector of the parish, came to see me with Mr. Corker regarding this proposal, and I read to them sub-section 3, section 140 of the Indian Act which deals with this matter, and I pointed out to them that without the written consent of the superintendent-general or someone authorized by him that this exhibition could not be held. I suggested that if they wanted to have it they make application to you as being representative of the superintendent-general of the province.

With regard to this personally, I think it would be a step in the wrong direction. The Indians are still craving the old potlach, and their idea would be to show the iniquity of Section 140, which prevents them carrying out their ancient dances. At any rate this is the view that they would try to impress on the public. As you are aware, the public generally think that Section 140 should be deleted from the Indian Act, as they are unable to read behind the scenes, but think that the Department is going too far when they curtail the personal liberty of the Indians themselves, and it is only when the reasons behind are fully made known to them that they agree with the justice of the Act.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Alert Bay, B. C.

W. E. Ditchburn 2 Sheet # 2

I am confident in my own mind that it is not any desire to assist the church that is in the mind of the Indians when they make this suggestion, but it is with the idea of helping themselves in encouraging public opinion to have this section of the act repealed.

I leave this matter for your good judgment, as I know you understand the situation thoroughly, and you will consider very carefully before giving consent. To my mind it would be a step backward to give it. I understand from Mr. Comley that he has made similar representations to the Bishop, so that possibly you may not be approached on the subject at all, as the Bishop may exercise his common sense and refuse to ask for it, But I wished you to be fully informed of the matter in case they did approach you.

Your obedient servant,

W. M. Halliday,

Indian Agent.

WMH/SMT

W. E. Ditchburn, Esq.,
Indian Commissioner for B. C.,
Victoria, B. C.

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INDIAN AFFAIRS

OFFICE OF THE INDIAN COMMISSIONER FOR B.C., VICTORIA

AFFAIRES INDIENNES

BUREAU DU COMMISSAIRE AUX AFFAIRES INDIENNES B.C., VICTORIA

RG 10, C-II-2, 11297

FILE/DOSSIER	TITLE/TITRE	DATES
	Inspector of Indian Agencies - Indian Commissioner for British Columbia - Farming - Correspondence re Indian farming in various agencies pt [A]	1913-1923
	Inspector of Indian Agencies - Indian Commissioner for British Columbia - Farming - Correspondence re Indian farming in various agencies pt [B]	1928-1933
186	Indian Commissioner for British Columbia - Recreational facilities - Correspondence re operation of poolrooms, dance halls, cinemas, etc. on reserves in Stuart Lake, Bella Coola, Williams Lake, Lytton, Cowichan agencies pt [A]	1921-1929
186	Indian Commissioner for British Columbia - Recreational Facilities - Correspondence re operation of poolrooms, dance halls, cinemas, etc. in general and in Queen Charlotte, Kamloops, Nicola, West Coast, Vancouver, New Westminster, Okanagan, Kootenay, Nass, and Kwawkewlth agencies pt [B]	1927-1934

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OFFICE OF DISTRICT HORTICULTURIST

In replying, write only on one side of the paper and refer to one subject in a letter.

THE GOVERNMENT OF THE PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF AGRICULTURE
(HORTICULTURAL BRANCH)

VICTORIA, Nov. 16th, 1923

W. E. Ditchburn, Esq.,
Indian Office,
1002 Wharf St.,
Victoria, B. C.

Dear Sir:-

We have had an inquiry from a resident of the district asking for information relative to plants which would yield dyes for dyeing wool. It occurred to me that possibly you might have some information relative to the process used by the indians in this regard, and any information along this line would be greatly appreciated.

Yours very truly,

E.W.White

District Horticulturist.

EWW:VB.

SOUTH WESTERN INSPECTORATE
NOV 19 1923
VICTORIA, B.C.

INDIAN AFFAIRS
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pt [A]

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23/2286.

INDIAN COMMISSIONER FOR B. C.

666 January 17th, 1924.

Dear Sir:-

I have had an enquiry from the Provincial District Horticulturist as to what plants the Indians use for dyeing wools. If you have any information on the subject I would be pleased if you will supply the same.

WHD/D.

Yours truly,

W. E. Ditchburn.
Indian Commissioner for B. C.

A. H. Lomas, Esq.,
Indian Agent,
Duncan, B. C.

Also sent to Agents Daunt, Graham, Collison, Halliday and McAllan.

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INDIAN AGENT'S OFFICE

23/2286.

Lytton, B.C.,

IN YOUR REPLY REFER TO
No. 1--P
ALSO
TO DATE OF THIS LETTER

January 18th, 1924.

Sir,—

I have your letter asking for information in regard to plants used by the Indians in dyeing wool.

In reply I might say that I have never seen the Indians dyeing wool in this Agency, but I will make enquiries and if I can get any data on this matter I will advise you immediately.

Yours obediently,

H. Graham.

(H. Graham)

Indian Agent.

W.E.Ditchburn, Esq.,
Indian Commissioner for BC.,
Victoria, B. C.

HG/MD

RECEIVED
JAN 21 1924
VICTORIA, B.C.

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INDIAN AGENT'S OFFICE
NEW WESTMINSTER AGENCY.

New Westminster, B.C.

IN YOUR REPLY REFER TO
No. 1-1.
ALSO
TO DATE OF THIS LETTER

January 25th, 1924. 19

Your File No. 23/2286.

Sir,—

Referring to your communication dated the 17th inst., I have made enquiries in connection with plants the Indians use for dyeing wool and find that the Coast Indians only use the ordinary dyes bought at the stores for this purpose.

I will, however, refer this matter to Mr. Daunt on his return to the office, as he no doubt will be in a position to give you further information on the subject.

Yours sincerely,

L.M. Dynes.

L.M. Dynes.
CLERK.

W. E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
Victoria, B.C.

SERVICE RECEIVED
JAN 25 1924
VICTORIA, B.C.

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Archives nationales du Canada

INDIAN OFFICE

At Fort Fraser, B.C.

January 24th. 19 24.

Your file No. 23/2286.

W.E.Ditchburn, Esq.,
Indian Commissioner for British Columbia,

Dear Sir:-

I have your letter of January 17th. asking for information about what plants the Indians use for dyeing wools. I am taking this matter up with some of the older Indians and will write you again in the matter.

I have the honour to be, Sir,
Your obedient servant,

W.J.McAllan

Indian Agent.

WJMcA/L.

SOUTH WESTERN INSPECTORATE
JAN 30 1924
VICTORIA, B. C.

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pt [A]

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23/2686

15th March, 1924.

Dear Sir:-

Replying to your communication of the 16th November last in which you asked for information relative to plants which the Indians use for dyeing wool, I beg to say that after taking the subject up with a number of our Indian Agents and from the New Westminster district the information given is that:..."The wood (branches) of the Oregon grape, is boiled in water with a resultant yellow dye, also that maple wood treated in the same manner produces a tan or russet (according to dilution) or mixed with willow branches, citrine is obtained."

Agent Halliday, of Alert Bay, has learned from the old women that: "For certain shades of red they used alder bark boiled in water and for certain shades of brown used hemlock bark which makss a kind of tan color. The other colors used were of mineral pigment which are found in various places and of course do not come under the scope of inquiry."

Agent Collison of Prince Rupert states that:" the Northern Coast Indians obtained their colouring materials principally from mineral sources rather than from plants. In fact, I have no knowledge of any plants used for the purpose."

The other Agents do not appear at present to be able to obtain any information though they have promised to write me when they get anything worth while.

WED/W.

Yours sincerely,

W. E. Ditchburn.
Indian Commissioner for B. C.

E. W. White, Esq.,
District Horticulturist,
Department of Agriculture,
Provincial Parliament Bldgs.,
Victoria, B. C.

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INDIAN AGENT'S OFFICE

SKEENA RIVER INDIAN AGENCY, PRINCE RUPERT, B.C.

IN YOUR REPLY REFER TO
No.....
ALSO
TO DATE OF THIS LETTER

February 2nd, 1924.19

Sir,—

I beg to acknowledge the receipt of your letter #23/2286, dated January 17th and in reply to say that the Northern Coast Indians obtained their colouring materials principally from mineral sources rather than from plants. In fact, I have no knowledge of any plants used for the purpose.

Your obedient servant,

W. E. Collison

Indian Agent.

W. E. Ditchburn, Esq.,
Indian Commissioner for British Columbia,
Victoria. B. C.

SOUTH WESTERN
FEB 8 1924
VICTORIA

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INDIAN AGENT'S OFFICE
NEW WESTMINSTER AGENCY.

....New Westminster, B.C....

IN YOUR REPLY REFER TO
No. 1-1.
ALSO
TO DATE OF THIS LETTER

January 28th, 1924.

Sir.—

With further reference to your communication dated the 17th inst., File 23/2286, re enquiry from the Provincial District Horticulturist as to what plants the Indians use for dyeing wools.

I understand that the wood (branches) of the Oregon grape, is boiled in water, with a resultant yellow dye, also that maple wood, treated in the same manner, produces a tan or russet (according to dilution) or mixed with willow branches, citrine is obtained.

I have been unable to get other particulars.

Yours sincerely,

L.M. Dynes.

L.M. Dynes.
Clerk.

RECEIVED
JAN 29 1924
INDIAN AGENCY
VICTORIA, B.C.

W.E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
Victoria, B.C.

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INDIAN AGENT'S OFFICE

Alert Bay, B. C.

IN YOUR REPLY REFER TO
No. 5/2.
ALSO
TO DATE OF THIS LETTER

Jan. 29th, 1924

Sir,— 23/2286

Regarding your inquiry as to what plants the Indians used for dyeing wools I beg to advise you that I have asked for information from all the older Indian women and all the information that I have been able to obtain so far is that for certain shades of red they used alder bark boiled in water and for certain shades of brown used hemlock bark which makes a kind of tan color. The other colors used were of mineral pigment which are found in various places and of course do not come under the scope of inquiry.

Your Obedient Servant,

W. M. Halliday
Indian Agent.

WMH/I

W. E. Ditchburn, Esq.,
Indian Commissioner for B. C.
Victoria, B. C.

FEB 1 1924
VICTORIA, B. C.

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OFFICE OF DISTRICT HORTICULTURIST

In replying, write only on one side of the paper and refer to one subject in a letter.

THE GOVERNMENT OF THE PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF AGRICULTURE
(HORTICULTURAL BRANCH)

VICTORIA, March 20, 1924.

W. E. Ditchburn, Esq.,
Indian Commissioner for B. C.,
P. O. Box 666,
Victoria, B. C.

Dear Sir:-

Please accept my sincere thanks for your favor of the 15th inst. relative to the use which Indians make of various plants for dyeing wool. I realize from your reply that you have gone to a great deal of trouble in this matter, and I sincerely appreciate the information which your letter contains.

Yours very truly,

E.W.Wright

District Horticulturist.

EWW:VB.

SUBJECT WESTERN INSPECTORATE
MAR 21 1924
VICTORIA B.C.

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23/3026

May 17th, 1924.

Dear Mr. White:

With further reference to your inquiry of November 16th, 1923, for information relative to plants which the Indians use for dyeing wool, I beg to say that I have just received from Mr. Indian Agent McAllan a sample of one of the mosses or lichens which the Indians use for this purpose. The Agent states that the Indians advise him that by excessive boiling with consequent evaporation a very fine dye is the result. Just what the proper name of this moss is, Mr. McAllan does not know, but no doubt you will be able to classify it.

Yours truly,

WED/HKE

W. E. Ditchburn,
Indian Commissioner for B. C.

Mr. E. W. White,
District Horticulturist,
Department of Agriculture,
Parliament Buildings,
Victoria, B. C.

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INDIAN AGENT'S OFFICE

4

Fort Fraser P.O.

IN YOUR REPLY REFER TO
No.....
ALSO
TO DATE OF THIS LETTER

May 6/24 19

Dear *Sir*,—

Ref.your letter Jan 17 No 23-2286

Referring to the enquiry in the above letter as to the plants the Indians use for dyeing purposes I wish to say that I have not made very extended inquiry yet but will keep the matter in mind during the summer when I have a better chance to meet the Indians,I however enclose one of the plants used.The Indians advise me that by excessive boiling with consequent evaporation a very fine dye is the result. It is one of our mosses or lichens probably Mr W.B.Anderson will be able to identify and name it for you. Will keep a look out for other colours.

I have the honour to be,Sir,

your obedient servant

W.P.W.Allan

Indian Agent

W.E.Ditchburn Esq.

Indian Commissioner for B.C.

Victoria B.C.

SOUTH WESTERN INSPECTORATE
MAY 10 1924
VICTORIA B.C.

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OFFICE OF DISTRICT HORTICULTURIST

In replying, write only on one side of the paper and refer to one subject in a letter.

THE GOVERNMENT OF THE PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF AGRICULTURE
(HORTICULTURAL BRANCH)

VICTORIA May 20th, 1924

23/

SOUTH WESTERN INSPECTORATE
MAY 22 1924
VICTORIA, B. C.

W. E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
P. O. Box 666,
Victoria, B. C.

Dear Sir:-

I beg to acknowledge receipt of your favor of the 17th inst. enclosing a sample of moss which has been received from Mr. McAllan, one of your Indian Agents. Personally I do not know the correct name for this moss but am forwarding the sample to Mr. John Davidson, Assistant Professor of Botany, University of B.C. for identification, and when I hear from him I would be glad to let you know the name that he gives this moss. I would be interested to know from what district the moss was received.

Thanking you for your interest in this matter, I beg to remain,

Yours very truly,

E.W.White

District Horticulturist.

EWW:VB.

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pt [A]

INDIAN AFFAIRS
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National Archives of Canada
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23/3061

May 22nd, 1924.

Dear Sir:

I beg to acknowledge the receipt of your letter of the 20th instant regarding sample of moss sent to this office by Mr. Indian Agent McAllan.

In reply I beg to say that Mr. McAllan is Indian Agent of the Stuart Lake Agency, with headquarters at Fort Fraser, B. C. He did not inform me as to the exact locality of that district from which the moss was attained.

Yours truly,

WED/NKE

W. E. Ditchburn,
Indian Commissioner for B. C.

E. W. White, Esq.,
District Horticulturist,
Department of Agriculture,
Parliament Buildings,
Victoria, B. C.

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OFFICE OF DISTRICT HORTICULTURIST

In replying, write only on one side of the paper and refer to one subject in a letter.

THE GOVERNMENT OF THE PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF AGRICULTURE
(HORTICULTURAL BRANCH)

VICTORIA, June 5th, 1924.

23 Agriculture

SOUTH WESTERN INSPECTORATE
JUN 6 1924
VICTORIA, B. C.

W.E. Ditchburn, Esq.,
Indian Commissioner for British Columbia,
Box 666, Victoria, B. C.

Dear Sir:-

In reference to the moss which was received from the Stuart Lake Agency I beg to enclose copy of a letter which I have received from Professor John Davidson, University of B.C., giving the name of this moss and also some further information which might be of interest to you.

Yours very truly,

E. W. White

District Horticulturist.

EWW/WP.

INDIAN AFFAIRS
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COPY

May 23rd, 1924.

Mr. E. W. White,
District Horticulturist,
Department of Agriculture,
Victoria, B.C.

Dear Mr. White:-

I have just received your letter of May 20th, and in reply the lichen which you enclosed is popularly known as Wolf Moss, Evernia vulpina, You will notice it is not a true moss, but belongs to a lower division of the vegetable kingdom.

Most of the beautiful brown Indian blankets, particularly those made from Goats wool, are dyed with lichen. The lichen is boiled and a dark yellow dye obtained from it; the colour at first is by no means attractive, being a somewhat dirty brown, but on exposure to the air there seems to be an oxidizing process which changes the colour to the nice rich brown which, in-so-far as I know, can not be reproduced by any of the commercial dyes. I understand that it requires exposure to the air for some considerable time to reach the characteristic colour and that this is the reason why many attempts have been made to reproduce it by other means.

I remain,
Yours faithfully,

(Signed) JOHN DAVIDSON.

Assistant Professor of Botany.

JD/MG.

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OFFICE OF
DEPUTY MINISTER AND SUPERINTENDENT OF INSTITUTES

In replying, write only on one side of the paper and refer to one subject in a letter.

THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF AGRICULTURE

VICTORIA May 4th, 1921.

W. E. Ditchburn, Esq.,
Inspector, Department of Indian Affairs,
Wharf Street,
City.

Sir:-

I have the honour to enclose herewith a letter from D. M. Sawyer, Lacombe, Alta., regarding particulars of the Indian Reserve located in the Naas Valley. I should be much obliged if you would reply to Mr. Sawyer direct or refer his letter to the proper official.

Yours very truly,

Wm. J. Bonavia
Secretary.

WJB/EC.
encl.

MAY 6 1921
VICTORIA, B.C.

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Archives nationales du Canada

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April 25, 1921

Department of Agriculture
VICTORIA, B. C.
APR 28 1921

Dear Sirs

In reply to yours of April 26.
I have great intrest in this Indian Reserve
located in the Naas Valley of the Skeena
District. of Central B.C.
would you please write me particulars of
the location of this Reserve.
How far from Rail way?
How far from. Wagon road?
and the climat in this particular location?
and also please state the condition under which I
can get hold and settle in this Reserve.

Yours very faithfully.

D. M. Sawyer.

Lacombe Alta
can.

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INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

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23/693/N.

9th May, 1921.

Sir:-

I beg to acknowledge the receipt of your letter of the 4th instant with enclosure from H. M. Sawyer, of Lacombe, Alta., who evidently desires to settle on one of the Nass River Indian Reserves. Apparently there has been some other correspondance on this matter and until I know just what Mr. Sawyer wants I am unable to answer his letter. I may say there are some forty reserves on the Nass River. I therefore beg to request that you will write me a further letter giving me a resume of what has already passed between Mr. Sawyer and your Department.

Yours truly,

W. E. Ditchburn.
Chief Inspector of Indian Agencies.

Wm. J. Bonavia, Esq.,
Secretary, Dept. of Agriculture,
Provincial Parliament Bldgs.,
Victoria, B. C.

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AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

Victoria, B.C.,

192

Sir,-

I beg to inform you that an order for
drugs for Agency
or School has been placed with

Messrs.

The Following quotations were received,
viz:-

Messrs. Chandler & Fisher Ltd.
Messrs. J.A.Teeporten & Co.
The National Drug & Chemical Co.

Yours obediently,

Chief Inspector of Indian Agencies.

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

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OFFICE OF
DEPUTY MINISTER AND SUPERINTENDENT OF INSTITUTES

In replying, write only on one side of the paper and refer to one subject in a letter.

THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF AGRICULTURE

VICTORIA

Your Ref. No. 23/693/N. May 12th, 1921.

W. E. Ditchburn, Esq.,
Chief Inspector of Indian Agencies,
P.O. Box 775,
Victoria, B. C.

Sir:- Re D. M. Sawyer, Lacombe, Alta.

With further reference to your letter of the 9th inst., I beg to state that there is no record of previous correspondence with the above party, although his letter appeared to read so. I therefore regret I am unable to supply you with any further idea of which Indian Reserve in the Naas River Valley Mr. Sawyer is referring to.

I have the honour to be,
Sir,
Your obedient servant,

Wm J. Bonavia
Secretary.

WJB/EC

CHIEF INSPECTOR'S OFFICE
MAY 14 1921
VICTORIA, B.C.

INDIAN AFFAIRS
AFFAIRES INDIENNES

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National Archives of Canada
Archives nationales du Canada

23/760/H.

20th May, 1921.

Dear Sir:-

Some time ago you wrote the Provincial Government about the possibility of settling on one of the Nass River Reserves and your communication has been turned over to me. In reply to the same I have to say that as there are about forty reserves on the Nass River it is not known which one you refer to.

Yours sincerely,

W. E. Ditchburn.
Chief Inspector of Indian Agencies.

Mr. D. M. Sawyer,
Lacombe, Alta.

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MINISTER OF AGRICULTURE
PROVINCE OF BRITISH COLUMBIA

VICTORIA, B. C.
May 21, 1918.

W. E. Ditchburn, Esq.,
Indian Agent,
P. O. Building,
VICTORIA, B. C.

Re Holachten Indian Reserve &
Skumalaloh Indian Reserve. (Nicomen)

Dear Sir:-

I am advised by a resident who is located in the vicinity of the above reserves that at the present time there are no Indians settled thereon and as far as can be seen the lands are not being used for any specific purpose. The resident referred to asks for information as to the intentions of the Federal Government in respect to the lands and whether there is any prospect of same being thrown open for settlement provided they are not used for the purpose for which they were originally intended.

Will you kindly give me any information you can showing what the Federal Government intends to do with the reserves in question so that I can advise the gentleman referred to above.

Thanking you in anticipation of an early reply, I am,

Yours truly,

E D Barrow

Minister.

EJR.MP.

SOUTH WESTERN INSPECTORATE
MAY 23 1918
VICTORIA, B. C.

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INDIAN AFFAIRS
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WM. E. SCOTT,
DEPUTY MINISTER AND SUPERINTENDENT OF INSTITUTES

In replying, write only on one side of the paper,
and refer to one subject in a letter.

THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF AGRICULTURE
(OFFICE OF DEPUTY MINISTER AND SUPERINTENDENT OF INSTITUTES)

VICTORIA July 11th, 1917.

W.E. Ditchburn, Esq.,
Superintendent of Indian Agents,
Victoria, B. C.

Dear Sir:-

I am in receipt of a letter from Mrs. H. Mabon of Vargas Island, copy of which I am enclosing herewith for your information.

Apparently a great deal of trouble is being caused by Indian dogs on this Island, kept by the Indians for running deer, and I hope that you will be able to do something to remedy this matter.

I am sure you will agree with me when I say that it is not right that people should suffer damage such as this lady has. You may be aware that we have established a Sheep Protection district in accordance with the Provisions of the Act passed at the last session of the Provincial Legislature, but this only takes in the S.E. part of Vancouver Island from Campbell River to Victoria with adjacent Gulf Islands, and it is not our intention at the present time, unless a universal request is made that it be done, to establish another Sheep Protection district taking in the rest of Vancouver Island. I hardly think it would be advisable to do this, but if people are going to suffer in this way from the depridations of Indian dogs, the only thing will be to make the whole of Vancouver Island a Sheep Protection district, and then as soon as dogs leave the Reserve, they can be shot.

Yours very truly,

Wm. E. Scott

Deputy Minister.

WES/LG.

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INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

Vargas P.O., B. C.

2/7/17.

Dear Sir :-

I am told that a law has been passed in this Province to protect settlers' sheep cattle, etc., from dogs. Could something be done here to enforce this law. The Indians have so many dogs which they keep for "running deer" but the dogs, not content with this, run the cattle too.

I have two young heifers and a young bull here, the two former were attached by five large dogs which had cornered them. They would very probably have been either injured badly or killed if an neighbour had not gone to their rescue and killed two and wounded a third day. If this were the first time, I would say nothing, but the dogs have attacked the animals before and injured a cow which I had last year. Other people also complain of the dogs.

My two sons are in France and will not return until the end of the war and we are a household of women and children so are helpless to protect or look after the cattle.

If something could be done, we should be most grateful, if it were only to limit the number of dogs as they keep so many.

Believe me,

Yours truly,

(Mrs) Helen Malon.

INDIAN AFFAIRS
AFFAIRES INDIENNES
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National Archives of Canada
Archives nationales du Canada

July 28th, 7.

23/623/C.

Sir:-

I only returned to the city yesterday after an absence of three weeks and found your letter of the 11lth instant, in which complaint is made with reference to Indian dogs on Vargas Island. For your information I may say that I am laying this matter before the Indian Agent of the West Coast Agency to see what can be done in abating this nuisance.

Your obedient servant,

Chief Inspector of Indian Agencies.

Wm. E. Scott, Esq.,
Deputy Minister of Agriculture,
Provincial Parliament Buildings,
Victoria, B. C.

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August 10th, 7.

23/664/C.

Sir:-

With further reference to your letter of the 11th ultimo, with regard to Indian dogs running at large on Vargas Island, I beg to inform you that I took this matter up with Mr. Indian Agent Cox and have received a letter from him on the subject, of which I herewith attach a copy.

I would suggest that you communicate with the Attorney-General's Department and request that the Provincial Police at Clayoquot should co-operate with the Indian Agent as suggested by Mr. Cox.

Your obedient servant,

Enclosure:-

Chief Inspector of Indian Agencies.

Wm. E. Scott, Esq.,
Deputy Minister of Agriculture,
Provincial Parliament Buildings,
Victoria, B. C.

INDIAN AFFAIRS
AFFAIRES INDIENNES
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pt [A]
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(COPY).

Indian Agent's Office,
Alberni, B. C.,
July 31, 1917.

No. 703-22.

Sir:-

I beg to acknowledge receipt of your letter, No. 23/618/G, of July 28th, enclosing communications from the Deputy Minister of Agriculture and Mrs. Helen Malon of Vargas.

From my previous knowledge of Indian dogs, I consider Mrs. Malon's complaint quite justified. While at Clayoquot early in June, I spoke to the Kilsemaht Indians concerning this dog nuisance, and they agreed to allow the dogs to be shot, but at the time knew nothing of this lady's complaint. I also spoke to Constable Hibben in the presence of Chief Constable Dunwoody, and he promised to shoot them, but the question arose as to who or what department would be responsible for the expense of cartridges. I am continually telling the Indians in this Agency about their dogs and the nuisance and trouble they are to white settlers. While I was in the Police I destroyed Indian dogs on several different occasions both here and on the Coast. If the Provincial Police would work in conjunction with the Indian Department in this matter, I feel sure that the trouble would be quickly eradicated.

Your obedient servant,

(Signed) Chas. A. Cox.

Indian Agent.

W. E. Ditchburn, Esq.,
Chief Inspector of Indian Agencies,
Victoria, B. C.

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28th July. 7.

23/618/G.

Sir:-

I am herewith enclosing copies of a letter I have received from W. E. Scott, Esq., Deputy Ministerof Agriculture for the Province of British Columbia, which are self explanatory. I may say that the number of dogs found on Indian Reserves and running at large is a general source of complaint to the Department and it is desired that the Indian Agents will take every means to have this nuisance abated.

Kindly let me hear from you at your earliest convenience with regard to this particular case to see what can be done in the matter.

Your obedient servant,

Enclosure:-

Chief Inspector of Indian Agencies.

C. A. Cox, Esq.,
Indian Agent,
Alberni, B. C.

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pt [A]
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(COPY).

Department of Agriculture.

Provincial Parliament Buildings,
Victoria, B. C.,
July 11th, 1917.

W. E. Ditchburn, Esq.,
Supt. of Indian Agencies,
Victoria, B. C.

Dear Sir:-

I am in receipt of a letter from Mrs. H. Malon of Vargas Island, copy of which I am enclosing herewith for your information.

Apparently a great deal of trouble is being caused by Indian dogs on this island, kept by the Indians for running deer, and I hope that you will be able to do something to remedy this matter.

I am sure you will agree with me when I say that it is not right that people should suffer damage such as this lady has. You may be aware that we have established a Sheep Protection district in accordance with the provisions of the Act passed at the last session of the Provincial Legislature, but this only takes in the S.E.part of Vancouver from Campbell River to Victoria with adjacent Gulf Island, and it is not our intention at the present time, unless a universal request is made that it be done, to establish another Sheep Protection District taking in the rest of Vancouver Island. I hardly think it would be advisable to do this, but if people are going to suffer in this way from the depridations of Indian dogs, the only thing will be to make the whole of Vancouver Island a sheep protection district and then as soon as dogs leave the reserve they can be shot.

Yours very truly,

(Signed) Wm. E. Scott,

Deputy Minster.

RECEIVED

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(COPY).

Vargas Post Office, B.C.,
2/7/17.

Dear Sir:-

I am told that a law has been passed in this Province to protect settaers sheep, cattle etc., from dogs. Could something be done here to enforce this law. The Indians have so many dogs which they keep for "running deer" but the dogs, not content with this, run the cattle too.

I have two young heifers and a young bull here, the two former were attacked by five large dogs which had cornered them. They would very probably have been either injured ~~ex~~ badly or killed if a neighbour had not gone to their rescue and killed two and wounded a third dog. If this were the first time I would say nothing but the dogs have attacked the animals before and injured a cow which I had last year. Other people also complain of the dogs.

My two sons are in France and will not return until the end of the war and we are a household of women and children so are helpless to protect or look after the cattle.

Ifsomething could be done we should be most grateful, if it were only to limit the number of dogs as they keep so many.

Believe me,

Yours truly,

(Mrs. Helen Malon.

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INDIAN AGENT'S OFFICE

Alberni, B. C.

July 31, 191 7

IN YOUR REPLY REFER TO
No. 703-22
ALSO
TO DATE OF THIS LETTER

Sir,—

I beg to acknowledge receipt of your letter No. 23/618/G of July 28th, enclosing communications from the Deputy Minister of Agriculture and Mrs. Helen Malon of Vargas.

From my previous knowledge of Indian dogs, I consider Mrs. Malon's complaint quite justified. While at Clayoquot early in June, I spoke to the Kilsenaht Indians concerning this dog nuisance, and they agreed to allow the dogs to be shot, but at the time knew nothing of this lady's complaint. I also spoke to Constable Hibben in the presence of Chief Constable Dunwoody, and he promised to shoot them, but the question arose as to who or what department would be responsible for the expense of cartridges. I am continually telling the Indians in this Agency about their dogs and the nuisance and trouble they are to white settlers. While I was in the Police I destroyed Indian dogs on several different occasions both here and on the Coast. If the Provincial Police would work in conjunction with the Indian Department in this matter, I feel sure that the trouble would be quickly eradicated.

Your obedient servant,

Indian Agent.

SOUTH WESTERN INSPECTORATE
AUG 1 1917
VICTORIA, B.C.

W. E. Ditchburn, Esq.,
Chief Inspector of Indian Agencies,
Victoria, B.C.

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WM. E. SCOTT,
DEPUTY MINISTER AND SUPERINTENDENT OF INSTITU

In replying, write only on one side of the paper,
and refer to one subject in a letter.

THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF AGRICULTURE
(OFFICE OF DEPUTY MINISTER AND SUPERINTENDENT OF INSTITUTES)

VICTORIA August 14th,1917.

W.E. Ditchburn, Esq.,
Chief Inspector of Indian Agencies,
Victoria, B. C.

Dear Sir:-

Re INDIAN DOGS ON VARGAS ISLAND.

I beg to acknowledge receipt of your letter of the 10th inst. enclosing copy of letter received by you from Mr. C.A. Cox, Indian Agent, Alberni, and as suggested by you, I am taking this matter up with the Attorney General's Department requesting that the Provincial Police co-operate with Indian Agents as suggested by Mr. Cox.

Yours very truly,

Wm. E. Scott
Deputy Minister.

WES/LG.

SOUTH WESTERN INSPECTORATE
AUG 16 1917
VICTORIA, B. C.

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THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF AGRICULTURE

VICTORIA 28th May, 1915.

SOUTH WESTERN INSPECTORATE
MAY 29 1915
VICTORIA, B. C.

W. E. Ditchburn, Esq.,
Inspector of Indian Agencies,
Victoria.

Sir,

I have the honour to attach herewith a copy of a letter received from Mr. J. Rutherford of Nanaimo, with regard to certain privileges of Indians on reserves, which I shall be glad if you would reply to in due course.

I have the honour to be,
Sir,
Your obedient servant,

Wm J Bonavia

Secretary.

Encl.

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COPY.

Nanaimo, B.C., May 25th, 1915.

Minister of Agriculture,

Victoria, B.C.

I would like information re what privileges Indians enjoy on reservations. Do they require to fence off their land? If not, can they collect for damages should stock belonging to farmers stray thereon?

If this should be a Dominion question could you put me in touch with proper authorities.

Respectfully yours,

(Sd.) J. Rutherford,

Nanaimo, B.C.

SOUTH WESTERN INSPECTORATE
MAY 29 1915
VICTORIA, B. C.

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Archives nationales du Canada

2nd June, 5.

317/E.

Sir:-

I have the honor to acknowledge the receipt of your letter of the 28th ultimo with enclosure of a letter from Mr. J. Rutherford, of Nanaimo, in which he asks for information with respect to the fencing of Indian reserves.

In reply I beg to state that Indians are required to keep their reserves fenced in the same manner as white people and they have been so advised by the Indian Agents. Unless their reserves are fenced in they would not be able to collect damages by virtue of cattle getting into their property.

If there are pound regulations in force in the district to which Mr. Rutherford refers,an Indian,finding cattle on his property,would be justified in turning them over to the pound keeper.

Your obedient servant,

Inspector of Indian Agencies.

The Secretary,
Department of Agriculture,
Provincial Parliament Bldg.,
Victoria, B. C.

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THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF AGRICULTURE

VICTORIA February 5, 1915.

W. E. Ditchburn, Esq.,
Inspector, Indian Agencies,
Wharf St.,
City.

Dear Sir,

I should be much obliged if you would let bearer have a copy of the Report on Indian Affairs for the year ending 31st of March 1914, as per recent 'phone conversation.

Thanking you, I am

Yours very truly,

Wm J. Bonavia

Secretary.

SOUTH WESTERN INSPECTORATE
FEB 5 1915
VICTORIA, B. C.

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THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF AGRICULTURE

VICTORIA February 8, 1915.

W. E. Ditchburn, Esq.,
Inspector, Indian Agencies,
Wharf St.,
City.

Dear Sir,

I beg to return herewith the Annual Report of the Department of Indian Affairs for the year ending 31st of March, 1914, which you very kindly loaned to this Department.

Thanking you, I am

Yours very truly,

Wm. J. Donaldson

Secretary.

SOUTH WESTERN INSPECTORATE
FEB 10 1915
VICTORIA, B. C.

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DEPARTMENT OF AGRICULTURE.

THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA.

VICTORIA, April 24, 1914.

W. E. Ditchburn, Esq.,
Inspector, Indian Affairs,
City.

Sir,

I am instructed by Mr. W. E. Scott, Deputy Minister of Agriculture, to inform you that a further series of film pictures, taken by the Government Cinematograph operator in this Province, will be shewn at the Dominion Theatre, Yates Street, at 10.45 a.m., on Saturday morning.

The honour of your attendance will be deeply appre-
-ciated.

I have the honor to be,
Sir,
Your obedient servant,

Wm. J. Bonavia

Secretary.

Bull's Town clerk
Gentlemen. Reply

SOUTH WESTERN INSPECTORATE
APR 25 1914
VICTORIA, B. C.

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DEPARTMENT OF AGRICULTURE.

THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA.

VICTORIA Dec. 23, 1913.

W. E. Ditchburn, Esq.,

Inspector, Department of Indian Affairs,

Victoria.

DEC 24 1913
VICTORIA, B.C.

Sir,

I am instructed by Mr. W. E. Scott, Deputy Minister, to request that statistical details as to the acreage of land, crops, yield, etc., under cultivation by Indians in this Province, be forwarded to the Department in order that statistical returns as to the whole agricultural production in the Province for the year 1913 may be submitted to the Hon. The Minister of Finance and Agriculture.

Should you also have such figures for the year 1912, I should be much obliged if you would forward same. Trusting that you will ~~xxxx~~ be able to help the Department out in this matter.

I have the honor to be,

Sir,

Your obedient servant,

Wm J. Bonavia

Secretary.

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pt [A]
INDIAN AFFAIRS
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December 26, 3.

598/C.

Sir:-

I beg to acknowledge the receipt of your letter of the 23rd instant in which you asked me for statistical details as to the acreage of land, crops, yield, etc., under cultivation by Indians in this Province for the years 1912 and 1913.

In reply I beg to inform you that this information is obtainable in the Annual Report of the Department of Indian Affairs for the year ended March 31, 1913, Part II beginning at Page 60. I presume that you have copies of the Department's blue-books, if not the same may be obtained from the King's Printer at Ottawa. I have only one copy on han

Your obedient servant,

Inspector of Indian Age

William J. Bonavia, Esq.,
Secretary,
Department of Agriculture,
Provincial Parliament Bldgs.,
Victoria, B. C.

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INDIAN AFFAIRS

OFFICE OF THE INDIAN COMMISSIONER FOR B.C., VICTORIA

AFFAIRES INDIENNES

BUREAU DU COMMISSAIRE AUX AFFAIRES INDIENNES B.C., VICTORIA

FILE/DOSSIER	TITLE/TITRE	DATES
	RG 10, C-II-2, 11297	
	Inspector of Indian Agencies - Indian Commissioner for British Columbia - Farming - Correspondence re Indian farming in various agencies pt [A]	1913-1923
	Inspector of Indian Agencies - Indian Commissioner for British Columbia - Farming - Correspondence re Indian farming in various agencies pt [B]	1928-1933
186	Indian Commissioner for British Columbia - Recreational facilities - Correspondence re operation of poolrooms, dance halls, cinemas, etc. on reserves in Stuart Lake, Bella Coola, Williams Lake, Lytton, Cowichan agencies pt [A]	1921-1929
186	Indian Commissioner for British Columbia - Recreational Facilities - Correspondence re operation of poolrooms, dance halls, cinemas, etc. in general and in Queen Charlotte, Kamloops, Nicola, West Coast, Vancouver, New Westminster, Okanagan, Kootenay, Nass, and Kwawkewlth agencies pt [B]	1927-1934

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23/27741.

January 10, 1933.

Dear Sir:-

I beg to acknowledge receipt of your letter of the 7th instant enclosing a complimentary ticket to the B.C. Seed Fair and Bulb Display for which I thank you.

I trust the Fair will be a success and I shall certainly visit it if I am in the city.

Yours truly,

JDC/KD.

J.D. Caldwell,
Indian Agricultural Agent for B.C.

C. Tice, Esq.,
Field Crops Commissioner,
Department of Agriculture,
Victoria, B. C.

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DEPARTMENT OF AGRICULTURE
PROVINCE OF BRITISH COLUMBIA

VICTORIA

Jan. 7, 1933

J.D. Caldwell, Esq.,
Indian Agricultural Agent,
P.O. Box 666,
Victoria, B.C.

Dear Mr. Caldwell:-

From present indications the B.C. Seed Fair and Bulb Display which is being held in Victoria, Jan. 18th to 21st will be a success in spite of the rather difficult conditions confronting farmers and others these days. I am hoping that you may find it convenient to be present as I am sure the various displays of seeds and other products will be of very great interest to you. We are expecting a number of exhibits from the Peace River district and Central B. C.

Those who intend to exhibit at the World's Grain Exhibition in Regina in July will also be sending in samples of their seeds.

Yours very truly,

C. Tice

C. Tice,
Field Crops Commissioner.

CT:R

COMMISSIONER'S OFFICE
JAN 9 1933
VICTORIA, B.C.

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DEPARTMENT OF AGRICULTURE
PROVINCE OF BRITISH COLUMBIA

VICTORIA

Your file No. 23/27424

Dec. 20, 1932

J.D. Caldwell, Esq.,
Indian Agricultural Agent,
P.O. Box 666,
Victoria, B.C.

Dear Sir:-

Your letter of Dec. 16th is received and in reply I wish to advise you that copies of our seed fair prize list have been mailed to the Indian Agents whose names you have forwarded.

I might say there has never been, to my knowledge, any Indians who have exhibited in the competitive classes at our seed fair. I think it would be a splendid idea if some of them could be encouraged along this line. I believe that in certain parts of the prairies some of the Indians do take an interest in exhibiting seeds. In fact, I understand in connection with the World's Grain Exhibition being held in Regina next July, that there are a number of Indians on the prairies who are planning to exhibit. It has often occurred to me that some of the Indians in the Lillooet district, for instance, who grow beans might be encouraged to exhibit along this line. I might say I wrote Mr. Strang, Indian Agent at Lytton regarding this matter recently but he did not seem to think that any of them would exhibit.

For several years I have attended the Kamloops exhibition and have been very much interested in the very fine displays put up by the Indians and in some instances I have seen some very good exhibits of seed.

Yours very truly,

C. Tice

C. Tice,
Field Crops Commissioner.

CT:R

COMMISSIONER'S OFFICE
DEC 22 1932
VICTORIA, B.C.

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INDIAN AFFAIRS
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23/27424.

December 16, 1932.

Dear Sir:

I beg to acknowledge, with thanks, receipt of your letter of the 9th instant enclosing prize list of the British Columbia Annual Seed Fair & Bulb Display.

I would be pleased if you could kindly send the following Indian Agents a copy of the prize list as it is thought that some of them may have grains or potatoes worthy of showing.

R. H. Moore, Indian Agent, Vanderhoof, B.C.
H. E. Taylor, Indian Agent, Williams Lake, B.C.
W. J. Ferguson, Indian Agent, Kamloops, B.C.
A. Strang, Indian Agent, Lytton, B.C.
A. H. Barber, Indian Agent, Merritt, B.C.
James Coleman, Indian Agent, Vernon, B.C.
F. S. Ryckman, Indian Agent, Cranbrook,
H. Graham, Indian Agent, Duncan, B.C.
A. O'N. Daunt, Indian Agent, New Westminster, B.C.

Yours truly,

J. D. Caldwell,
Indian Agricultural Agent.

JDC/AC

C. Tice, Esq.,
Field Crop Commissioner,
Department of Agriculture,
Parliament Buildings,
Victoria, B.C.

INDIAN AFFAIRS
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pt [B]

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23/25702. July 15, 1932.

Dear Sir:-

I beg to acknowledge receipt of your letter dated July 13th, instant, No. 41-L-3, with enclosures mentioned therein in connection with complaints that Indian dogs were allegedly killing sheep in the Cedar District.

The reports have been read with interest and from the same it appears obvious that whoever has lost sheep in this way would have to prove the owner of the dogs. No doubt it will be difficult for them to do so.

Please thank Mr. O'Connell for his report on the matter.

Your obedient servant,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

H. Graham, Esq.,
Indian Agent,
Duncan, B. C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Duncan, B. C.

July 13th, 1932.

41-L-3

Your No.23/25102.

Sir:-

I now beg to enclose herewith reports received in connection with the Commissioner's letter to me of May 26th, in regard to dogs killing sheep, and which will explain the matter.

Your obedient servant,

H. Graham.

(H. Graham)
Indian Agent,

C. C. Perry, Esq.,
Assistant Indian Commissioner for B. C.
VICTORIA, B. C.

COMMISSIONER'S OFFICE
JUL 15 1932
VICTORIA, B. C.

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Archives nationales du Canada

(Copy)

Nanaimo, B. C.
June 30th, 1932.

H. Graham, Esq.,
Indian Agent,
Duncan, B. C.

Dear Sir:-

Your letter of May 1st, ultimo duly received, re. report to Indian Commissioner that Charles Fiddick of Cedar district caught some Indian dogs chasing his sheep, which he shot, and destroyed; three in number, describing same.-

In feply may report that in compliance with your instructions to locate owners of the dogs described, assisted by Chief Paul White, made a most thorough investigation as to owners or keeper of dogs amongst the various Indians of local reservations, but failed to find any information whatever that would indicate that Indian dogs were in any way responsible, for the chasing or killing of Mr. Fiddick's sheep.

Referring to Constable C. C. Jacklyn's report and whom I conferred with relating to same, it would appear that the Constable was only of the opinion from the appearance of the dogs, they were belonging to Indians.

In conversation with Mr. and Mrs Charles Fiddick, re. dogs in question, they claim to have shot only two dogs, one of the dogs escaping Mrs Fiddick claimed had a tag suspending from the collar.

Mrs Fiddick claiming that there was many dogs running at large around the district, fully endorsing my own personal remarks and observation.

Shortly prior to the destruction of Mr. Fiddick's sheep, Indian Johnny White of Nanaimo River Reserve found four dogs chasing his sheep, which he claimed were White people's dogs, he at once reported accordingly to the B. C. Police, a Constable being sent out to investigate.

In conclusion I may say that the Indians now and for several years past, have dispensed with keeping large numbers of useless dogs, as they formerly did. I have informed all the Indians of the Nanaimo Band relative to the destruction of Mr. Charles Fiddick's sheep, and strictly sautioned them as to care of any dogs that they may possess.

Having the honor, Sir,
To remain
Yours obediently,
(Signed) Thomas O'Connell,

Dom Constable.

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Archives nationales du Canada

(Copy)

Quathiaski Cove, B. C.

June 24th, 1932.

Mr. Graham:

Dear Sir:-

Received your letter yesterday concerning Mr. Gray sheep at Gabriola Island, I was over there, but I was camping on a little Island about half a mile away from the south end of Gabriola Island. Well Mr. Graham I will try and explain this the best way I can.

We went out picking sea-weed one day and the owner of the sheep must of chased his sheep towards our camp and our women folks heard the dogs barking and went over to see and the owner was there, he must have chased his sheep towards our camp, I do not know what for, cause his corral was on the other end of the Island. Mr. Gray claimed that he lost three sheep. When I first got on the Island I went out for some beach wood and I noticed a dead sheep, and it must of been dead for quite a while, last Winter some time, and this was on the south end of Gabriola, and there was another on the north end of Valdez Island and that one must of died last Winter to, cause it was all spoiled, I couldn't stand the smell of it, and there was another one on the Island that I was camping on, but it was a &&& small little lamb, that may have died from natural cause because there was no wound on it and it had been dead for some time to, and you know yourself Mr. Graham that it was very late when we went out to the Island cause we had been working on that road on Chemainus Bay, and those sheep that I have been telling you about are the very ones that Mr. Gray accuses us. We waited for Mr. Gray but he didn't show up so we left and he must have got there the same day that we left. Just Patrick Louie was there. I understand that Mr Gray had a policeman with him and Pat told the policeman that the two dogs was shot, we shot them ourselves, and the policeman wanted to go over and see them, but Mr. Gray wouldn't. Peter Mitchell's dog was a small little dog about 14 inches in length about 9 inches in height , and my dog was no bigger than Peter Mitchell's, I don(t believe they would harm any thing, any way we killed them both. The dog I had didn't belong to me it was Alice the widow of my brother, she didn't have no way of taking it along with her, so if you see her you can tell her that I killed her dog I I hated to do that, but I don't want any trouble.

Yours truly,

(Signed) Alphonse Harris.

DEPT. OF INDIAN AFFAIRS
JUL 11 1932
VICTORIA, B. C.

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INDIAN AFFAIRS
AFFAIRES INDIENNES
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23/25102.

May 26, 1932.

Dear Sir:

A report has been received at this office from Mr. F. H. Davey, Secretary of the Live Stock Branch, that application for compensation is being made to his Department for loss of sheep for which it is thought that Indian dogs are responsible. Enclosed are copies of extracts from the report of Constable C.C. Jacklin re complaints of Robert Gray, South Gabriola Island, and Charles Fiddick of Cedar District.

Kindly investigate and if it is found that Indian dogs are responsible you will see that the dogs are destroyed and after interviewing the owners of the sheep report to this office stating the number of sheep killed and give an estimate of the value of the same.

Your obedient servant,

W. E. Ditchburn,
Indian Commissioner for B.C.

JDC/AC
Encl.

H. Graham, Esq.,
Indian Agent,
Duncan, B.C.

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Extract from Report of Constable C.C. Jacklin, re complaint of ROBERT GREY, South Gabriola Is.

" I examined the ram, and lamb, and in my opinion they had been killed by dogs.

Long Island consists of 73 acres, owned by Mrs. James Degnen, Gabriola Island, and from whom Mr. Gray has permission to pasture some of his sheep.

Mr. Gray informs me that he has 7 sheep on this Island, and every Sunday he goes to the Island to look at them. On Sunday May 1st, 1932 while on Long Island he saw 2 dogs in the act of chasing his sheep, he did not have a gun so was unable to shoot them. He interviewed some Indians who were camping on the Island, but was unable to get any information from them about these dogs.

While on the Island, Tuesday May 3rd. 1932, I interviewed Nelson Johny (Indian) and he informed me that the dogs which had killed the sheep were owned by Alphonse Harris (Indian), that Harris had shot these dogs on Monday May 2nd, 1932, and then left for Cowichan Gap, he did not know when Harris would return.

These Indians have no money, and it would be impossible for Gray to collect damages for the sheep that were killed, from Harris. "

May 5th / 32.
Nanaimo.

Robert Grey applying for compensation amounting to $?
(Application form not yet received by Live Stock Branch).

RG 10, C-II-2, vol. 11297
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INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

Extract from Report of Constable C.C. Jacklin, re complaint of CHARLES FIDDICK, Cedar Dist.

" Description of dogs shot by Fiddick. -

1. White, with brown spots, part collie, Male.

2. Black, curly hair, part water spaniel, Male.

3. Black, straight hair, part water spaniel, Female.

These dogs are not known in the Cedar District, either by Mr. Fiddick or his neighbors. I am of the opinion that the dogs belong to Indians, and are from the Nanaimo Indian Reserve.

In company with Mr. Fiddick, we made inquiries on the Nanaimo Indian reserve, but could not find owners for the dogs.

March 28 / 32.
Nanaimo.

Charles Fiddick applying for compensation amounting to $86.00.

INDIAN AFFAIRS
AFFAIRES INDIENNES
RG 10, C-II-2, vol. 11297
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National Archives of Canada
Archives nationales du Canada

23/25188.

June 6, 1932.

Dear Sir:-

With reference to your letter of May 15th, with respect to the suspected running of sheep by Indian dogs, I beg to say that the matter was referred to our Indian Agent at Alert Bay, copy of whose reply dated May 31st, ultimo, is sent herewith for your perusal and will be self-explanatory.

We shall be glad to co-operate with you in every way possible to prevent further damage to sheep by Indian dogs, but you will agree that it would be unreasonable to assume any responsibility of Indians for damages without having first obtained decisive proof that their dogs were the actual offenders.

Your obedient servant,

P/KD.

Enclosure:-

W. E. Ditchburn.
Indian Commissioner for B. C.

F.H. Davey, Esq.,
Secy., Live Stock Branch,
Department of Agriculture,
Parliament Buildings,
Victoria, B. C.

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pt [8]
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

Copy.

Office of the Indian Agent.

Alert Bay, B. C.,
May 31, 1932.

Our file 5.

Sir:-

I am in receipt of your letter of May 26 regarding the report that dogs from the Indian Reserve at Cape Mudge had killed sheep on Valdez Island.

I feel that it is not necessary for me to make any investigation into this matter as it so happened that I wasat Campbell River at the time that Mr. Harvey the Game Warden came there to investigate a complaint that certain farmers on Valdez Island had lost sheep, and they presumed it had been done by dogs.

I had already heard something on the matter, and had questioned the Indians very closely, and they told me there were only two dogs on the reserve and they were both small ones, and that if the sheep had been killed by dogs at all they were not dogs belonging to the Indians. I saw Mr. Harvey personally, who was accompanied by Mr. Cecil Smith, commonly known as Cougar Smith, and the question of Indian dogs came up, and I told him that dogs belonging to Indians must pay a licence the same as any other dogs, and if they had unlicenced dogs they could be destroyed. I saw Mr. Harvey again on his return from Valdez Island, and he told me that there was no doubt that some of the sheep had been chewed by dogs, but as to whose dogs, they were unable to find out. They said there was one dog, a black and white one, but nobody knew who owned it or where it came from.

Under the circumstances, I do not see that our Department is any way responsible for damages in these cases, and Mr. Harvey in his report to me said it was extremely doubtful whether the proof furnished could be established in any of the dogs that had been seen near the sheep. He believed, but it was only a matter of belief and not actual proof, that one Indian had killed a dog before he had arrived there as he had been suspicious that this dog had been engaged in chasing sheep.

Your obedient servant,

" W. M. Halliday"
Indian Agent.

W.E. Ditchburn, Esq.,
Indian Commissioner for B. C.,
Victoria, B. C.

INDIAN AFFAIRS
AFFAIRES INDIENNES
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Archives nationales du Canada

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT
Alert Bay, B. C.,
May 31, 1932.

Your file 23-25104
Our file 5

Sir:-

I am in receipt of your letter of May 26 regarding the report that dogs from the Indian Reserve at Cape Mudge had killed sheep on Valdez Island.

I feel that it is not necessary for me to make any investigation into this matter, as it so happened that I was at Campbell River at the time that Mr. Harvey the Game Warden came there to investigate a complaint that certain farmers on Valdez Island had lost sheep, and they presumed it had been done by dogs.

I had already heard something on the matter, and had questioned the Indians very closely, and they told me there were only two dogs on the reserve and they were both small ones, and that if the sheep had been killed by dogs at all they were not dogs belonging to the Indians. I saw Mr. Harvey personally, who was accompanied by Mr. Cecil Smith, commonly known as Cougar Smith, and the question of Indian dogs came up, and I told him that dogs belonging to Indians must pay a licence the same any other dogs, and if they had unlicenced dogs they could be destroyed. I saw Mr. Harvey again on his return from Valdez Island, and he told me that there was no doubt that some of the sheep had been chewed by dogs, but as to whose dogs they were unable to find out. They said there was one dog, a black and white one, but nobody knew who owned it or where it came from.

Under the circumstances I do not see that our Department is any way responsible for damages in these cases, and Mr. Harvey in his report to me said it was extremely doubtful whether the proof furnished could be established in any of the dogs that had been seen near the sheep. He believed, but it was only a matter of belief and not actual proof, that one Indian had killed a dog before he had arrived there as he had been suspicious that this dog had been engaged in chasing sheep.

WMH/T

Your obedient servant,
W.M. Halliday
(W.M. Halliday)
Indian Agent

W.E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
Victoria, B.C.

COMMISSIONER'S OFFICE
JUN 4 1932
VICTORIA, B. C.

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INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

23/25104.

May 26, 1932.

Dear Sir:

A report has been received at this office from F.H. Davey, Secretary of the Live Stock Branch, that application for compensation is being made to his Department for loss of sheep for which it is thought that Indian dogs are responsible. Enclosed are copies of extracts from the reports of Constable S. W. Dawson and Game Warden B. Harvey re complaints of Miss Aleen Hughes and Alex Nelson, of Valdez Island, and Joyce Brothers, of Quadra Island.

Kindly investigate and if it is found that Indian dogs are responsible you will see that the dogs are destroyed and after interviewing the owners of the sheep, report to this office stating the number of sheep killed and give an estimate of the value of the same.

Your obedient servant,

W. E. Ditchburn,
Indian Commissioner for B.C.

JDC/AC
ENCL

W. M. Halliday, Esq.,
Indian Agent,
Alert Bay, B.C.

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pt [8]

INDIAN AFFAIRS
AFFAIRES INDIENNES

National Archives of Canada
Archives nationales du Canada

Extract from Report of Constable Stewart W. Dawson re complaint of MISS ALEEN HUGHES, Valdez Is.

" From the appearance of the bodies of the lambs and ewes they evidently had been killed by dogs as they had been bitten on the head, throat, and hind legs.

Miss Hughes said she had seen a black and a brown dog but could not recognize them.

The Indian reservation being close to their respective properties, it is more than likely that the dogs belonged there.

There has been trouble with Indian dogs running and killing sheep in former years on Quadra Island.

April 29 / 32.
Courtenay.

Miss Aleen Hughes applying for compensation amounting to $72.00.

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INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

Extract from Report of Constable Stewart W. Dawson re complaint of AXEL NELSON, Valdez Is.

" From the appearance of the bodies of the lambs and ewes they evidently had been killed by dogs as they had been bitten on the head, throat, and hind legs.

Miss Hughes said she had seen a black and a brown dog but could not recognize them.

The Indian reservation being close to their respective properties, it is more than likely that the dogs belonged there.

There has been trouble with Indian dogs running and killing sheep in former years on Quadra Island.

April 29 / 32.
Courtenay.

Axel Nelson applying for compensation amounting to $188.00.

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INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

Extract from Report of B. Harvey, Game Warden, re complaint of JOYCE BROTHERS, A. & H., of Quadra Island:

" Sheep had been chased and killed by two dogs seen by the lighthouse keeper at Cape Mudge, a number of ewes and lambs belonging to the Joyce Bros. were inspected in the home pasture. They had been badly chewed in the throat and head. A further number of dead ewes and lambs were located along the bluffs and on the beach in the vicinity of the lighthouse. The lighthouse keeper had seen one black and one black & white dog and had attempted to shoot same while in the act of chasing sheep, he was not successful.

We proceeded to the Indian Village and checked over all dogs on the reserve. The fact that a stray black & white dog had been on the reserve was established, but no owner could be found. This dog was killed on Sunday, the carcass could not be located. Enquiries were made for the black dog but it could not be located. The killing was done on Saturday 16th.

Apr. 23 / 32.
Courtenay.

Arthur Joyce applying for compensation amounting to $454.

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INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

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DIVISION OF ANIMAL INDUSTRY

OFFICE OF THE
LIVE STOCK COMMISSIONER

DEPARTMENT OF AGRICULTURE
PROVINCE OF BRITISH COLUMBIA

VICTORIA

May 18, 1932.

W.E. Ditchburn, Esq.,
Commissioner of Indian Affairs,
1220 Government St.,
Victoria, B. C.

Dear Sir:

As arranged in our interview of last Saturday I beg to enclose copies of reports received from Provincial Constables in which they are of the opinion that Indian dogs have been responsible for the loss of sheep killed by dogs for which application for compensation is being made to this Department.

You will notice in the report received from Constable C.C. Jacklin of Nanaimo that he states that sheep owned by Robert Grey were killed by dogs owned by an Indian named Alphonse Harris and that Harris had shot the dogs but had left for Cowichan.

Yours very truly,

F. H. Davey

Secy., Live Stock Branch.

FD:ES
Encl.

COMMISSIONER'S OFFICE
MAY 19 1932
VICTORIA, B. C.

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INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

Extract from Report of Constable C.C. Jacklin, re complaint of CHARLES FIDDICK, Cedar Dist.

" Description of dogs shot by Fiddick. -

1. White, with brown spots, part collie, Male.

2. Black, curly hair, part water spaniel, Male.

3. Black, straight hair, part water spaniel, Female.

These dogs are not known in the Cedar District, either by Mr. Fiddick or his neighbors. I am of the opinion that the dogs belong to Indians, and are from the Nanaimo Indian Reserve.

In company with Mr. Fiddick, we made inquiries on the Nanaimo Indian reserve, but could not find owners for the dogs.

March 28 / 32.
Nanaimo.

Charles Fiddick applying for compensation amounting to $86.00.

INDIAN AFFAIRS
AFFAIRES INDIENNES
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National Archives of Canada
Archives nationales du Canada

Extract from Report of Constable C.C. Jacklin, re complaint of ROBERT GREY, South Gabriola Is.

" I examined the ram, and lamb, and in my opinion they had been killed by dogs.

Long Island consists of 73 acres, owned by Mrs. James Degnen, Gabriola Island, and from whom Mr. Gray has permission to pasture some of his sheep.

Mr. Gray informs me that he has 7 sheep on this Island, and every Sunday he goes to the Island to look at them. On Sunday May 1st, 1932 while on Long Island he saw 2 dogs in the act of chasing his sheep, he did not have a gun so was unable to shoot them. He interviewed some Indians who were camping on the Island, but was unable to get any information from them about these dogs.

While on the Island, Tuesday May 3rd. 1932, I interviewed Nelson Johny (Indian) and he informed me that the dogs which had killed the sheep were owned by Alphonse Harris (Indian), that Harris had shot these dogs on Monday May 2nd, 1932, and then left for Cowichan Gap, he did not know when Harris would return.

These Indians have no money, and it would be impossible for Gray to collect damages for the sheep that were killed, from Harris. "

May 5th / 32.
Nanaimo.

Robert Grey applying for compensation amounting to $?
(Application form not yet received by Live Stock Branch).

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INDIAN AFFAIRS
AFFAIRES INDIENNES

National Archives of Canada
Archives nationales du Canada

Extract from Report of Constable G.E. Ashton, re complaint of J.C. Frizel, Massett.

" So far as I know all dogs connected with this case have been destroyed, two were shot by their owners - Indians - and one was wounded by its owner, seen in Massett and destroyed by my orders.

All dogs in Massett are licensed. "

April 10th / 32.
Massett, B. C.

J.C. Frizel applying for compensation amounting to $362.50.

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INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

Extract from Report of Constable Stewart W. Dawson re complaint of MISS ALEEN HUGHES, Valdez Is.

" From the appearance of the bodies of the lambs and ewes they evidently had been killed by dogs as they had been bitten on the head, throat, and hind legs.

Miss Hughes said she had seen a black and a brown dog but could not recognize them.

The Indian reservation being close to their respective properties, it is more than likely that the dogs belonged there.

There has been trouble with Indian dogs running and killing sheep in former years on Quadra Island. "

April 29 / 32.
Courtenay.

Miss Aleen Hughes applying for compensation amounting to $72.00.

RG 10, C-11-2, vol. 11297
pt [illegible]
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

Extract from Report of Constable Stewart W. Dawson re complaint of AXEL NELSON, Valdez Is.

" From the appearance of the bodies of the lambs and ewes they evidently had been killed by dogs as they had been bitten on the head, throat, and hind legs.

Miss Hughes said she had seen a black and a brown dog but could not recognize them.

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April 29 / 32.
Courtenay.

Axel Nelson applying for compensation amounting to $188.00.

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INDIAN AFFAIRS
AFFAIRES INDIENNES

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National Archives of Canada
Archives nationales du Canada

Extract from Report of B. Harvey, Game Warden, re complaint of JOYCE BROTHERS, A. & H., of Quadra Island:

" Sheep had been chased and killed by two dogs seen by the lighthouse keeper at Cape Mudge, a number of ewes and lambs belonging to the Joyce Bros. were inspected in the home pasture. They had been badly chewed in the throat and head. A further number of dead ewes and lambs were located along the bluffs and on the beach in the vicinity of the lighthouse. The lighthouse keeper had seen one black and one black & white dog and had attempted to shoot same while in the act of chasing sheep, he was not successful.

We proceeded to the Indian Village and checked over all dogs on the reserve. The fact that a stray black & white dog had been on the reserve was established, but no owner could be found. This dog was killed on Sunday, the carcass could not be located. Enquiries were made for the black dog but it could not be located. The killing was done on Saturday 16th. "

Apr. 23 / 32.
Courtenay.

Arthur Joyce applying for compensation amounting to $454.

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INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

23/25117.

May 30, 1932.

Dear Sir:-

I beg to acknowledge, with thanks, receipt of your new weed bulletin, also copies of each of your two weed posters.

If you would supply the following Indian Agents with a copy of the bulletin and the posters, I would consider it a favor and feel sure the Agents would be interested in receiving the same:-

G.C. Mortimer,	Indian Agent,	Hazelton, B. C.
A. O'N. Daunt,	" "	New Westminster, B. C.
H. Graham,	" "	Duncan, B. C.
R.H. Moore,	" "	Vanderhoof, B. C.
H. Taylor,	" "	Williams Lake, B. C.
W.J. Ferguson,	" "	Kamloops, B. C.
A.H. Barber,	" "	Merritt, B. C.
Jas. Coleman,	" "	Vernon, B. C.
F.S. Ryckman,	" "	Cranbrook, B. C.
F.J.C. Ball,	" "	822 Metropolitan Bldg., Vancouver.

I would also ask that Captain G.H. Barry, Inspector of Indian Schools, Victoria, B. C., be supplied with the bulletin and posters.

Your obedient servant,

JDC/KD.

W. E. Ditchburn.
Indian Commissioner for B. C.

C. Tice, Esq.,
Field Crops Commissioner,
Department of Agriculture,
Parliament Buildings,
Victoria, B. C.

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pt [B]
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

DEPARTMENT OF AGRICULTURE
PROVINCE OF BRITISH COLUMBIA

VICTORIA

May 28, 1932

W.E. Ditchburn, Esq.,
Indian Commissioner,
P.O. Box 666,
Victoria, B.C.

Dear Mr. Ditchburn:-

I am forwarding you a copy of our new weed bulletin and also copies of each of our two weed posters. We will be pleased to supply copies of both the posters and bulletins to those of your Indian Agents whom you think would be interested in receiving same, if you will forward me a list.

Yours very truly,

C. Tice

C. Tice,
Field Crops Commissioner.

CT:R

COMMISSIONER'S OFFICE
MAY 30 1932
VICTORIA, B. C.

INDIAN AFFAIRS
AFFAIRES INDIENNES

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National Archives of Canada
Archives nationales du Canada

23/24335. March 14, 1932.

Dear Sir:

I beg to acknowledge, with thanks, receipt of your letter of March 11th with enclosed copy of two resolutions in regard to Indians. In reply I beg to say that I am in accord with the resolution that compulsory accident insurance should be taken out by the Indians before they can obtain a car licence provided that such compulsory insurance is made a general law throughout British Columbia which will be applicable to all automobile licencees without racial distinction. Under such conditions I would gladly give the matter my strongest support.

Your obedient servant,

W. E. Ditchburn,
Indian Commissioner for B.C.

P/AC

W. J. Bonavia, Esq.,
Acting Secretary,
Advisory Board of Farmers' Institutes,
Department of Agriculture,
Victoria, B.C.

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pt [illegible]
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

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OFFICE OF THE
DEPUTY MINISTER

DEPARTMENT OF AGRICULTURE
PROVINCE OF BRITISH COLUMBIA

VICTORIA

March 11th, 1932.

COMMISSIONER'S OFFICE
MAR 12 1932
VICTORIA, B. C.

W. E. Ditchburn, Esq.,
Supt., Indian Agencies,
1220 Government St.,
Victoria, B. C.

Dear Sir:- Re Auto Insurance for Indians.

Owing to illness last year I was not present at the sessions of the Agricultural Legislative Committee when there was a discussion as to the desirability of auto insurance for Indians owning cars. This resolution has, however, again come up before the committee of the Advisory Board and been endorsed by them and is on the agenda for discussion with the Agricultural Legislative Committee at 10 a.m. March 15th.

I enclose for your information the opinion of the Legislative Committee as given in their minutes last year and the further endorsement by the Farmers' Institute committee.

Yours very truly,

Wm. J. Bonavia
Acting Secretary,
Advisory Board of F.I.

WJB/EC.
encl.

INDIAN AFFAIRS
AFFAIRES INDIENNES
RG 10, C-II-2, vol. 11227
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National Archives of Canada
Archives nationales du Canada

Resolved, In view of the fact that under existing legal conditions concerning the status of Indians as minors and wards of the Indian Department, and hence in view of the practical impossibility of obtaining redress from Indians in case of damage resulting from their operation of motor cars on our Provincial highways, that it is the opinion and recommendation of this Select Committee on Agriculture that greater care should be taken by our Provincial Licensing Department in the matter of issuing drivers' licences to Indians. (Carried)

.....

"That as it was the Institute's opinion that Clause No. 4 in the reports to the Legislature by the Select Standing Committee on Agriculture, Session of 1931, entirely fails to provide a remedy for the present danger to the public, be it resolved that compulsory accident insurance be taken out by Indians before they can obtain a car licence."

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INDIAN AFFAIRS
AFFAIRES INDIENNES

National Archives of Canada
Archives nationales du Canada

23/23920. February 5, 1932.

Sir:-

I wish to thank you for your letter of January 30th and enclosure relating to the meetings to be held in the Fraser River area during the present month.

In reply thereto I desire to advise you that I have suggested to Mr. Indian Agent Daunt, of New Westminster, who has been furnished with copies of your correspondence, that either he or his Dominion Constable should endeavour to be present at the meetings, especially those having to do with the subject of noxious weeds. I hope it may be possible for one of these officers to be present.

Your obedient servant,

P/KD.

W. E. Ditchburn.
Indian Commissioner for B. C.

C. Tice, Esq.,
Field Crops Commissioner,
Department of Agriculture,
Parliament Buildings,
Victoria, B. C.

RG 10, C-II-2, vol. 11297
pt [B]
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

23/23919.

February 5, 1932.

Sir:-

Please find herewith copy of letter dated January 30th and enclosure mentioned therein as received from C. Tice, Esq., in regard to meetings being held in the Fraser country in the present month.

It is thought that these meetings might profitably be attended either by yourself or by Constable Higginbottom, especially those which are to deal with the problems of noxious weeds.

Your obedient servant,

P/KD.

Enclosures:-

W. P. Ditchburn.
Indian Commissioner for B. C.

A. O'N. Daunt, Esq.,
Indian Agent,
New Westminster, B. C.

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pt [81]
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

Copy.

Department of Agriculture.

Victoria, B. C.,
Jan. 30, 1932.

W.E. Ditchburn, Esq.,
Indian Commissioner,
P.O. Box 666,
Victoria, B. C.

Dear Mr. Ditchburn:-

This is to advise you that this Department is conducting a one-day weed and seed short course in the Fraser Valley, Feb. 11th to 19th and I am enclosing a copy of the programme which has been drawn up. You will note the names of the places where the course is being held and the dates are given. It has occurred to me that some of your Indian Agents might have the opportunity of dropping in to some of these meetings and would therefore be pleased if you would bring the same to their attention.

Thanking you for your co-operation.

Yours very truly,

"C. Tice"

Field Crops Commissioner.

INDIAN AFFAIRS
AFFAIRES INDIENNES

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pt [8]

National Archives of Canada
Archives nationales du Canada

Copy.

WEED AND SEED SHORT COURSE.

Being held under the auspices of the British Columbia Department of Agriculture in co-operation with the Farmers' Institutes and Agricultural Associations at the following points:-

Ladner, February 11th; Pitt Meadows, February 12th; Milner, February 13th; Cloverdale, February 15th; Abbotsford, February 16th; Chilliwack, February 18th; Mission, February 19th.

PROGRAMME

9:30 to 10:30 a.m.--Preparing exhibits for exhibition purposes- reference will be made to the World's Grain and Seed Exhibition - D. Sutherland, Dept. of Agriculture, Victoria.

10:45 a.m. - 11:45 a.m.-- Discussion of important weeds- Specimens of the worst weeds will be available. Each weed will be described and best methods for eradication given - J. Travis, Dept. of Agriculture, Victoria.

1:45 p.m.-2:40 p.m.--Study of Weed Seeds and Seed Cleaning Methods The worst weed seeds will be described and drawn. Various types of seed cleaning machinery will be described. Messrs. Boving, D. Sutherland, J. Travis.

2:45 p.m.-3:15 p.m.--Weed Chemicals - The various weed chemicals and their uses will be discussed. D. Sutherland.

3:25 p.m.-4 p.m.-- The Noxious Weeds Act- The various phases of the Noxious Weeds Act and its application will be explained. J. Travis.

8 p.m. -- Addresses as follows:-

(1) The weed problem - Mr. Geo. Boving, Vancouver.
(2) The Seeds Act and the Value of Registered Seed - A. McMeans, the Dominion Seed Branch, Vancouver.

Other speakers at some of these meetings will be Mr. R.G. Sutton, District Agriculturist, New Westminster, Mr. C. Tice, Field Crops Commissioner, Dept. of Agriculture, Victoria, and Dr. G.G. Moe, Professor of Agronomy, University of B. C.

Hon. Wm. Atkinson
Minister of Agriculture
Victoria, B.C.

J.B. Munro
Deputy Minister of Agriculture
Victoria, B. C.

For further information see posters or the Secretary of the local association sponsoring this course.

INDIAN AFFAIRS
AFFAIRES INDIENNES
RG 10, C-11-2, vol. 11267
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National Archives of Canada
Archives nationales du Canada

DIVISION OF PLANT INDUSTRY

OFFICE OF
FIELD CROPS COMMISSIONER

DEPARTMENT OF AGRICULTURE
PROVINCE OF BRITISH COLUMBIA

VICTORIA
Jan. 30, 1932

REGINA CANADA 1933
WORLD'S GRAIN EXHIBITION CONFERENCE
JULY ~~24~~ AUGUST 5
~~1932~~ 1933

W.E. Ditchburn, Esq.,
Indian Commissioner,
P.O. Box 666,
Victoria, B.C.

Dear Mr. Ditchburn:-

This is to advise you that this Department is conducting a one-day weed and seed short course in the Fraser Valley, Feb. 11th to 19th and I am enclosing a copy of the programme which has been drawn up. You will note the names of the places where the course is being held and the dates are given. It has occurred to me that some of your Indian Agents might have the opportunity of dropping in to some of these meetings and would therefore be pleased if you would bring the same to their attention.

Thanking you for your co-operation.

Yours very truly,

C. Tice

C. Tice,
Field Crops Commissioner.

CT:R
Encl.

P.S. We are hoping to hold some smaller meetings on Vancouver Island a little later on.
C.T.

INDIAN COMMISSIONER'S OFFICE
FEB 1 1932
VICTORIA, B.C.

INDIAN AFFAIRS
AFFAIRES INDIENNES

RG 10, C-II-2, vol. 11297
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WEED AND SEED SHORT COURSE

Being held under the auspices of the British Columbia Department of Agriculture in co-operation with the Farmers' Institutes and Agricultural Associations at the following points:-
Ladner, February 11th; Pitt Meadows, February 12th;
Milner, February 13th; Cloverdale, February 15th;
Abbotsford, February 16th; Chilliwack, February 18th;
Mission, February 19th.

PROGRAMME

9:30 - 10:30 a.m.-- Preparing exhibits for exhibition purposes- reference will be made to the World's Grain and Seed Exhibition - D. Sutherland, Dept. of Agriculture, Victoria.

10:45 a.m. - 11:45 a.m.-- Discussion of important weeds- Specimens of the worst weeds will be available. Each weed will be described and best methods for eradication given - J. Travis, Dept. of Agriculture, Victoria.

1:45 p.m.-2:40 p.m.-- Study of Weed Seeds and Seed Cleaning Methods- The worst weed seeds will be described and drawn. Various types of seed cleaning machinery will be described. Messrs. Boving, D. Sutherland, J. Travis.

2:45 p.m.-3:15 p.m.-- Weed Chemicals - The various weed chemicals and their uses will be discussed. D. Sutherland.

3:25 p.m.-4 p.m.-- The Noxious Weeds Act- The various phases of the Noxious Weeds Act and its application will be explained. J. Travis.

8 p.m. -- Addresses as follows:

(1) The weed problem - Mr. Geo. Boving, Vancouver.
(2) The Seeds Act and the Value of Registered Seed - A. McMeans, Dominion Seed Branch, Vancouver.

Other speakers at some of these meetings will be Mr. R. G. Sutton, District Agriculturist, New Westminster, Mr. C. Tice, Field Crops Commissioner, Dept. of Agriculture, Victoria, and Dr. G. G. Moe, Professor of Agronomy, University of B. C.

Hon. Wm. Atkinson
Minister of Agriculture
Victoria, B. C.

Mr. J. B. Munro
Deputy Minister of Agriculture,
Victoria, B. C.

For further information see posters or the Secretary of the local association sponsoring this course.

COMMISSIONER'S OFFICE
FEB 1 1932
VICTORIA, B.C.

INDIAN AFFAIRS
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23/21570.

June 18, 1931.

Sir:

In response to your letter of June 17th, instant, I have the honor to give you, hereunder, a list of our officials in British Columbia, viz:-

G. S. Pragnell, Inspector of Indian Agencies, Kamloops, B.C.

G. C. Mortimer, Indian Agent, Hazelton, B.C.

Iver Fougner, Indian Agent, Bella Coola, B.C.

H. Graham, Indian Agent, Duncan, B.C.

Ewen MacLeod, Indian Agent, Kamloops, B.C.

F. S. Ryckman, Indian Agent, Cranbrook, B.C.

W. M. Halliday, Indian Agent, Alert Bay, B.C.

A. Strang, Indian Agent, Lytton, B.C.

W. E. Collison, Indian Agent, Prince Rupert, B.C.

A. O'N. Daunt, Indian Agent, New Westminster, B.C.

James Coleman, Indian Agent, Vernon, B.C.

J. Gillett, Indian Agent, Massett, B.C.

T. F. Harper Reed, Indian Agent, Telegraph Creek, B.C.

R. H. Moore, Indian Agent, Vanderhoof, B.C.

F. J. C. Ball, Indian Agent, Vancouver, B.C.

E. E. Frost, Indian Agent, Port Alberni, B.C.

H. E. Taylor, Indian Agent, Williams Lake, B.C.

A. H. Barber, Indian Agent, Merritt, B.C.

J. D. Caldwell, Indian Agricultural Agent, Box 666, Victoria, B.C.

W. B. Anderson, 1225 Roslyn Road, Victoria, B.C. Supervisor of Indian Orchards.

Your obedient servant,

P/AC

C. Tice, Esq.,
Field Crops Commissioner,
Parliament Bldgs.,
Victoria, B.C.

W. E. Ditchburn.
Indian Commissioner for B.C.

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INDIAN AFFAIRS
AFFAIRES INDIENNES

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DEPARTMENT OF AGRICULTURE
PROVINCE OF BRITISH COLUMBIA

OFFICE OF THE
FIELD CROPS COMMISSIONER

VICTORIA

June 17, 1931.

REGINA CANADA 1932
WORLD'S GRAIN EXHIBITION AND CONFERENCE
JULY 25-AUGUST 6
1932

W.E. Ditchburn, Esq.,
Indian Commissioner,
P.O. Box 666,
Victoria, B.C.

Dear Sir:-

I would be pleased if you would forward me a list of your District Offices in British Columbia and names of the officials in charge.

Yours very truly,

C. Tice,
Field Crops Commissioner.

CT:R

COMMISSIONER'S OFFICE
JUN 18 1931
VICTORIA, B.C.

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INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

23/18391

July 23, 1930.

Sir:

I beg to advise you that on receipt of your letter dated July 18th. last inquiring as to whether the Indians of British Columbia could produce exhibits for the World's Grain Exhibition to be held at Regina July 25th. to August 6th. 1932, I addressed a communication to our Inspector of Agencies resident at Kamloops on July 19th. based upon your inquiry, and am now in receipt of a letter from the Inspector in which he states that the growing of grain by the Indians in the interior has been discouraged owing to the inability of the Indians to afford the purchase of the necessary machinery and other crops are grown which are more serviceable to them. The only grain they grow is principally oats which they use for fodder and only a little wheat of poor quality is raised for chicken feed. I am sorry, therefore, to report that conditions in the interior of British Columbia are not such as to encourage the growth of grain amongst the Indians and that the small amount that is grown is not good enough for exhibition purposes.

I might add to the foregoing that we are endeavoring to encourage the Indians to pursue the raising of cattle and principally alfalfa which is a paying crop is grown to a considerable extent for winter feed.

Your obedient servant,

W. E. Ditchburn.
Indian Commissioner for B.C.

P/AC

C. Tice, Esq.,
Secretary, World's Grain Exhibition and Conference,
Department of Agriculture,
Victoria, B.C.

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DEPARTMENT OF INDIAN AFFAIRS

OFFICE OF

INSPECTOR OF INDIAN AGENCIES

BRITISH COLUMBIA

P.O. Box 752
KAMLOOPS, B.C.
July 21st.,1930.

COMMISSIONER'S OFFICE
JUL 23 1930
VICTORIA, B. C.

G-717.

Dear Sir:-

I am in receipt of your 23-18364 of the 19th inst., with reference to the World's Grain Exhibition.

Answering your enquiry, I have to inform you that the growing of grain by the Indians in the Interior has been largely discouraged during the last few years, the reasonfor this being that anyway they only grow a small quantity, and it necessitated the hiring of threshing machines, which the Indians could not afford. The only grain, therefore, that they grow is principally in the way of oats put up for fodder, and only a little wheat of a very poor quality, and used, as a rule, for chicken feed.

I am sorry, therefore, to have to report that conditions in the Interior of B.C. are not such as would encourage us to foster the growing of grain among the Indians, and the small amount that is grown, is not good enough for exhibition.

Yours truly,

GSP/S.

(Geo. S. Pragnell)
Inspector of Indian Agencies.

W.E. Ditchburn,Esq.,
Indian Commissioner
for B.C.,
VICTORIA, B.C.

P.S. I expect to be down in Victoria before the week end, and will visit you before my trip up north.

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National Archives of Canada
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23/18364.

July 19, 1930.

Dear Sir:-

You are no doubt aware that there is being held in Regina, Sask., on July 25th to August 6th, 1932, a World's Grain Exhibition.

Mr. C. Tice, Secretary of the B.C. Committee, has written to me to know if our Department would be interested in endeavouring to get some of the Indians to produce exhibits.

I would be pleased if you would let me know whether the Indians of the Interior grow any grains of a quality good enough to make a showing at this exhibition. It is learned that the Department in the prairie provinces is making a very great effort to interest the Indians in producing exhibits for this World's Exhibition.

Yours truly,

JDC/KD.

W. E. Ditchburn.
Indian Commissioner for B. C.

G.S. Pragnell, Esq.,
Inspector of Indian Agencies,
P. O. Box 752,
Kamloops, B. C.

INDIAN AFFAIRS
AFFAIRES INDIENNES
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BRITISH COLUMBIA COMMITTEE:
HON. W. ATKINSON, CHAIRMAN
J. B. MUNRO, VICE-CHAIRMAN
CECIL TICE, SECRETARY

DEPARTMENT OF AGRICULTURE
VICTORIA, B.C.

July 16, 1930.

Ask Inspector Pragnell whether the Indians growing grain
& a fairly good enough to make a showing at this Exhibition

Mr. W. E. Ditchburn,
Indian Commissioner for B. C.,
P. O. Box 666,
Victoria, B. C.

Dear Sir:-

As you are probably aware there is being held in the city of Regina, Saskatchewan, July 25th to August 6th, 1932 a World's Grain Exhibition. In this connection a very elaborate prize list has been prepared containing 54 classes for various kinds of seeds and grains. I have recently learned that certain Indian Departments in the prairie provinces are making a very great effort to interest the Indians in producing exhibits for this Exhibition. It has therefore occurred to me that perhaps the B.C. Indian Department would also be interested in endeavoring to get some of the Indians to produce exhibits for this World's Exhibition. I would be pleased to give you any information you are requiring regarding this matter.

Yours very truly,
C. Tice

C. Tice,
Secy., B. C. Committee.

CT:R

COMMISSIONER'S OFFICE
JUL 17 1930
VICTORIA, B. C.

INDIAN AFFAIRS
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National Archives of Canada
Archives nationales du Canada

23/17659.

May 10, 1930.

Dear Sir:-

In compliance with your request contained in your letter of the 9th instant I am herewith enclosing three copies of a list giving the names and addresses of the Indian Agents and other officials connected with this Department in the Province of British Columbia.

Yours truly,

KD.

Enclosure:-

W. E. Ditchburn.
Indian Commissioner for B. C.

C. Tice, Esq.,
Field Crops Commissioner,
Department of Agriculture,
Parliament Buildings,
Victoria, B. C.

INDIAN AFFAIRS
AFFAIRES INDIENNES
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National Archives of Canada
Archives nationales du Canada

List of Officials in Indian Department

British Columbia.

W. E. Ditchburn, Indian Commissioner,	Box 666,	Victoria, B. C.
C.C. Perry, Assistant Indian Commissioner,	"	" "
J.D. Caldwell, Agricultural Agent,	"	" "
W.B. Anderson, Inspector of Indian Orchards,	1225 Roslyn Road,	Victoria.
G.S. Pragnell, Inspector of Indian Agencies,	Box 752,	Kamloops, B. C.

AGENT	AGENCY	ADDRESS.
G.C. Mortimer,	Babine,	Hazelton, B. C.
Iver Fougner,	Bella Coola,	Bella Coola, B. C.
A.H. Lomas,	Cowichan,	Duncan, B. C.
Ewen MacLeod,	Kamloops,	Kamloops, B. C.
E.H. Small,	Kootenay,	Cranbrook, B. C.
W.M. Halliday,	Kwawkewlth	Alert Bay, B. C.
H. Graham,	Lytton,	Lytton, B. C.
W. E. Collison,	Nass-Skeena,	Prince Rupert, B. C.
A. O'N. Daunt,	New Westminster,	New Westminster, B. C.
A. H. Barber,	Nicola,	Merritt, B. C.
Jas. Coleman,	Okanagan,	Vernon, B. C.
J. Gillett,	Queen Charlotte,	Massett, B. C.
Harper Reed,	Stikine,	Telegraph Creek, B. C.
R.H. Moore,	Stuart Lake,	Vanderhoof, B. C.
F.J.C. Ball,	Vancouver,	415 Winch Building, Vancouver, B. C.
E. E. Frost,	West Coast,	Port Alberni, B. C.
H. E. Taylor,	Williams Lake,	Williams Lake, B. C.

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INDIAN AFFAIRS
AFFAIRES INDIENNES

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National Archives of Canada
Archives nationales du Canada

List of Officials in Indian Department

British Columbia.

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Ewen MacLeod,	Kamloops,	Kamloops, B. C.
E.H. Small,	Kootenay,	Cranbrook, B. C.
W.M. Halliday,	Kwawkewlth	Alert Bay, B. C.
H. Graham,	Lytton,	Lytton, B. C.
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A. O'N. Daunt,	New Westminster,	New Westminster, B. C.
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Jas. Coleman,	Okanagan,	Vernon, B. C.
J. Gillett,	Queen Charlotte,	Massett, B. C.
Harper Reed,	Stikine,	Telegraph Creek, B. C.
R.H. Moore,	Stuart Lake,	Vanderhoof, B. C.
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H. E. Taylor,	Williams Lake,	Williams Lake, B. C.

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INDIAN AFFAIRS
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List of Officials in Indian Department

British Columbia.

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J.D. Caldwell, Agricultural Agent,	"	" "
W.B. Anderson, Inspector of Indian Orchards,	1225 Roslyn Road,	Victoria.
C.S. Pragnell, Inspector of Indian Agencies,	Box 752,	Kamloops, B. C.

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H. Graham,	Lytton,	Lytton, B. C.
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INDIAN AFFAIRS
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DEPARTMENT OF AGRICULTURE

FIELD CROP BRANCH

THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

OFFICE OF
THE PROVINCIAL AGRONOMIST
VICTORIA, B.C.

REGINA CANADA 1932
WORLD'S GRAIN EXHIBITION AND CONFERENCE
JULY 25-AUGUST 6
1932

May 9, 1930.

Mr. W.E. Ditchburn,
Indian Commissioner For B.C.,
P.O. Box 666,
Victoria, B. C.

Dear Sir:-

I would be glad if you would let me have three copies of a list giving the names and addresses of the Indian Agents in the Province.

Yours very truly,

C. Tice,
Field Crops Commissioner.

CT:R

COMMISSIONER'S OFFICE
MAY 10 1930
VICTORIA, B. C.

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INDIAN AFFAIRS
AFFAIRES INDIENNES
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The British Columbia Fruit Growers' Association

Representing all Fruit and Vegetable Interests in the Province

Organized 1889

EXECUTIVE FOR 1930

President:
THOS. ABRIEL, Nakusp

Vice-President:
R. H. MACDONALD, Vernon

Secretary-Treasurer:
MIRIAM APPLEBY, Vancouver

H. C. OLDFIELD, Victoria
E. F. LAWS, Grand Forks
F. COX, Salmon Arm
A. H. STEVEN, West Summerland

EX-OFFICIO
The Minister of Agriculture
The Deputy Minister of Agriculture
The Provincial Horticulturist
The Professor of Horticulture, University of B.C.

Office of the
Secretary-Treasurer, B.C.F.G.A.
The University of British Columbia
Vancouver, Canada

March 12-1930.

Mr. W. E. Ditchburn,
Indian Commissioner for B. C.
P.O.Box 666,
Victoria, B.C.

Dear Sir,

This will acknowledge your letter of March 4th giving in part Mr. Anderson's report of September 24th on his survey trip to the Indian orchards of Paul Trebasket, of Similkameen, and those of the Inkameep Reserve near Osoyoos, which has been read with much interest.

It is also noted on Mr.Anderson's recommendations, a power sprayer for the use of the Indians of the lower Okanagan is to be purchased, and that Mr.Anderson will be in the district to personally superintend the spraying and banding of Indian trees.

Thanking you for this information,

I am,

Very truly yours,

Miriam Appleby

Secretary.

MA

INDIAN COMMISSIONER'S OFFICE
MAR 13 1930
VICTORIA, B. C.

INDIAN AFFAIRS
AFFAIRES INDIENNES
RG 10, C-11-2, vol. 11267
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182/10/16927.

March 4, 1930.

Sirs,-

In reply to your letter of February 28th in regard to Indian orchards being infested with codling moth and other fruit pests, I beg to say that this work is in the hands of Mr.W.B.Anderson, Superintendent of Indian Orchards, who is a competent and practical orchardist.

In Mr.Anderson's report of September 24th the following appears:-

"I have lately returned from a survey trip to the "Indian orchards of Paul Trebasket, of Similkameen, and those "of the Inkameep Reserve near Osoyoos.

"On this survey I had the co-operation of the Vernon "Provincial Horticulturist, and of Mr.Ball, the Indian Agent for "Okanagan.

"The Trebasket orchard was found to be apparently free of "Codlin Moth, the determination of the presence of which pest "being the primary object of the survey, owing to suggestions "having been made by certain white fruit growers that these orchards "were infested by this insect, and if such were found to be the case, "with the intention of co-operating with the Provincial men in their "efforts to eradicate the pest, which has of late years broken out "over a large territory in many orchards of the Okanagan and elsewhere. The Trebasket orchard, as stated, was, after our very "careful examination, found to be apparently free from the pest, "but I am sorry to say, however, that two of the Inkameep orchards "were found to be very badly infested, and a third to a lesser "extent. These orchards, after a fruit examination last year, "and a further survey last Spring by Mr.Middleton, Provincial District "Horticulturist and self, had been found apparently quite clear "at those times. The outbreak, therefore, has developed intensely "this season, and drastic steps are now imperative to control it. "It is inevitable that the Indian orchards, hitherto clear, will "sooner or later become infested with this moth in districts like "the Okanagan where it is widely spread, and to hope for immunity "is to delude ourselves, and to show you how widely spread the pest "has become, I give a list of places where the Provincial authorities "were last Spring combating the evil:-

Okanagan Mission,	Dog Lake,	Penticton north
Belgo,	Kaleden,	Osoyoos (South of Inkameep)
Westbank & vicinity,	Green Lake,	Keremeos
Peachland,	Oliver,	Okanagan Landing
Summerland,	Okanagan Falls,	Kelowna City
Glenmore	Rutland	Penticton,
Salmon Arm	Kamloops City and vicinity.	

The Secretary,
The British Columbia Fruit Growers' Association,
The University of British Columbia,
Vancouver, B.C.

In view.....

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INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

"In view of this data, being confident of the certainty of "other Indian orchards in these affected areas being sooner or "later affected, I have come to the conclusion that a power "spraying outfit of standard make is now an absolute necessity in "the Lower Okanagan, as I have found upon making enquiries, that "the Provincial men will have absolutely no time available next "Spring for doing our spraying, as they have formerly done for "Codlin in other places, they being now overtaxed in the matter "of power pumps for their own work. The suddenness of the "Inkameep outbreak--from zero to at least 75c/p in one season, "will show you how insidious and virulent this pest may become "with practically no warning."

Mr. Anderson has furnished me with a copy of the address he read before the British Columbia Fruit Growers' Association in the Hotel Vancouver on the 31st January. Mr.Anderson reports that his address was well received and that the only question asked was one by some lady grower which was irrelevant to the subject.

In view of Mr.Anderson's report and recommendations, I am purchasing a power sprayer for the use of the Indians of the lower Okanagan and Mr.Anderson will be in the district to personally superintend the spraying and banding of Indian trees.

Your obedient servant,

W.E.Ditchburn.
Indian Commissioner for B.C.

JDC/HM.

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INDIAN AFFAIRS
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The British Columbia Fruit Growers' Association

Representing all Fruit and Vegetable Interests in the Province

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MIRIAM APPLEBY, Vancouver

H. C. OLDFIELD, Victoria
E. F. LAWS, Grand Forks
F. COX, Salmon Arm
A. H. STEVEN, West Summerland

Office of the
Secretary-Treasurer, B. C. F. G. A.
The University of British Columbia
Vancouver, Canada

EX-OFFICIO
The Minister of Agriculture
The Deputy Minister of Agriculture
The Provincial Horticulturist
The Professor of Horticulture,
University of B.C.

February 28-1930.

Mr. W.E.Ditchburn,
Indian Office,
1220 Government St.
Victoria, B.C.

Dear Sir,

At our Fortieth AnnualConvention held in Vancouver on January 29th, 30th and 31st - 1930 the following resolution was brought up for discussion on the floor of the meeting and passed unanimously:

"Whereas, there are a number of Indian villages, containing fruit trees, infested with the codling moth and other fruit pests, and no precautions are being taken to control the same; and

Whereas, these Indian orchards are a continued menace, and prevent the effective control of the codling moth in the district;

Therefore be it Resolved that the Federal Department of Agriculture be respectfully urged to place all Indian orchards under the control of a practical pest inspector."

As Mr.Anderson was present at the meeting at the time when this resolution came up, and took part in the discussion, no doubt he can make you familiar with the attitude of the members on this matter.

Trusting you will give this your earnest consideration and attention, I am,

Very truly yours,

Miriam Appleby

Secretary.

MA.

COMMISSIONER'S OFFICE
MAR 1 1930
VICTORIA, B. C.

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INDIAN AFFAIRS
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DEPARTMENT OF INDIAN AFFAIRS
CANADA

File 0-6

OFFICE OF
INDIAN AGENT

Vernon, B.C.
January 28th, 1930.

Sir,

I beg to acknowledge the receipt of your wire of the 27th inst. advising that Mr.Anderson will attend the meeting at Vancouver, also one from Mr. Anderson stating that he was leaving to refute the statements at the Vancouver meeting.

In the past these meetings have been held in the Valley and it has been more convenient to attend. I do not know why they went so far away for this year's meeting.

Your obedient servant,

Fred J.C.Ball

(F.J.C.Ball)
Indian Agent.

W.E.Ditchburn, Esq.,
Indian Commissioner for B.C.
P.O.Box 666,
Victoria, B.C.

COMMISSIONER'S OFFICE
JAN 30 1930
VICTORIA, B. C.

FJCB:C.

INDIAN AFFAIRS
AFFAIRES INDIENNES

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CLASS OF SERVICE DESIRED	
Day Message	
Day Letter	
Night Message	
Night Letter	

Patrons should mark an X opposite the class of service desired; OTHERWISE THE MESSAGE WILL BE TRANSMITTED AS A FULL-RATE TELEGRAM

CANADIAN NATIONAL TELEGRAM

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Victoria, B.C. January 27, 1930.

F.J.C.Ball,
Indian Agent,
Vernon, B.C.

93/16679

W.B.Anderson will attend meeting fruit growers in Vancouver.

Rush.
Charge Indian Office.

W.E.DITCHBURN.

Telephone 6200

INDIAN AFFAIRS
AFFAIRES INDIENNES
RG 10, C-11-2, vol. 11297
pt [illegible]

National Archives of Canada
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182/10/16609.

January 27, 1930.

Dear Sir:-

I am attaching hereto a copy of report of Mr. W.B.Anderson, Supervisor of Indian Orchards, dated the 24th September, 1929, dealing with Indian orchards in the Okanagan Agency and the method he proposes to combat the codling moth which last year infected a number or orchards in that district belonging to both whites and Indians about which there has been considerable complaint.

In order that the Indian orchards may be removed from the realm of complaint, I would recommend that Mr. Anderson be authorized to purchase the power spray pump he speaks of in his report at once in order that it may be ready and shipped to Oliver, B.C. not later than the middle of march and ready for use by the beginning of April. Mr. Anderson should also be authorized tc employ a competent white person to do the necessary spraying and banding of any trees affected, as it will not be advisable to depend upon an Indian doing the work at present. It will be necessary to give the trees at least four sprayings during the season.

Enclosure:-

The cost of the machine and labour of spraying should be charged against the Special Vote--Fruit Culture. If funds are not available at once, no doubt the Massey Harris people would be willing to wait until April for the payment of their account.

WED/HM.

Your obedient servant,

The Secretary,
Department of Indian Affairs,
Ottawa.

W.E.Ditchburn.
Indian Commissioner for B.C.

COPY FOR 23.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

File O-6

COMMISSIONER'S OFFICE
JAN 27 1930
VICTORIA, B. C.

Vernon, B.C.
January 25th, 1930.

Sir,

The B.C.Fruit Grower's Convention is being held in Vancouver, commencing Wednesday 29th inst. Some of the locals in the Valley have drafted resolutions regarding Indian orchards in the matter of supervision for codling moth control. In Penticton recently some wild statements were made regarding Indian orchards and the sale of fruit from them, implying that codling-moth was spread in this manner. These statements emanated undoubtedly from the local assistant horticulturist, with whom we had trouble over Terrabaskit's orchard last year, and unless these statements are contradicted it may give the impression that the Indian orchards are responsible for the codling moth being here.

I am advised by the Vernon horticulturist that these resolutions from the locals will be discussed at the Convention and he thinks we should be represented there. I may say, he personally has never been antagonistic to us in this matter. Do you know if Mr. Anderson is arranging to be present at the Convention? He probably knows enough about conditions in the Indian orchards to enable him to reply to any unfair discussion at the Convention and I could try to send him any information he might require if he lets me know quickly enough. I think you will agree that this is rather an important matter, for the codling menace is not easily understood by people living outside of the apple growing district such as this. I enclose copy of a press cutting from the "Vancouver Daily Province" showing the trend in the Penticton district.

Will you please wire me whether Mr. Anderson, or someone else will attend the Convention to watch the proceedings on behalf of the Indians.

Your obedient servant,

Fred J. C. Ball

(F.J.C.Ball)
Indian Agent.

W.E.Ditchburn, Esq.,
Indian Commissioner for B.C.,
Victoria, B.C.

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LYON ELECTED AT PENTICTON

Growers Favor Continuation Of Committee of Direction —Pests Discussed.

INDIANS ATTACKED

(Special to The Province.)

PENTICTON, Jan. 11.—Ways and means of most successfully checking the spread of coaling moth and wooly aphis and election of officers featured the annual meeting of the British Columbia Fruit Growers' Association, Penticton local, here this afternoon, when a large and representative gathering of growers of the district assembled at Canadian Legion Hall.

Robert Lyon was elected director of the organization proper and also delegate to the British Columbia Fruit Growers' Association convention at Vancouver, succeeding W. G. Baskin, who was the only other nominee for the office.

DIRECTORS ELECTED.

Mr. Lyon was also elected president of the local. Robert Murray was unanimously re-elected secretary-treasurer. The five directors of the local body were appointed as follows (eleven names being submitted to ballot): F. H. Keane, K. A. Davenport, W. G. Baskin, S. W. Dafoe and R. I. Penrose.

Ben Hoy, district federal press inspector with headquarters at Kelowna, gave an interesting talk on the codling moth, pointing out, as a result of numerous experiments, the most effective means of keeping this pest in control. Arsenate of lead, in various combinations, chiefly oil, was found to be the most efficient exterminator. He laid special emphasis on the importance of eradicating the first brood, as much as possible, the early part of June being the period when the grower should make generous use of the spray.

The woolly aphis pest formed the subject of another instructive paper, E. R. Buckle, Dominion etymologist of Vernon, being the speaker. He advised paying particular attention to this pest with a view to keeping it well in control before it gets an opportunity to spread. Several other speakers addressed the meeting.

IMMATURE FRUIT.

A number of resolutions were discussed and all passed unanimously. It was resolved that the committee of direction be asked to put a stop to the shipment of immature fruit, chiefly prunes, with a view to maintaining the high standard. A petition will be sent to the Federal minister of agriculture asking that importation of immature fruit, mainly prunes, be prohibited.

The meeting passed a resolution favoring the continuation of the committee of direction, whose policies and endeavors were approved of. There was some discussion, the majority of the speakers praising the work of that body.

A resolution approving the valuable work done by the Experimental Farm at Summerland was also enthusiastically passed.

Criticism of the loose methods of Indian growers in the district was made by E. Foley-Bennett, who submitted a resolution to the effect that the Federal department of agriculture be asked to place all orchards operated by Indians under the supervision of the pest inspector. It was pointed out that the codling moth is, as a rule, allowed to run rampant in such orchards.

JAN. 12. 1930

INDIAN AFFAIRS BRANCH
JAN 13 1930
REGISTRY

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COMMISSIONER'S OFFICE
SEP 25 1929
VICTORIA, B. C.

W,E,Ditchburn Esq
Indian Commissioner
Indian Office
Victoria B,C.

1225 Roslyn Road
Victoria B,C.
Sep 24th 1929

Dear Sir:-

I have lately returned from a survey trip to the Indian orchards of Paul Trebasket,of Similkameen,and those of the Inkameep Reserve near Osoyoos.

On this survey I had the co-operation of the Vernon Provincial Horticulturist,and of Mr Ball,the Indian Agent for Okanagan.

The Trebasket orchard was found to be apparently free of Codlin Moth,the determination of the presence of which pest being the primary object of the survey,owing to suggestions having been made by certain White fruit growers that these orchards were infested by this insect, and if such were found to be the case,with the intention of co-operating with the Provincial men in their efforts to eradicate the pest,which has of late years broken out over a large territory in many orchards of the Okanagan and elsewhere.
The Trebasket orchard,as stated,was,after our very careful examination,found to be apparently free from the pest,but I am sorry to say,however,that two of the Inkameep orchards were found to be very badly infested,and a third to a lesser extent.These orchards,after a fruit examination last year,and a further survey last Spring by Mr Middleton,Provincial District Horticulturist and self,had been found apparently quite clear at those times.
The outbreak,therefore,has developed intensely this season,and drastic steps are now imperative to control it.
It is inevitable that the Indian orchards,hitherto clear,will sooner or later become infested with this moth in districts like the Okanagan where it is widely spread,and to hope for immunity is to delude ourselves,and to show you how widely spread the pest has become,I give a list of places where the Provincial authorities were last Spring combating the evil--.

Okanagan Mission	Penticton north
Belgo	Osoyoos,(south of Inkameep)
Westbank & vicinity	Keremeos
Peachland	Okanagan Landing
Summerland	Kelowna City
Dog Lake	Glenmore
Kaleden	Rutland
Green Lake	Penticton
Oliver	Salmon Arm
Okanagan Falls	Kamloops City and vicinity

In view of this dato,being confident of the certainty of other

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Indian orchards in these affected areas being sooner or later affected, I have come to the conclusion that a power spraying outfit of standard make is now an absolute necessity in the Lower Okanagan, as I have found upon making enquiries, that the Provincial men will have absolutely no time available next Spring for doing our spraying, as they have formerly done for Codlin in other places, they being now overtaxed in the matter of power pumps for their own work. The suddenness of the Inkameep outbreak, -from zero to at least 75c/p in one season, will show you how insidious and virulent this pest may become, with practically no warning.

The Inkameep orchards will be by necessity sprayed four times next season. That of Trebasket, while now apparently clear, should have at least one preventative spraying next Spring. The cost of the machine I would recommend, -a Massey Harris No7, is $353.00, less 10 c/p for the Department. The firm sends a mechanic to any point when a new machine is shipped, to set it up and start it in working order. This machine has a pressure of 250 lbs and repair parts can be procured in various parts of the Province. This, I may point out, is a distict advantage, as some other good outfits may at times be rendered quite useless at a critical time by reason of having to send to a distance for repair parts. Two experienced men will be required for the actual spraying. The head man at $4.50 or $5.00 per day, and a nozzle man at $4.00. In addition, a team and driver will be required. This I think, can in most cases be supplied by the Indians concerned.

So far as now known, the number of working days will not be many, tree bandng being done between sprayings by the same men.
I sincerely hope that this recommendation will receive favourable consideration, the outfit in question to be inspected and purchased by me at the firm's agency in Vancouver for delivery in Oliver in March next, with the necessary spray and gasoline&c. Should this be done, I intend being on the ground to personally supervise the prosecution of the work.

I am
Dear Sir-
Yours very truly
Walter B Anderson
(Walter B Anderson)
Superintendent of Indian Orchards

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COMMISSIONER'S OFFICE
SEP 19 1929
VICTORIA, B. C.

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

File LS.6-21

Vernon, B.C.
September 17th, 1929.

Sir, File 23/15237

I beg to advise, in connection with your letter of the 27th ult., that I proceeded to Paul Terrabaskit's place on the 12th, meeting Mr. Anderson and Mr. Evans there. A large number of Indians were present also. Paul Terrabaskit was quite friendly and has agreed to his trees being banded, but a careful examination of the whole orchard failed to disclose any trace of codling moth.

The next day Mr. Anderson and Mr. Evans proceeded to Inkameep where I was not surprised to hear that considerable infestation was found, although the orchard was practically clean last year. That district is suffering from outbreaks of codling moth on account of its proximity to the Washington orchards. I have advised Mr. Evans regarding an old abandoned orchard, south of Osoyoos Reserve, and I believe he is taking action to have it cleansed or cut down.

Mr. Anderson will consult you with reference to the purchase of a power sprayer which could be used on all the orchards in the southern part of the district, including Terrabaskit's. I do not think there will be any trouble with him with our own spraying outfit. Mr. Anderson stated that he would come up and supervise the spraying if a power sprayer was purchased. This will be needed not later than the end of next March, and could be purchased either from the Special Grant or from the Band funds of the Similkameen, Penticton and Osoyoos Indians. The Osoyoos Indians are not selling apples from the Reserve, so they will not suffer any financial loss on account of the disease.

The power sprayer is Mr. Anderson's idea, but whether staunch enough to stand transportation over the hard roads from Osoyoos to Penticton and Similkameen I am unable to say. Probably a barrel sprayer at each Reserve would serve the purpose equally well, as the orchards are very small, except Terrabaskit's. There would be a considerable saving in price as a power sprayer would cost over $600.00, while the barrel sprayers would be laid down on the Reserve for about $50.00

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and only three would be needed. However, Mr. Anderson will no doubt go into this matter fully with you, although the transportation of the engine should be borne in mind as the distances are considerable.

Your obedient servant,

Fred J.C. Ball

(F.J.C.Ball)
Indian Agent.

W.E.Ditchburn, Esq.,
Indian Commissioner for B.C.,
P.O.Box 666,
Victoria, B.C.

FJCB:C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

File LS.6-21

OFFICE OF
INDIAN AGENT

Vernon, B.C.
August 30th, 1929.

Sir, File 23/15237

I beg to acknowledge the receipt of your letter of the 27th inst. and will visit Paul Terrabaskit with Mr. Anderson on the 11th of September.

None of the trees are diseased, but having been deprived of water are not flourishing, and of course this affects the size and quality of the fruit. Whether they can be brought back by proper treatment is a matter Mr. Anderson will determine.

This year has been exceptionally dry and there was no run-off in the Spring and practically all creeks are dried up long ago. Paul Terrabaskit has probably used his creek on the alfalfa as it is a more paying crop than the orchard. As you can readily realise, this lack of water has been a fruitful source of complaints and disputes, but now the water has all gone the cause of dispute has disappeared, but third crops of alfalfa are almost non-existent in most places.

Your obedient servant,

(F.J.C.Ball)
Indian Agent.

W.E.Ditchburn, Esq.,
Indian Commissioner for B.C.
P.O.Box 666,
Victoria, B.C.

FJCB:C.

COMMISSIONER'S OFFICE
SEP 3 1929
VICTORIA, B.C.

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23/15237.

August 27, 1929.

Dear Sir:-

As you already are aware complaint was made some time ago about the condition of the orchard of Paul Terribaskit, of Lower Similkameen Indian Reserve No.6. Investigation was made last Spring by Mr.Anderson, Inspector of Indian Orchards, and Mr. Middleton, of the Provincial Horticultural Branch, and these two gentlemen decided that the complaint was not justified. It is desired, however, that an inspection of the fruit from these trees be made on the 11th September by Mr.Anderson and one of the officers of the British Columbia Government, and it is thought important that you should go along with them so that you may inform the Indian Terribasket just what is intended and allay any wrong impression he may form in connection with this matter. If it is decided that any of the trees should be cut down, it would be in the interest of all concerned that you should give an opinion as to what compensation should be paid for the same, though, as a matter of fact, on general principle no compensation should be paid for diseased trees, but as Paul is of such a peculiar personality it might be advisable to recommend some compensation.

Your obedient servant,

W.E.Ditchburn.
Indian Commissioner for B.C.

WED/HM.

F.J.C.Ball, Esq.,
Indian Agent,
P.O.Box 693,
Vernon, B.C.

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23/12121.

July 20, 1928.

Dear Sir:-

Re--Terrabaskit's Orchard.

Herewith please find copy of report of Walter B. Anderson, Inspector of Indian Orchards for this Department, referring to the condition of the apple trees on Lower Similkameen Indian Reserve No.6 (Paul Terrabaskit's Reserve).

Your obedient servant,

Enclosure:-

WED/HM.

W.E.Ditchburn.
Indian Commissioner for B.C.

F.W.Laing, Esq.,
Secretary to the Honourable
the Minister of Agriculture,
Parliament Buildings,
Victoria, B.C.

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C
O
P
Y.

Report on Provincial
Horticulturist officials action in re Terrabasket
orchard, Blind Creek, Lower Similkameen, B.C.

W.E.Ditchburn, Esq.,
Indian Commissioner,
Victoria, B.C.

Sir:-

In response to your request on July 2nd inst. that I investigate an affair of the Provincial Horticultural Officers' entry into the orchard of Paul Terrabasket of Blind Creek, in the Lower Similkameen, I later got in telegraphic touch with Mr.Ball, the Indian Agent for that District, who asked that the trip be deferred until the following week, on account of other pressing business engaging his attention at the time. I therefore arranged to meet him in Penticton on the tenth, and proceeded to that place, arriving on date. Meeting Mr.Ball, we went to Terrabasket's on the same day, there meeting his wife and daughter, who gave us details of the affair, Paul himself being absent on his cattle range, engaged in a stock round-up.

It seems that the white fruit growers in that section had had a zone declared for the purpose of combatting the encroachment of the Codlin Moth, a few of which had been found in some orchards. This spraying zone, as it is called, drawn arbitrarily, happened to take in the Terrabasket orchard at one extreme corner of the rectangle, and at least a mile from the nearest white orchard in the neighbourhood. The man engaged to do the spraying work, had, apparently on the orders of Mr.Murray, the District Provincial Horticulturist, entered into the Indian's orchard with his spraying outfit and team of horses, throwing down the fence to make entry. Naturally Terrabasket, who has in past years had a lot of trouble by reason of his water supply having been appropriated by whites, resented this action, and promptly ordered the man off the place, seeing that he did go. After learning these details, and making an examination of the orchard, or orchards, there being two small ones, and finding them free of any injurious pests, Mr.Ball and I returned to Penticton, where we endeavoured to get in touch with Mr.Murray. This I succeeded in doing on the thirteenth, Mr.Ball then having left for Vernon on other duties. I found from Mr.Murray that he had had no permission from the Agent to enter onto Indian lands, but thought that Mr.Middleton, the head Provincial Horticulturist of the District, had. He himself, apparently, had not heard from nor seen Mr. Ball at all in the matter, and admitted that the man employed had acted precipitately and injudiciously.

After thrashing everything out with Mr.Murray, I proceeded to Vernon, where on the sixteenth, I, with Mr.Ball, interviewed Mr.Middleton. This gentleman, who I have always found most corteous and broad-minded in collaboration, after going into the matter with us most painstakingly, expressed his regret that the affair had been conducted as it had, rather blaming himself that he had not personally obtained the necessary

permission

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permission from the Indian Agent who could have then arranged with Terrabasket for entry.

The agreement entered into between Mr.Middleton and Mr.Ball and myself, after thoroughly discussing the situation, is that the Terrabasket orchards be removed from the so-called zone, and that other Indian lands were in future to be excluded from these zones. That in the event at any time of the discovery of any injurious pests in any Indian orchard in the Agency, the Indian Agent was to be at once communicated with who would get me on the ground as quickly as possible, when the question, if any, of joint control could be arranged easily and harmoniously.

That meanwhile, in the case of the Terrabasket place, arrangements would be made to permit the Provincial men to examine the trees, when if found free from Codlin, no further action would be necessary at present. In accordance with this, the following inserted note was drafted and left in Mr.Middleton's hands:-

"Vernon, B.C. July 16th, 1928.

Dear Sir:-

We have looked at your orchard, and find it is in fair condition. Meanwhile, we would appreciate it if you would allow the bearer of this to make a further examination of the trees to satisfy himself that they are all right".

Yours truly

(Signed) F.J.C.Ball, Indian Agent.
Walter B.Anderson, Superintendent of Indian Orchards."

Paul Trebasket.
Blind Creek Indian Reserve,
Lower Similkameen, B.C.

In order that no similar might possibly occur in the district, I made the opportunity of examining the Indian orchards at Penticton and Inkameep, finding in all cases clean trees with heavy crops of fine fruit. Codlin Moth may of course appear at any time and anywhere, but at present, though there are a number of dead trees in one of Terrabasket's orchards, owing to lack of water in the few years just passed, which trees he will remove, there is at present no "menace" to any white orchards in the places mentioned.

Trusting that the course followed will be to your satisfaction. I am,

Yours truly,

(Sgd.) Walter B.Anderson.

Superintendent of Indian Orchards.

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CANADA

DEPARTMENT OF AGRICULTURE
ENTOMOLOGICAL BRANCH

ENTOMOLOGICAL LABORATORY
1225 Roslyn Road VICTORIA, B.C.
July 19th 1928

W, E, Ditchburn Esq
Indian Commissioner
Indian Office
Victoria B, C.

Dear Sir:-

Enclosed please find report on the Trebasket orchard affair as desired by you after my making the necessary investigation.

I am
Yours very truly

Walter B Anderson

(Walter, B, Anderson)
Superintendent of Indian Orchards

COMMISSIONER'S OFFICE
JUL 26 1928
VICTORIA, B. C.

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COMMISSIONER'S OFFICE
JUL 26 1928
VICTORIA, B. C.

Report on Provincial
Horticulturist officials action in re Terrabasket
orchard, Blind Creek, Lower Similkameen, B, C.

W, E, Ditchburn Esq
Indian Commissioner
Victoria B, C.

Sir:-

In response to your request on July 2nd inst, that I investigate an affair of the Provincial Horticultural Officers' entry into the orchard of Paul Terrabasket of Blind Creek, in the Lower Similkameen, I later got in telegraphic touch with Mr Ball, the Indian Agent for that District, who asked that the trip be deferred until the following week, on account of other pressing business engaging his attention at the time. I therefore arranged to meet him in Penticton on the tenth, and proceeded to that place, arriving on date. Meeting Mr Ball, we went to Terrabasket's on the same day, there meeting his wife and daughter, who gave us details of the affair, Paul himself being absent on his cattle range, engaged in a stock round-up.

It seems that the White fruit growers in that section had had a zone declared for the purpose of combatting the encroachment of the Codlin Moth, a few of which had been found in some orchards. This spraying zone, as it is called, drawn arbitrarily, happened to take in the Terrabasket orchard at one extreme corner of the rectangle, and at least a mile from the nearest White orchard in the neighbourhood. The man engaged to do the spraying work, had, apparently on the orders of Mr Murray, the District Provincial Horticulturist, entered into the Indian's orchard with his spraying outfit and team of horses, throwing down the fence to make entry. Naturally Terrabasket, who has in past years had a lot of trouble by reason of his water supply having been appropriated by Whites, resented this action, and promptly ordered the man off the place, seeing that he did go. After learning these details, and making an examination of the orchard, -or orchards, there being two small ones, and finding them free of any injurious pests, Mr Ball and I returned to Penticton, where we endeavoured to get in touch with Mr Murray. This I succeeded in doing on the thirteenth, Mr Ball then having left for Vernon on other duties. I found from Mr Murray that he had had no permission from the Agent to enter onto Indian lands, but thought that Mr Middleton, the head Provincial Horticulturist of the District, had. He himself, apparently, had not heard from nor seen Mr Ball at all in the matter, and admitted that the man employed had acted precipitately and injudiciously.

After thrashing everything out with Mr Murray, I proceeded to Vernon, where on the sixteenth I, with Mr Ball, interviewed Mr Middleton. This gentleman, who I have

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always found most corteous and broad-minded in collaboration, after going into the matter with us most painstakingly, expressed his regret that the affair had been conducted as it had, rather blaming himself that he had not personally obtained the necessary permission from the Indian Agent who could have then arranged with Terrabasket for entry.

The agrement entered into betweem Mr Middleton and Mr Ball and myself, after thoroughly discussing the situation, is that the Terrabasket orchards be removed from the so-called zone, and that other Indian lands were in future to be excluded from these zones. That in the event at any time of the discovery of any injurious pests in any Indian orchard in the Agency, the Indian Agent was to be at once communicated with who would get me on the ground as quickly as possible, when the question, if any, of joint control could be arranged easily and harmoniously.

That meanwhile, in the case of the Terrabasket place, arrangements would be made to permit the Provincial men to examine the trees, when if found free from Codlin, no further action would be necessary at present. In accordance with this, the following inserted note was drafted and left in Mr Middleton's hands.------

"Vernon, B, C. July 16th 1928

Dear Sir:-

We have looked at your orchard, and find it is in fair condition. Meanwhile, we would appreciate it if you would allow the bearer of this to make a further examination of the trees to satsfy himself that they are all right."

Yours truly

(Signed)

F, J, C, Ball Indian Agent.
Walter B Anderson, Superintendent of Indian Orchards"

Paul Trebasket
Blind Creek Indian Reserve
Lower Similkameen B, C.

In order that no similar might possibly occur in the district, I made the opportunity of examining the Indian orchards at Penticton and Inkameep, finding in all cases clean trees with heavy crops of fine fruit. Codlin Moth may of course, appear at any time and anywhere, but at present, though there are a number of dead trees in one of Terrabaskets orchards, owing to lack of ### water in the few years just passed, which trees he will remove, there is at present, no "menace" toany White orchards in the places mentioned.

Trusting that the course followed will be to your satisfaction.-- I am

Yours truly. Walter B Anderson

Superintendent of Indian Orchards

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National Archives of Canada
Archives nationales du Canada

23/12110. July 19, 1928.

Dear Sir;-

With further reference to your letter of June 21st last re spraying of Paul Terrabaskit's Orchard, I beg to attach hereto a copy of a letter received from Mr. Indian Agent Ball, of Vernon, B.C. from which it will be seen that this matter has been adjusted.

AVH. Yours truly,

W.E.Ditchburn.
Indian Commissioner for B.C.

F.W.Laing, Esq.,
Secretary to the Honorable
The Minister of Agriculture,
Parliament Buildings,
Victoria, B.C.

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- Copy.-

File Ls6-1.

Office of
Indian Agent.

Vernon, B.C.
July 16th, 1928.

Sir:- Re File 23/11922.

I beg to refer again to your letter of the 26th ult. and to report that I met Mr. Anderson at Penticton and visited Terrabaskit's place with him. Terrabaskit was absent looking after some stock and we talked to his wife and Mr. Anderson examined the trees for coodling moth and found them absolutely free of any infestation.

Mrs. Terrabaskit explained to him the trouble about the man going into their place without authority and also about breaking down the fences to get in.

On Saturday I met Mr. Robertson the Provincial Horticulturist, and went into the matter with him and this morning we have met Mr. Middleton, the District Horticulturist, who is quite satisfied that had Mr. Murray used any judgement before attempting to go onto the Reserve there would have been no trouble in the first place. As it is now too late to finish spraying, which in any event was only a preventative measure and not because of codling moth being present on the Reserve, I am asking Terrabaskit to allow the Horticulturist to band the trees so as to be sure of locating any infestation of any kind.

I think the matter has been fully adjusted and Mr. Anderson will no doubt report further to you on his arrival at Victoria.

Your obedient servant,

F.J.C.Ball
Indian Agent.

W.E.Ditchburn, Esq.,
Indian Commissioner for B.C.
P.O. Box 666,
Victoria, B.C.

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Private Copy for Mr Loring

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

File LS6-1

Vernon, B.C.
July 16th, 1928.

Sir, Re File 23/11922

I beg to refer again to your letter of the 26th ult. and to report that I met Mr. Anderson at Penticton and visited Terrabaskit's place with him. Terrabaskit was absent looking after some stock and we talked to his wife and Mr. Anderson examined the trees for codling moth and found them absolutely free of any infestation.

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Your obedient servant,

Fred J C Ball

(F.J.C.Ball)
Indian Agent.

COMMISSIONER'S OFFICE
JUL 18 1928
VICTORIA, B.C.

W.E.Ditchburn,Esq.,
Indian Commissioner for B.C.
P.O.Box 666,
Victoria, B.C.

FJCB:C.

RG 10, C-11-2, vol. 11297
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Form 6102, replacing Form 2A-T.W.

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Day Message	
Day Letter	
Night Message	
Night Letter	

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Victoria, B.C. July 4, 1928.

F.J.C.Ball,
Indian Agent,
Vernon, B.C.

Orchard Inspector Anderson going to Keremeos in a few days but will wire you exact date STOP Arrange to meet him Keremeos and go to Paul Terrabasket's orchard.

W.E. DITCHBURN.

DAY LETTER.
CHARGE INDIAN OFFICE.

23/11986

Telephone 0200

RG 10, C-11-2, vol. 11237
file 13
pt 1

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23/11987. July 4, 1928.

Dear Mr. Laing,-

With further reference to your letter of the 21st ultimo regarding Paul Terrahasket's orchard, on Blind Creek Indian Reserve, I beg to inform you that W.B.Anderson, Esq., Inspector of Indian Orchards, called at my office yesterday, by request, and during the course of the interview, he informed me that the orchard of the above named Indian was inspected last season and he found no trace of codling moth or any other pest.

Mr. Anderson, however, is going into the Keremeos District within a week and will again, in company with the Indian Agent, inspect the fruit trees, after which he will report as to his investigation.

Your obedient servant,

W.E.Ditchburn.
Indian Commissioner for B.C.

WED/HM.

F.W.Laing, Esq.,
Secretary to the Honourable The
Minister of Agriculture,
Parliament Buildings,
Victoria, B.C.

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23/11966.

June 30, 1928.

Dear Sir:-

I beg to acknowledge receipt of your letter of the 21st instant in which you enclosed a letter from R.B. Murray, Assistant District Horticulturist, to the effect that the Indian, Paul Terrabasket, was not carrying out the regulations as laid down in Chapter 4, Section 3, Subsection 17, of "An Act to Amend the Agricultural Act" and the Order-in-Council of 25th May, 1928, referring thereto.

In reply I beg to say that as Paul Terrabasket lives on Lower Similkameen Indian Reserve No. 6, Blind Creek, this Indian or the reserve mentioned is not subject to any Provincial Act or regulation dealing with the spraying, though it is the wish of the Department that the Indians should keep their orchards clean and there is an employee of my Department, W.B. Anderson, Esq., Inspector of Indian Orchards, who gives such matters his attention.

I have received a letter from Mr. Indian Agent Ball, of Vernon, which goes to show that possibly the trouble with Paul Terrabasket might not have taken place had the Provincial Spraying Official realized that Indian reserves do not come under his jurisdiction and duly taken the matter up with the Indian Agent or Mr. W.B. Anderson. It appears, however, that the Provincial Official went to the reserve and threw down the fences, drove through the Indian's field and commenced spraying without authority. I am attaching hereto copy of the Indian Agent's letter for your information.

I expect Mr. W.B. Anderson, our Indian Orchard Inspector this week-end and will have him call at my office

on

F.W. Laing, Esq.,
Secretary to Hon. Minister of Agriculture,
Parliament Buildings,
Victoria, B. C.

INDIAN AFFAIRS
AFFAIRES INDIENNES
RG 10, C-II-2, vol. 11297
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on Tuesday when he will be instructed to go into the Okanagan country and see whether or not there is any complaint with regard to Paul Terrabasket's orchard.

WED/KD.

Enclosure:-

Yours truly,

W. E. Ditchburn.
Indian Commissioner for B. C.

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COMMISSIONER'S OFFICE
JUN 30 1928
VICTORIA, B. C.

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

File LS.6-21

Vernon, B.C.
June 28th, 1928.

Sir, Re File 23/11922

I beg to acknowledge the receipt of your letter of the 16th inst. enclosing letters from the Agricultural Department with reference to the codling moth area in the Similkameen. Some time ago the Horticulturist here in Vernon spoke to me on this matter and said that Paul Terrabaskit had refused to allow his orchard to be sprayed and asked me to go down and see him. I went down a few days afterwards and found Paul cutting his alfalfa. When I asked him about the spraying he said that some days previous a man had thrown his fences down and had driven through his field and commenced spraying his trees. They did not consult him and I may add that they did not apply to me for permission to enter the Reserve. They have, therefore, no one to blame but themselves if they had any trouble with Paul Terrabaskit and I consider it a most high-handed on the part of the man who was instructed to do the spraying that he should have entered the Reserve in the manner he did. As long as attempts are made in this manner to enforce any regulations they will meet with failure.

It is not necessary for me to say that Paul Terrabaskit is a difficult Indian to deal with. He says that his trees have been weakened by the loss of water when Blind Creek was taken from him, and that spraying would kill them.

I think, before accepting the local horticulturist's opinion as to the condition of these trees they should be inspected by Mr. Anderson, because it was stated by Mr. Murray that the Indian's trees at Inkameep were affected with codling moth, whereas Mr. Anderson went down and inspected them and reported that they were not. Had Mr. Murray taken up this matter with me before attempting any work on the Reserve it would have prevented any trouble with Paul Terrabaskit, but now they have placed themselves in the position that he considers he has been injured by their actions. Terrabaskit has no doubt been advised already that this Provincial Act cannot be enforced on him.

Your obedient servant,

(F.J.C.Ball)
Indian Agent.

W.E.Ditchburn, Esq.,
Indian Commissioner for B.C.
Victoria, B.C.

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23/11922.

June 26, 1928.

Dear Sir:-

I am attaching hereto copies of correspondence received from the office of the Provincial Minister of Agriculture having reference to the matter of the application of the Spraying Regulations in the Lower Similkameen district which is thought desirable should cover Blind Creek Indian Reserve No. 6, of which Paul Terrabasket is the acknowledged owner and it is inferred that his orchard is in such a condition that these Spraying Regulations should be drastically applied thereto. I have been unable to get any definite information on this particular question, but I may inform you that the Department does not wish the trees on any Indian Reserve to be a menace to other orchards in the district. I note that Mr. Murray, Assistant District Horticulturist, informs Honorable Mr. Barrow that he has tried to work with Paul Terrabasket through yourself, but has not been successful. I wish you would let me have a report on this matter at once and at the same time inform me whether it is considered that the Provincial Officials should be given authority to spray Terrabasket's reserve. Mr. W.B. Anderson, our Indian Orchard Inspector, is not in the city at the present time, otherwise I would see what information he has on the subject.

WED/KD.

Enclosures:-

Yours truly,

W. E. Ditchburn.
Indian Commissioner for B. C.

F.J.C. Ball, Esq.,
Indian Agent,
Vernon, B. C.

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COMMISSIONER'S OFFICE
JUN 22 1928
VICTORIA, B. C.

MINISTER OF AGRICULTURE
PROVINCE OF BRITISH COLUMBIA

VICTORIA
June 21st,
1 9 2 8

W. E. Ditchburn, Esq.,
Supt., Indian Agencies,
Victoria, B.C.

Dear Sir:

A letter has been received from the Assistant District Horticulturist at Penticton, of which a copy is enclosed for your information, together with a copy of the regulations approved by Order-in-Council May 25, 1928, establishing a protection Spraying Zone for the Keremeos-Cawston District.

Will you kindly advise the Minister whether the Indian in question is a ward of the Dominion Government and if so whether your Department is prepared to assist in carrying out the provisions of the "Agricultural Act", under which Spraying Zones have been established. It is presumed that if the Indian is not on a reservation he will be subject to Provincial law the same as any citizen, but if a resident on an Indian Reserve this Department would desire to co-operate with your officers in carrying out the provisions of Provincial Statutes.

Yours very truly,

F. W. Laing

Secretary

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COPY

June 18, 1928.

Hon. E. D. Barrow,
Minister of Agriculture,
Victoria, B.C.

Dear Sir:-

There is an Indian named Paul Terrabasket, in the Keremeos-Cawston Spray Zone, who has refused to do anything with regard to spraying. I have discussed this matter with Mr. W. H. Robertson, and he has instructed me to write you for permission to carry out the regulations as laid down in Chapter 4, Section 3, Subsection 17, of "An Act to Amend the Agricultural Act". The Order in Council covering this area was approved May 25th, 1928.

I may also say that we have tried to work through Indian Agent Ball of Vernon, with this Indian, but have not been successful.

Yours truly,

R. P. Murray,
Asst. Dist. Horticulturist

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THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA.

DEPARTMENT OF AGRICULTURE

VICTORIA, B.C.

Keremeos and Cawston Protection Spraying Zone

Regulations made pursuant to the "Agricultural Act" and approved by Order in Council May 25th, 1928

1. For the prevention, treatment, care, and extirpation of fruit pests, all orchards, gardens, and fruit-trees within the protection spraying zone hereinafter defined shall be subject to inspection by any officer of the Department of Agriculture.

2. Every owner and every caretaker of any orchard or garden containing apple, pear, or crab-apple trees situate within the said protection spraying zone shall spray all apple, pear, and crab-apple trees owned by him or under his care or control at least four times in each year with arsenical spray composed of one pound of arsenate to forty gallons of water, to be applied by means of an efficient spraying equipment, as follows:—

No. 1. A calyx spray to be applied when the blossoms are falling.

No. 2. A cover spray to be applied from two to three weeks after the No. 1 spray.

No. 3. A cover spray to be applied from two to three weeks after the No. 2 spray.

No. 4. A cover spray to be applied between the 25th day of July and the 6th day of August.

Provided that in any case, if in the opinion of the Minister or of any officer of the Department of Agriculture the application of the said four sprays is unnecessary, the Minister or officer may issue to the owner or caretaker a permit exempting him from applying any one or more of said sprays other than the No. 1 spray.

3. On or before the 1st day of September in each year the owner or caretaker of any orchard or garden containing any apple, pear, or crab-apple trees situate within the said protection spraying zone shall forward to the Minister of Agriculture an affidavit proving compliance by such owner or caretaker with the last preceding regulation.

4. The area of land described as follows is for the purposes of these regulations defined as a protection spraying zone, to be known as the "Keremeos and Cawston Protection Spraying Zone":—

"All that tract of land situated in the Similkameen Division of Yale District, which may be more particularly described as follows: Commencing at the north-west corner of Lot 171, S.D.Y.D.; thence east to the south-east corner of Lot 258; thence north to the north-east corner of Indian Reserve No. 6; thence west to the south-east corner of Lot 2755; thence north to the north-east corner of Lot 2755; thence west to the south-east corner of Lot 112; thence north to the north-east corner of Lot 980 (S.); thence west to the east margin of Lot 111; thence north to the north-east corner of Lot 111; thence west to the north-west corner of Lot 111; thence north to the south-east corner of Lot 2963; thence west to the easterly margin of Lot 393; thence south to the south-east corner of Lot 393; thence west to the north-east corner of Lot 232 (S.); thence south to the north margin of Lot 107; thence west to the north-west corner of Lot 107; thence south to the south-west corner of Lot 107; thence west to the north-west corner of Lot 2821; thence south to the north margin of Lot 277; thence west to the north-west corner of Lot 277; thence south to the north-east corner of Lot 656; thence west to the north-west corner of Lot 656; thence north to the north-east corner of Lot 657; thence west to the north-west corner of Lot 657; thence south to the south margin of the Similkameen River; thence following the bank of the Similkameen River in a south-easterly direction to the north-west corner of Lot 2467; thence south to the south-west corner of Lot 2467; thence east to the north-west corner of Lot 1475 (S.); thence south to the south-west corner of Lot 1475 (S.); thence east to the south-east corner of Lot 1477 (S.); thence south to the south-west corner of Lot 3201; thence east to the north-west corner of Lot 555; thence following the east bank of the Similkameen River in a southerly direction to the north-west corner of Lot 171, the point of commencement."

5. Every person violating any provision of or failing to perform or carry out any duty imposed by these regulations shall be liable, on summary conviction, to a penalty of not less than fifty dollars nor more than one hundred dollars.

[L.S.] J. L. WHITE,
Deputy Provincial Secretary.

Provincial Secretary's Office,
Victoria, B.C., May 28th, 1928.

200-628-2215

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THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA.

DEPARTMENT OF AGRICULTURE

VICTORIA, B.C.

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[L.S.] J. L. WHITE,
Deputy Provincial Secretary.

Provincial Secretary's Office,
Victoria, B.C., May 28th, 1928.

200-628-2215

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23/16553.

January 20, 1930.

Your fyle 550288.

Dear Sir:-

I beg to acknowledge receipt of your letter of the 9th instant with enclosure relative to the matter of eradication of the grasshopper pest referred to by Mr. Indian Agent Barber in his communication to you of the 31st ultimo.

In reply I beg to say that recently I received a letter from Hon. William Atkinson, Minister of Agriculture for the British Columbia Government, referring to this matter and he asked me as to how far our Department would be prepared to co-operate in the scheme recommended by the Nicola Stock Breeders Association which was to the effect that this Department should make an annual grant towards this work. My reply was to the effect that I could not commit our Department to anything until I had an opportunity of perusing the proposed "Grasshopper Control Act" which is meditated for putting on the Provincial Statutes during the coming Session. The Deputy Minister of Agriculture, however, is getting up all date and he has promised to consult with myself when he has all information on hand. Hon. Mr. Atkinson was also informed that as our Department has been making special grants to control the grasshopper plague on Indian Reserves during recent years, no doubt could be depended upon to do so in the future.

Copies of Hon. Mr. Atkinson's letter and my reply thereto are attached for your information and I may say that when I have heard something more definite from the authorities on this question, I will be in a better position to go into the matter further.

Your obedient servant,

WED/KD.

Enclosures:-

W. E. Ditchburn.
Indian Commissioner for B. C.

The Secretary,
Department of Indian Affairs,
Ottawa.

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COPY.

OFFICE OF INDIAN COMMISSIONER

VICTORIA, B. C.

23/16443. January 9, 1930.

Dear Mr. Atkinson:-

I beg to acknowledge receipt of your letter of the 4th instant relative to the matter of enacting some legislation under the title of "Grasshopper Control Act" as proposed by the Nicola Stock Breeders Association which suggests the assessment of lands in the various districts affected by grasshoppers for the purpose of keeping them under control. I note the proposal is to assess private lands on the assessed value and that the Department of Indian Affairs and the Provincial Government will be asked to contribute an amount equal to that raised by taxation.

In reply I beg to say my Department has assisted to a considerable financial extent in the eradication of grasshoppers in the Nicola and Okanagan sections of the Province, and I am prepared to recommend that such a policy be continued for the future, when necessary. However, before committing my Department to co-operate under any proposed Grasshopper Control Act, I should like to have a draft copy of the same in order that I may place the matter before my superior officers in an intelligent manner. I would also like to have maps showing the areas which might be classified as "grasshopper districts" so that I may determine which reserves and agency would be affected.

I have had some conversation over the telephone with your Deputy Minister, Mr. Munroe, and he has promised to consult with myself at a later date, when more details are available. In the meantime I may say that I am very credibly informed that during the past two seasons the grasshopper plague has not been in evidence to any great extent in any sections of the Province.

Yours very sincerely,

(Sgd) W. E. Ditchburn.
Indian Commissioner for B. C.

Hon. Wm. Atkinson, M.L.A.,
Minister of Agriculture,
Parliament Bldgs.,
Victoria, B. C.

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OFFICE OF INDIAN COMMISSIONER

VICTORIA, B. C.

23/16443. January 9, 1930.

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Yours very sincerely,

(Sgd) W. E. Ditchburn.
Indian Commissioner for B. C.

Hon. Wm. Atkinson, M.L.A.,
Minister of Agriculture,
Parliament Bldgs.,
Victoria, B. C.

REPEAT
REPETITION

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COPY

MINISTER OF AGRICULTURE

Province of
BRITISH COLUMBIA

VICTORIA
January 4th,
1 9 3 0.

W.C. Ditchburn, Esq.,
Commissioner of Indian Affairs,
1220 Government St.,
Victoria, B. C.

Dear Sir:-

The Nicola Stock Breeders Association is pressing for the enactment of legislation under the title "Grasshopper Control Act". It is proposed by the stockmen to make all lands within a grasshopper control district subject to a levy on the assessed value of the land in such district. It is proposed also to provide for contributions from the Indian Department in lieu of levies for lands comprised within Indian reserves. Supplementing such levies and contribution, the Provincial Government would be asked to contribute an amount equal to that raised by taxation and a contribution from the Indian Department and Municipalities within the district. This latter provision is designed to take the place of assessment on Crown lands in the same way as assessment on Indian lands would be waived.

As Commissioner for British Columbia, you are, no doubt, aware of the great damage done to the grazing areas of this Province through grasshopper invasions from year to year. No doubt, the Indian lands are very injuriously affected as well as other grazing areas.

Would you kindly ascertain whether your Department would be disposed to co-operate with the Stock Breeders in putting such legislation into force. The success of such an undertaking would naturally rest with those who are interested in the control of the grasshoppers in any particular district.

I should be very pleased to discuss this matter with you if you think there would be any possibility of the Indian Department giving favorable consideration.

Yours very truly,

(Sgd) Wm. Atkinson.

Minister.

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AFFAIRES INDIENNES

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

OUR REPLY REFER TO
No. 550288
ALSO TO THE DATE OF THIS LETTER
PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS
CANADA

With Enclosure.

Ottawa, 9th January, 1930.

Sir,-

I beg to transmit herewith copy of a letter of the 31st December, received at the Department from Mr A.H. Barber, Indian Agent, Merritt, regarding the need for steps to be taken to combat and if possible stamp out the grass-hopper pest, which for some years past has done serious damage, in certain areas in British Columbia, to range land and farm crops.

Provision to the amount of one thousand dollars was made in the current year's main estimates to cover expenditure in this connection on Indian reserves in British Columbia, and a like amount has been inserted in the Estimates for 1930-1931, which will be presented to Parliament, and it is anticipated that the money will be voted.

If you have recommendation to make to the Department in regard to this matter, kindly submit the same at your early convenience.

Your obedient servant.

A.F. MacKenzie.
Acting Asst. Deputy and Secretary.

W.E. Ditchburn Esqr.,
Indian Commissioner,
Victoria, B.C.

COMMISSIONER'S OFFICE
JAN 14 1930
VICTORIA, B. C.

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COPY 550288

Indian Agent's Office
Merritt, B.C.,
December 31st, 1929.

G.C.-734

Sir,-

Re, Grasshopper Control-Nicola Agency

I have the honour to make the following report in connection with the above:

A Meeting of Farmers and Ranchers of the Nicola District was held at the Court House, Merritt, B.C., on October 15th last, for the purpose of organising, and discussing ways and means of combatting the Grasshopper pest which has been so prevalent in certain areas of the district for some years, very serious damage to range land and farm crops having been done by this plague in the past few years; when a committee was appointed to go into the matter and make such recommendations as seemed necessary and best.

On December the 17th instant, a further meeting of land holders was held at Merritt, when the report of this committee was received, and a motion passed to the effect that the Provincial Government be petitioned to pass legislation of an Act providing for the control of the Grasshopper pest throughout the whole of the Province; this along the lines drawn up in the report of the Committee, a copy of which I beg to attach hereto. It will be noted that the proposed method of obtaining funds to prosecute the campaign against the Grasshopper in any organised District shall be as follows:

1. "A levy of two mills, or any portion thereof, on the dollar on the assessed value of the land in such district.

2. Contribution from the Indian Department for land comprised in Indian Reserves.

3. Contribution from Municipalities.

4. Contribution from the Provincial Government of B.C. equal in amount to that raised by taxation, viz: two mills on the dollar, and the contributions of the Indian Department and the Municipalities in the District, in lieu of assessment of Crown Land."

It will be noted in the attached report that the Estimated Grant from the Department of Indian Affairs is One Thousand, Five Hundred Dollars. ($1500.00).

I beg to submit to the consideration of the Department the matter of a grant being made for this work, in the event that such legislation be passed, and it is necessary that an assessment be made to raise funds for the work in the Nicola District during the coming year.

In view of the fact that there are actually in the Nicola Assessment District, 57,017 acres of land, comprising Indian Reserves,

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Reserves, I would respectfully submit as my opinion that a grant of One Thousand Dollars ($1000.00) would be a very fair and generous one.

I would be pleased to be advised as to the view of the Department in this matter, in order that I may at the General Meeting in April, be in a position to state to what extent the Department is willing to co-operate, and the amount of the Grant that might be expected, in the event that the Department would be called upon.

Yours obediently,

Alfred H.Barber
Indian Agent.

The Secretary,
Department of Indian Affairs,
Ottawa,Ontario.

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pt [B]
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23/16443.

Victoria, B.C.
P.O.Box 666,
January 9, 1930.

Dear Mr.Atkinson,-

I beg to acknowledge receipt of your letter of the 4th instant relative to the matter of enacting some legislation under the title of "Grasshopper Control Act" as proposed by the Nicola Stock Breeders Association which suggests the assessment of lands in the various districts affected by grasshoppers for the purpose of keeping them under control. I note the proposal is to assess private lands on the assessed value and that the Department of Indian Affairs and the Provincial Government will be asked to contribute an amount equal to that raised by taxation.

In reply I beg to say my Department has assisted to a considerable financial extent in the eradication of grasshoppers in the Nicola and Okanagan sections of the Province, and I am prepared to recommend that such a policy be continued for the future, when necessary. However, before committing my Department to co-operate under any proposed Grasshopper Control Act, I should like to have a draft copy of the same in order that I may place the matter before my superior officers in an intelligent manner. I would also like to have maps showing the areas which might be classified as "grasshopper districts" so that I may determine which reserves and agency would be affected.

I have had some conversation over the telephone with your Deputy Minister, Mr.Munroe, and he has promised to consult with myself at a later date, when more details are available. In the meantime I may say that I am very credibly informed that during the past two seasons the grasshopper plague has not been in evidence to any great extent in any sections of the Province.

Yours very sincerely,

WED/HM.

Hon.Wm.Atkinson, M.L.A.,
Minister of Agriculture,
Parliament Bldgs.,
Victoria, B.C.

W.E.Ditchburn.
Indian Commissioner for B.C.

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COMMISSIONER'S OFFICE
JAN 6 1930
VICTORIA, B. C.

MINISTER OF AGRICULTURE

PROVINCE OF BRITISH COLUMBIA

VICTORIA
January 4th,
1930

W.C. Ditchburn, Esq.,
Commissioner of Indian Affairs,
1220 Government St.,
VICTORIA, B.C.

Dear Sir:

The Nicola Stock Breeders Association is pressing for the enactment of legislation under the title "Grasshopper Control Act". It is proposed by the stockmen to make all lands within a grasshopper control district subject to a levy on the assessed value of the land in such district. It is proposed also to provide for contributions from the Indian Department in lieu of levies for lands comprised within Indian reserves. Supplementing such levies and contribution, the Provincial Government would be asked to contribute an amount equal to that raised by taxation and a contribution from the Indian Department and Municipalities within the district. This latter provision is designed to take the place of assessment on Crown lands in the same way as assessment on Indian lands would be waived.

As Commissioner for British Columbia, you are, no doubt, aware of the great damage done to the grazing areas of this Province through grasshopper invasions from year to year. No doubt, the Indian lands are very injuriously affected as well as other grazing areas.

Would you kindly ascertain whether your Department would be disposed to co-operate with the Stock Breeders in putting such legislation into force. The success of such an undertaking would naturally rest with those who are interested in the control of the grasshoppers in any particular district.

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W.C. Ditchburn, Esq., January 4th, 1930

I should be very pleased to discuss this matter with you if you think there would be any possibility of the Indian Department giving favourable consideration.

Yours very truly,

Wm Atkinson

Minister.

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pt [B]
INDIAN AFFAIRS
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National Archives of Canada
Archives nationales du Canada

23/12764. October 27, 1928.

Dear Sir:-

I beg to acknowledge receipt of your letter of the 25th instant requesting the name of the Indian Agent for the Courtenay Reserve in order that you may write to him for data regarding rabbit breeding.

In reply I beg to say that the name of the Indian Agent having oversight of the Courtanay Reserve is Mr.A.H. Lomas, whose address is Duncan, B.C.

Your obedient servant,

W.E.Ditchburn.
Indian Commissioner for B.C.

WED/HM.

The Secretary,
Department of Agriculture,
Parliament Buildings,
Victoria, B.C.

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DEPARTMENT OF AGRICULTURE

THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

OFFICE OF THE DEPUTY MINISTER
AND
SUPERINTENDENT OF FARMERS' INSTITUTES
VICTORIA

Oct. 25th, 1928.

W. E. Ditchburn, Esq.,
Supt., Indian Department,
1220 Government St.,
Victoria, B. C.

Dear Sir:-

I should be much obliged if you would advise the Department of the name and address of the Indian Agent for the Courtenay Reserve. We wish to communicate with him as the Department has been advised that the Indians on the reserve go in extensively for rabbit breeding and are making a success of the industry. We would like to get data on the whole subject from the local Agent. Possibly you may have some data on this matter in your own office.

Appreciating a reply in due course.

Yours very truly,

W. J. Bonavia
Secretary.

WJB/EC.

COMMISSIONER'S OFFICE
OCT 26 1928
VICTORIA, B. C.

Acknowledge and state that the Indian Agent having resigned his Courtenay Reserve is now W. H. Lomas, whose address is Duncan B.C.

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INDIAN AFFAIRS

OFFICE OF THE INDIAN COMMISSIONER FOR B.C., VICTORIA

AFFAIRES INDIENNES

BUREAU DU COMMISSAIRE AUX AFFAIRES INDIENNES B.C., VICTORIA

FILE/DOSSIER	TITLE/TITRE	DATES
	RG 10, C-II-2, 11297	
	Inspector of Indian Agencies - Indian Commissioner for British Columbia - Farming - Correspondence re Indian farming in various agencies pt [A]	1913-1923
	Inspector of Indian Agencies - Indian Commissioner for British Columbia - Farming - Correspondence re Indian farming in various agencies pt [B]	1928-1933
186	Indian Commissioner for British Columbia - Recreational facilities - Correspondence re operation of poolrooms, dance halls, cinemas, etc. on reserves in Stuart Lake, Bella Coola, Williams Lake, Lytton, Cowichan agencies pt [A]	1921-1929
186	Indian Commissioner for British Columbia - Recreational Facilities - Correspondence re operation of poolrooms, dance halls, cinemas, etc. in general and in Queen Charlotte, Kamloops, Nicola, West Coast, Vancouver, New Westminster, Okanagan, Kootenay, Nass, and Kwawkewlth agencies pt [B]	1927-1934

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Duncan, B. C.

Dece,ber 17, 1928.

305-E-3

Sir:-

I beg to acknowledge receipt of yours of the 22nd, November last, in regard to Pool Rooms, Moving Picture theatres, and dance halls on the Indian Reservations in this agency. In reply I would say that none exist on the Reservations of this Agency, with the exception of a few of their large Indian dance buildings.

Yours obediently,

(Alfred H. Lomas)
Indian Agent.

COMMISSIONER'S OFFICE
DEC 18 1928
VICTORIA, B. C.

W. E. Ditchburn, Esq.,
Indian Commissioner for B. C.
VICTORIA, B. C.

ant

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pt [A]

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MEMO.

No._____

OFFICE OF THE INDIAN SUPERINTENDENT FOR BRITISH COLUMBIA,

189____

ACTION.

File 186

Pool Rooms, etc.

Cowichan Agency.

ACTION.—*Continued.*

INDIAN AFFAIRS
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pt [A]

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001042

186/13155.

December 11, 1928.

Dear Sir;-

In response to the request contained in your letter of the 30th ultimo I am enclosing herewith six copies of the Regulations governing the operation of Pool-Rooms, Picture Theatres, Dance Halls and other places of amusement on Indian Reserves. Your particular attention is directed to Section 2, which states that each such place must have the written consent of the Superintendent General, such consent being given only after written application for the same has been made.

Please see that one copy of these regulations is displayed at all times in a prominent place in each such place of amusement in your Agency. You should make yourself thoroughly acquainted with all the different sections in order that you may be able to explain them to any of the Indians who are unable to read.

AVE. Yours truly,

Enclosure;-

W.E.Ditchburn.
Indian Commissioner for B.C.

I. Fougner, Esq.,
Indian Agent,
Bella Coola,
B.C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Bella Coola, B.C.
November 30, 1928.

No. I9/I2990.

182

Dear Sir:

With reference to your letter of 22 instant, I beg to report that there are some pool rooms, and one hall used for dances, on reserves in this agency, and I shall be glad to receive,

6 Copies, "Regulations."

Obediently yours,

d Tougner,
Indian Agent.

W.E.Ditchburn Esq.,
Indian Commissioner,
Victoria, B.C.

COMMISSIONER'S OFFICE
DEC 11 1928
VICTORIA, B. C.

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MEMO.

No. _____

OFFICE OF THE INDIAN SUPERINTENDENT FOR BRITISH COLUMBIA,

189____

Bella Coola Agency

Post Rooms, etc.

ACTION.

File 1876

ACTION.—*Continued.*

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pt [A]

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

WILLIAMS LAKE AGENCY.

CLINTON.B.C.
NOV.27th.1928.

Your file;
I9/I2990

Sir;

I have the honour to acknowledge receipt of your circular memorandum of the 22nd.inst.relative to pool rooms etc.on Indian Reserves.and in reply would say that there are no pool-rooms,dance halls or picture theatres on any of the Indian Reserves in the Williams Lake Agency.

I have the honour to be,
Sir.
Your obedient servant,

H.E. Taylor.
(H.E.TAYLOR)
Indian Agent.

W.E.DITCHBURN ESQ.
INDIAN COMMISSIONER FOR B.C.
VICTORIA.

COMMISSIONER'S OFFICE
NOV 29 1928
VICTORIA, B. C.

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MEMO.

No. .....

OFFICE OF THE INDIAN SUPERINTENDENT FOR BRITISH COLUMBIA,

189.....

Williams Lake

Pool Poono, etc.

Squaxin

ACTION.

File 186

ACTION.—*Continued.*

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INDIAN AGENT'S OFFICE

Lytton, B. C.,

August 24th, 1926.

IN YOUR REPLY REFER TO
No. 1-V
ALSO
TO DATE OF THIS LETTER

COMMISSIONER'S OFFICE
AUG 25 1926
VICTORIA, B. C.

Sir,—

On July 23rd, the Provincial Constable here handed me a copy of a notice signed by J.H.McMullin, Supt. of Police, in which notice was given to all pool room keepers that acting on instructions from the Federal Department of Indian Affairs all Indians were prohibited from entering pool rooms.

It has been brought to my notice that the Indians do still frequent the pool rooms at Ashcroft and Merritt. Naturally the other licencees have complained to me about this. As far as this town is concerned I have seen little harm in Indians playing pool, especially in the wintertime as they make the pool room a sort of sittingroom, instead of frequenting the Chinese joints. I presume that this notice is in force throughout the whole of the Province.

Yours obediently,

H. Graham.

W.E.Ditchburn, Esq.,
Indian Commissioner for B.C.,
Victoria, B. C.

HG/MD

(H. Graham) Indian Agent.

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MEMO.	*No.*.....	ACTION.	ACTION.—*Continued.*
	OFFICE OF THE INDIAN SUPERINTENDENT FOR BRITISH COLUMBIA, 189.....		

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001049

File 186-

Pool rooms, etc.

Lytton Agency.

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pt [A]

National Archives of Canada
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001050

186/15149.

August 12, 1929.

Dear Sir;-

I beg to acknowledge receipt of your letter of the 7th instant requesting permission to authorize the operation of a Pool Room on Tackla Lake Indian Reserve.

In connection with the operation of Pool Rooms on Indian Reserves I beg to enclose herewith Regulations governing the same from which you will see that the written consent of the Superintendent General is necessary before such places can operate. Therefore you should apply to the Department for such permission.

A copy of these regulations should be posted in a prominent place in all Pool Rooms for which permission has been obtained and you should read and explain the same to the owners of all such places of amusement.

AVH.

Yours truly,

Enclosure;-

W.E.Ditchburn.
Indian Commissioner for B.C.

R.H.Moore, Esq.,
Indian Agent,
Vanderhoof, B.C.

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pt [A]

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COMMISSIONER'S OFFICE
AUG 12 1929
VICTORIA, B. C.

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Your File No. 186/13/13197.
December 19th. 1928.

Vanderhoof, B. C.

August 7th. 1929.

N-3.

Dear Sir:-

With reference to your letter regarding the operation of Poolrooms, moving picture theatres and other places of amusement on Indian Reserves, File No. and date above noted, I wish to state that during my recent visit to the Tackla Lake I.R. I found a Pool room in operation there on the Reserve without the necessary permission from the Department. This poolroom has been operating for the last year on a temporary permit from myself until such time as I would have an opportunity of inspecting it and making a full report on it to yourself, and as this has been the first time that I have been up there since then I beg to make my report now.

To begin with, the Indians usually make Tackla Landing I.R.#7. their headquarters during the month of July and part of August each year; the rest of the year the reserve is vacant as all the Indians go out for their fall meat hunt and stay out then on their traplines and do not come back again until the following year late in June or early in July. During that time, I mean the time they are on the Tackla I.R., some sort of amusement must be found for them and if it is not to be found there they all go over to Babine I.R. and raise cain with Potlaches and homebrew parties. Needless to say I feel that the Babine Indians have a bad influence over these Indians from my Agency and I hopeed that by allowing them to have this poolroom there, which only operates about two months and a half each year, that I would help to keep the Indians in their own Agency and get away from a lot of unnecessary bother and crime as well. Furthermore, the Indians that operate the poolroom there at Tackla, do so in a very respectable manner, and I would be obliged if you would please advise if I may issue a permit to them again for another year. Hoping to hear from you at an early date.

I have the honour to be, Sir:
Your obedient servant;

W.E.Ditchburn, Esq,
Indian Commissioner for B.C.
P.O.Box. 666.
Victoria. B.C.

R. H. Moore

Indian Agent.

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Stuart Lake Mission, Fort St James,B.C.
February 11th. 1921

Mr.W.E.Ditchburn,
Chief Inspector of Indian Agencies,
Victoria, B.C.

Dear Sir.-

The Indians at Stuart Lake,in the course of the last two years,have been lead to an almost constant dissipation and grave moral disorders by frequenting a pool room combined with a drink house where they squandered time and money and as a consequence left their families in misery.

I beg of you,Sir,to have an order in council passed by Ottawa compelling all Indians on any of the Stuart Lake Reserves,namely the Keyochet,Pinchi,Tatchi,and Yakoochi Reserves and also all Indians inhabiting the village situated on the Church property,(to be recognised as a temporary Reserve) to have all such Indians submitted to a law compelling them to be on the Reserve no later than 9 oclock at night.

I beg also to have an Indian constable empowered to enforce such a law in every Reserve.

Yours,

J. Allard O.M.I.

Rector of Stuart Lake Mission.

Can't the above
Indian Act be amended
to suit this case
presented

CHIEF INSPECTOR'S OFFICE
FEB 17 1921
VICTORIA, B. C.

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Stuart Lake Mission, Fort St James,B.C.
February 11th. 1901

Mr.W.E.Ditchburn,
Chief Inspector of Indian Agencies,
Victoria, B.C.

Dear Sir.-

The Indians at Stuart Lake,in the course of the last two years,have been lead to an almost constant dissipation and grave moral disorders by frequenting a pool room combined with a drink house where they squandered time and money and as a consequence left their families in misery.

I beg of you,Sir,to have an order in council passed by Ottawa compelling all Indians on any of the Stuart Lake Reserves,namely the Keyochet,Finchi,Tatche,and Yakoochi Reserves and also all Indians inhabiting the village situated on the Church property,(to be recognised as a temporary Reserve) to have all such Indians submitted to a law compelling them to be on the Reserve no later than 9 oclock at night.

I beg also to have an Indian constable empowered to enforce such a law in every Reserve.

Yours,

J Allard O.M.I.

Rector of Stuart Lake Mission.

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0011052

46/410/N.

11th March, 1921.

Reverend Sir:-

Replying to your letter of the 11th ultimo, in which you suggest an order-in-council being passed compelling the Indians of Keychoet, Finchi, Tatchi and Yakopchi Reserves to be on their reserve by 9 o'clock at night, I beg to say that I cannot recommend such action as the Indians of this Province are free agents so far as their movements are concerned, so long as they do not contravene the provisions of the Indian Act.

With reference to your claim that the Stuart Lake Indians are being led to almost constant dissipation and grave moral disorders through frequenting a pool room and drinking house I will submit this matter to Agent McAllan and Constable Manson.

Yours sincerely,

W. E. Ditchburn.
Chief Inspector of Indian Agencies.

Rev. J. Allard, O.M.I.,
Stuart Lake Mission,
Fort St. James, B. C.

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44/429/N.

15th March, 1921.

Sir:-

I beg to inform you that I recently received a letter from Rev. J. Allard, of the Stuart Lake Mission, Fort St. James, in which he states that the Indians at Stuart Lake in the course of the last two years have been led to an almost constant dissipation and grave moral disorders by frequenting a pool room combined with a drink house where they squandered time and money and as a consequence leave their families in misery. Kindly give this matter your attention as soon as possible.

Yours truly,

W. E. Ditchburn.
Chief Inspector of Indian Agencies.

W. F. Manson, Esq.,
Dominion Constable & Acting
Indian Agent,
Fort Fraser, B. C.

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INDIAN AGENT'S OFFICE,

Fort Fraser,B.C.

March 22nd I921 191

IN YOUR REPLY REFER TO
No.
ALSO
TO DATE OF THIS LETTER.

Sir,—

W.E.Ditchburn Esq.
Inspector of Indian Agencies,
P.O.Box 775,
Victoria, B.C.

Sir;-

I have the honour to acknowledge receipt of your letter of I5th inst. re complaint made to you by the Rev. J.Allard of the Stuart Lake Mission in respect to diddipation of Stuart Lake Indians, caused by frequenting a Pool Room at that Point.

In reply I beg to say that the cause of any dissipation among the Stuart Lake Indians, is entirely due to the Pool Room run at Fort St.James, by one Frank Davis who also sells near Beer,Cider,etc in connection with the Pool Room, I might add that this man was convicted of supplying Indians with intoxicants ~~to Indians~~ on Jany I2th I920.(as a result of information laid by me) and fined $50.00 by Stipendiary Magistrate Fred Fraser. Davis however appealed the case, and after many postponements the case was finally disposed of at the Court House South Fort George on August 6th I920, when Judge Robertson allowed the appeal and quashed the conviction,but stated that he would recommend that the Pool Room Licence issued to Frank Davis should be cancelled,as it was inimical to the interest of the Indians to have a pool room so close to their reserve, I was therefore greatly surprised while on a visit to Fort St.James in January of this Year to learn that Frank Davis had been granted a renewal of his Licence for the current

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Year,a fact which I communicated to the Department in my report for the Month of January.

In closing I would say that Fort St.James is in an isolated position and when any trouble is reported to me, generally by the time I reach that point, the Culprits have taken to the Woods and the whole matter hushed up. and as you will understand it is very hard for me to get any information regarding the trouble,

I would also like to point out that so long as this Pool Room at Fort St.James is allowed to run full blast as at present, there will always be a lot of trouble and dissipation among the Indians, as there is certainly not enough White trade to keep a Pool Room going at Fort St.James, and the proprietor must therefore turn to the Indians as a source of income.

All of which is respectfully submitted.

I have the honour to be,

Sir,

Your obedient servant,

H.T. Manson

M/JRT.

For Indian Agent.

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pt [A]

INDIAN AFFAIRS
AFFAIRES INDIENNES

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ALL OFFICIAL CORRESPONDENCE
TO BE ADDRESSED
THE DISTRICT MANAGER
HUDSON'S BAY COMPANY
325 WATER STREET
VANCOUVER, B C.

Hudson's Bay Company.

British Columbia District Offices
325 Water Street
Vancouver, B.C. January 10th, 1922.

IN YOUR REPLY REFER TO NO. 5566

W. E. Ditchburn, Esq.,
Insp. of Indian Agencies,
VICTORIA, B C.

Dear Sir:- POOL ROOM: Fort. St. James.

It is reported to me by our Manager at Fort. St. James that Mr. Sidney Ryall is applying for a license or permission to open a pool room at that point.

Our experience is that a pool room on, or near, an Indian Reserve is a great detriment to the public and to conditions generally.

I might compare it with a laboring man who, having a large family to support, spends his weekly earnings over a bar, depriving those who are entitled to support and care, from their just dues.

You, with your great knowledge of Indian affairs, I am sure, will not require further argument than this to show that it is not in the interests of the Indians that a pool room license or a permission to ~~trade~~ should be granted, and I trust you will do all in your power to oppose it.

oppose

Should you think we should write to any other party in this connection, I would be pleased to do so on hearing from you.

Yours faithfully,

CHF:MG.

B. C. DISTRICT. MANAGER

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File/dossier 186
pt [a]

INDIAN AFFAIRS
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46/942/0.

Your File 5566. 11th January, 1922.

Dear Sir:-

POOL ROOM: Fort St. James.

I beg to acknowledge the receipt of your letter of the 10th instant, referring to the application of one Sidney Ryall for a pool room license at Fort St. James.

In reply I beg to say that I perfectly agree with you that it is not in the best interests of the Indians of the district that a pool room should be located at that point as this Department has no control over it nor the Indians visiting the same. I may inform you that the question of a pool room at this point came before me in February last when the Reverend Father Allard, of Fort St. James, wrote me saying that the Indians were becoming dissipated and squandering their money at a pool room located at that place and I wrote to Constable Manson (during the absence of Indian Agent McAllan) on the subject, whose reply was to the effect that any dissipation among the Indians was due entirely to the pool room run at that time by one Frank Davis, who also sold near beer, cider, etc. to the Indians. This Davis had previously been prosecuted and convicted for selling intoxicants to Indians but appealed his case and got off, the Judge in allowing the appeal stated that he would recommend the cancellation of the license as he considered it was inimical to the Indians to have a pool room so close to their reserve. Constable Manson was surprised to learn on his visit to Fort St. James during January last that Davis had obtained a renewal of his license for the current year.

With regard to the application of Sidney Ryall for a license I would be pleased indeed to learn that it was not issued, but it might be considered inconsistent on my part if I were to submit a protest in this case in view of the fact that we have pool rooms on some of our reserves in British Columbia. These, of course, are under our control and are watched very closely.

I would respectfully suggest that you should take this matter up with the Attorney-General's Department and the Superintendent of Provincial Police, who, no doubt, would pay due consideration to your representations, in which I hope you will be successful.

Yours sincerely,

W.E.Ditchburn.
Chief Inspector of Indian Agencies.

C.H.French,Esq.,
B.C.District Manager,
Hudson's Bay Company,
325 Water Street,
Vancouver,B.C.

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ALL OFFICIAL CORRESPONDENCE
TO BE ADDRESSED
THE DISTRICT MANAGER
HUDSON'S BAY COMPANY
325 WATER STREET
VANCOUVER, B.C.

Hudson's Bay Company.

British Columbia District Offices
325 Water Street
Vancouver, B.C. January 12th 1922.

W. E. Ditchburn, Esq.,
Chief Insp. of Indian Agencies,
P.O. Box 775,
VICTORIA, B.C.

IN YOUR REPLY REFER TO NO. 5587

POOL ROOM:
FORT ST. JAMES:.

Reference Your Ref. #46/942/0/ Jan.11.1922. *Subject*

Dear Sir:-

I thank you for your letter on the above subject and quite understand your position.

I am today writing to the Superintendent of Provincial Police in the hope that some result will be obtained.

Yours faithfully,

CHF:MG.

B.C. DISTRICT MANAGER.

OFFICE INSPECTOR'S OFFICE
JAN 13 1921
VICTORIA, B. C.

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National Archives of Canada
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"E" DIVISION
C.I.B.

ROYAL CANADIAN MOUNTED POLICE

B.C. District
29-20 2 1.

Vancouver, B.C. May 8th, 1929.

Pr. Geo. Ref:
36-232-29.

COMMISSIONER'S OFFICE
MAY 10 1929
VICTORIA, B. C.

The Officer Commanding,
Royal Canadian Mounted Police,
Prince Rupert, B.C.

Re: Complaint against Pool Room,
Vanderhoof, B.C.
Indians Gambling therein.

Referring to Constable Heden's report of the 29th ultimo regarding the above noted subject. As this is a case which comes under the Commissioner's recent instructions forwarded you on the 29th ultimo, I consider it a matter for the local Police authority to handle, and you will, therefore, instruct Constable Heden he is not to take the action contemplated in the last paragraph of his report.

(sgd)

(H.M. Newson) Superintendent,
Commanding B.C. District.

M/M.

The Indian Commissioner,
for B.C., Victoria, B.C.

Copy for your information, together with Copy of Const. Heden's report of the 29th ultimo.

Vancouver.
8-5-29.

H M Newson
(H.M. Newson) Supt.
Commanding B.C. District.

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"E" DIVISION
C.I.B.

ROYAL CANADIAN MOUNTED POLICE

B.C. District
29-20 Z 1.

Vancouver, B.C. May 8th, 1929.

Pr. Geo. Ref:
35-232-29.

COMMISSIONER'S OFFICE
MAY 10 1929
VICTORIA, B. C.

The Officer Commanding,
Royal Canadian Mounted Police,
Prince Rupert, B.C.

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Vanderhoof, B.C.
Indians Gambling therein.

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(sgd)
(H.M. Newson) Superintendent,
Commanding B.C. District.

H/M.

The Indian Commissioner,
for B.C., Victoria, B.C.

Copy for your information, together with Copy of Const. Heden's report of the 29th ultimo.

Vancouver.
8-5-29.

H M Newson
(H.M. Newson) Supt.
Commanding B.C. District.

REPEAT
REPETITION

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pt [a]

INDIAN AFFAIRS
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National Archives of Canada
Archives nationales du Canada

"E" Division.
Vancouver, B.C.

Coast Sub-District,
Prince George Detachment.
April 29th.1929.

R E P O R T.

Re:- COMPLAINT AGAINST POOL ROOM - VANDERHOOF, B.C.
- INDIANS GAMBLING THEREIN.-

H.Q.Ref:

B.C.Ref:.
29-20 Z.1.

Coast S/D.

"

Pr.Geo.Ref.
35-232-29.

On April 27th.1929, while interviewing Indian Agent Mr.R.H.Moore, at Vanderhoof, B.C. He imformed me that he had received a letter of complaint from the Chief of the Stoney Creek Indian Reserve, said Chief chargeing that the Indians from that Reserve are always playing "Kelly Pool" and "Pea Pool." loosing what few cents that they may earn, at those games played in the pool room at Vanderhoof, B.C. which is owned by T.P.Calhoun.

Mr.Moore mentioned that he had some time ago, informed the B.C.P.Police, Constable stationed there, that gambling was being allowed by T.P.CALHOUN, in his pool room and that he would like it stopped, as the Indians lost what money they had playing "Kelly Pool." The B.C.P.Police to-date have been unable to catch anyone playing the above mentioned games, as they will not pass any money while they are around.

The Indian Agent is not anxious to have CALHOUN prosecuted if it can be helped, as he states that he is hard up, and if fined, will have to take a Jail sentence and therefore the family will be harder hit then CALHOUN himself. So he is more for having the pool room put out of bounds to the Indians if this can be arranged, and he has approached the Commissioners for the Village of Vanderhoof to pass a by-law forbidding the Indians in pool rooms, but they will not do so.

Mr.Moore beleives that if the R.C.Mounted Police would take this matter up, to have an Act passed, putting pool rooms out of bounds in organized districts as well as in unorganized country in British Columbia, that it would carry far more weight then if he was to take that step himself, Mr.Moore has been advised by his head office that Insp.Sandy-Wunch, will be through Vanderhoof on a patrol in his agency, north from there, and Mr.Moore requests that he be imformed a few days ahead when this patrol will arrive so that he will be sure to be in Vanderhoof and talk this matter over with Insp. Sandy-Wunch, so that he, could make a personal report to Victoria on his return from his patrol.

Should this Detachment find any Indians gambling in above pool room, they will be prosecuted, this will undoubtedly put a stop to lot of them carrying on with the Kelly game.

E. Heden, Cst.
(E.Heden.)Cst.#6754.
i-c Prince George Detachment.

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INDIAN AFFAIRS
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.... ○ .....

re; Complaint against Poll Room -VANDERHOOF,B.C.
Indian Gambling therein.

The Officer Commanding
"E" Division
VANCOUVER,B.C.

Sir:-

Forwarded.

Inspector.

Sgd.
(J. M. Tupper)
Commanding Coast Sub-District
Prince Rupert,B.C.
April 30th;1929

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AFFAIRES INDIENNES
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Archives nationales du Canada

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186/13709. (13)

February 14, 1929.

Your File G-2.

Re Indians in Pool-rooms - Vanderhoof.

Dear Sir:-

I beg to acknowledge receipt of your letter of the 28th ultimo with further reference to the matter of Indians frequenting pool-rooms, at Vanderhoof, and it is now noted from your communication that Vanderhoof is a village incorporated under the Village Municipality's Act of 1920, and thatbeing the case, I am of the opinion that the order made by the Attorney-General of British Columbia some years ago would not be applicable to an organized village. When writing to you on this matter, I took it for granted that Vanderhoof was not an incorporated village.

It, therefore, might be advisable that you inform the Vanderhoof authorities that it is the desire of this Department that Indians should not be allowed to frequent pool-rooms at that place and possibly they will take necessary action to prohibit them doing so.

Your obedient servant,

W.E.Ditchburn.
Indian Commissioner for B.C.

WED/HM.

R.H.Moore, Esq.,
Indian Agent,
Vanderhoof, B.C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT
Vanderhoof, B.C.

Jan. 28th. 1929.

Your File No. 186/13497,
Jan. 21st. 1929.

COMMISSIONER'S OFFICE
FEB 1 1929
VICTORIA, B. C.

G-2.

Dear Sir:-

I beg to acknowledge with thanks receipt of your letter of the 21st. inst. File No. above noted relative to the operation of a pool room at Vanderhoof. Copy of the Circular letter sent out by the Department on July the 31st. 1913 was also received and noted.

In this connection I would like to point out for your information that Vanderhoof is a Village incorporated under the Village Municipalitie's Act of 1920 and that this Act gives the Village the right to license any pool room within their Municipal limits, it also has taken the power away from the Province in so far as making laws relative to who shall be allowed to frequent the pool rooms, so that I hardly think that the Superintendent of Police can issue instructions to his Constables to take any action in a matter of this kind when the pool room is within the Municipality and is paying a Trades License to the Municipality and not to the Province.

I did not show your letter to Mr. Ogston for I felt that before doing so I would bring the above Act to your notice in case that you had overlooked it. You might therefore be able to get a ruling on the matter from the Attorney General's Department in Victoria and if possible find out what stand other Villages incorporated under the same Act are taking and if Indians are being allowed to frequent pool rooms within their limits. Trusting to hear further from you in this matter.

I have the honour to be, Sir,
Your obedient servant,

R. H. Moore

Indian Agent.

RHM/L.

W.E.Ditchburn, Esq.,
Indian Commissioner for, B.C.,
Victoria, B.C.

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File/dossier 186
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INDIAN AFFAIRS
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Archives nationales du Canada

186/13497.

January 21, 1929.

Your File G-2.

Dear Sir:-

I beg to acknowledge receipt of your letter of the 16th instant with reference to that portion of Constable Manson's report for the month of November in which he refers to the complaints being made about Indian men and boys putting in a great deal of their time at the pool-room, at Vanderhoof, and throwing away their money.

For your information I may inform you that in 1913, the Attorney-General for British Columbia suggested to the Superintendend of Police that notices should be sent to all Chief Constables in the different districts instructing them to forbid any pool-room licensees to permit Indians to frequent or loiter around such places. Circular Letter No. 432309 was issued in this regard on the 31st July, 1913, direct from the Department. In all likelihood you will find a copy of the same on some of your files, but I think it advisable to furnish you with a copy of the same. At that time I was Chief Inspector of the Lower Coast section of the Province of British Columbia and sent out notices myself to the Agents under my jurisdiction.

The suggestion of the Attorney-General to the Superintendent of Police was put into effect and accordingly notices were sent out to the various chief constables throughout the Province of British Columbia. Therefore there is no reason why the Provincial Constable, at Vanderhoof, should not carry out his duties in this regard and see that all Indians are excluded from entering the pool-room at that place. It may be possible that the Constable, at Vanderhoof, is not aware of the ruling on the matter, and it would be just as well that you should draw this matter to his attention and also to the attention of the Chairman of the Commissioners, Mr. Ogston.

Your obedient servant,

Enclosure;-

W.E.Ditchburn.
Indian Commissioner for B.C.

WED/HM.

R.H.Moore, Esq.,
Indian Agent,
Vanderhoof, B.C.

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DEPARTMENT OF INDIAN AFFAIRS.

C
O
P
Y.

Ottawa, 31st July, 1913.

432369.

Circular.

Sir:-

I beg to inform you that as the result of action on the part of this Department the Attorney General for British Columbia has stated that he suggested to the Supt. of Police, (who issues licenses under the Pool Rooms License Act in British Columbia), that notices be sent to all the Chief Constables in the different districts instructing them to forbid any of the licensees to permit Indians to frequent or loiter around pool-rooms. As the Supt. of Police has power to cancel all licenses if his instructions are not carried out, it is hoped that good results will follow. It is most desirable in the interests of the Indians that they shall be prevented from frequenting pool-rooms, billiard rooms or bowling alleys. You should endeavour so far as possible, to have the Department's wishes in this matter regarded.

Your obedient servant,

(Sgd.) J.D.McLean.

Asst.Deputy and Secretary.

W.E.Ditchburn, Esq.,
Inspector Indian Agencies,
Victoria, B.C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

COMMISSIONER'S OFFICE
JAN 21 1929
VICTORIA, B. C.

Vanderhoof, B.C.

Jan. 16th. 1929.

G-2.

W.E.Ditchburn, Esq.,
Indian Commissioner for, B.C.,
Victoria, B.C.

Dear Sir:-

I beg to refer you to Indian Constable W.F.Manson's report dated December the 4th. 1928 and refer you to the 3rd. paragraph of this report which deals with the operation of the Pool Room in the Village of Vanderhoof. I am attaching hereto for your information a copy of a letter which I have received from Mr. Geo. Ogston, Chairman of the Village Commissioners, which deals with the matter in question.

For your information I would like to point out that the operation of the Pool Room in Vanderhoof has been a source of considerable annoyance and worry to me for some time, owing to the fact that it was almost impossible to get the Indians out of town at night until after the Pool Room closed as well as giving them the opportunity of gambling in a mild form. I might say that it is almost an impossibility to get evidence which will convict the operator of the Pool Room for allowing gambling to go on in the building, but nevertheless it is generally understood by everyone that pea-pool is being played by Indians and whites alike. You will please remember at the time that the question of the Pool Room at Fort St.James was brought up that I said that I could not see why the Indians could not play pool at Fort StJames but could come to Vanderhoof and play pool all they wanted. The attitude that the Village Commissioners take is that they will only be too glad to put the Pool Room out of bounds to the Indians providing they are asked to do so by the Provincial authorities or by the Attorney General's Department. The local Provincial Constable claims that he has not got the necessary authority to act unless requested to do so by the Commissioners. This Village is the only organized one along the line where the Indians are allowed to play pool and I would respectfully suggest that you please take the matter into consideration and if possible devise ways and means whereby Indians will not be allowed in this or any

(other

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

W.R.Ditchburn, Esq.,

other Pool Room.

I have the honour to be, Sir,

Your obedient servant,

L. H. Moore

RHM/L.

Indian Agent.

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File/dossier 186
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COPY.

Vanderhoof, B.C.,

Dec. 31st. 1928.

R.H.Moore, Esq.,

Indian Agent,

Vanderhoof, B.C.

Dear Sir:-

Referring to the interview whish Constable W.F.Manson had with the Commissioners last month, and during which he requested that Indians be not allowed to frequent pool rooms in the Municipality, I would advise that this matter has had the attention of the Commissioners.

The Commissioners take the stand that as this is something designed for the protection of the Indians themselves, it is not incumbent on the Municipality to take any steps in this direction, but rather it is a matter for your Department to handle. The Commissioners are of the opinion that if they adopted such a course, it would not be fair to the pool room proprietors, who are paying licenses, not only for pool tables, but for selling merchandies as well.

They regret that they do not see their way clear to take any action in this matter.

Yours faithfully,

Signed:- George Ogston,

Chairman of the Commissioners.

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186/13/13197.

December 19, 1928.

Dear Sir:-

With further reference to my letter of November 22nd last regarding the operation of pool rooms, moving picture theatres and other places of amusement on Indian reserves, I am enclosing herewith six copies of the Departmental Regulations governing the operation of such places. Your particular attention is directed to paragraph two which states that written consent of the Superintendent General must be obtained. This consent necessitates application being made for the same. Please make yourself fully acquainted with the above paragraph of these regulations in order that you may instruct any of the Indians who are unable to read.

AVH/KD.

Enclosures:-

Yours truly,

W. E. Ditchburn.
Indian Commissioner for B. C.

R. H. Moore, Esq.,
Indian Agent,
Vanderhoof, B. C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Your File No. 19/12990.
Nov. 22nd. 1928.

Vanderhoof, B.C.

G-2.

Dec. 13th. 1928.

Sir:-

I beg to acknowledge receipt of your letter of November the 22nd. 1928, File No. above mentioned. In reply I may say that there are four dance halls on reserves in this Agency and one pool room. The pool hall is at North Tackla Lake and operates for about two months during the summer. The remainder of the year it is closed.

I have the honour to be, Sir,

Your obedient servant,

R. H. Moore.

RHM/L.

Indian Agent.

W.E.Ditchburn, Esq.,
Indian Commissioner for, B.C.,
Victoria, B.C.

COMMISSIONER'S OFFICE
DEC 19 1928
VICTORIA, B. C.

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INDIAN AFFAIRS
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23/7940
Your file N-1

Oct. 14, 1926.

Dear Sir: Re poolroom on Port St.James Reserve.

Having reference to your letter to the Secretary of the Department of the 9th of August, in which you enclose an application from the Indian, Isadore Louie to be allowed to operate a pool table on Stuart Lake Indian Reserve, at Port St. James, I have to inform you that in view of protests from a number of Chiefs and others which have been received, it has been decided not to allww the pool-room to be established or pool tables to be used on the Indian Reserve. Please inform Isadore Louie to this effect.

WED/AMC

Yours truly,

W.E.DITCHBURN
Indian Commissioner for B. C.

R. H. Moore, Esq.,
Indian Agent,
Vanderhoof, B. C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF THE
DEPUTY SUPERINTENDENT GENERAL
OTTAWA

COMMISSIONER'S OFFICE
OCT 1926
VICTORIA, B. C.

COMMISSIONER'S OFFICE
OCT 1 1926
VICTORIA, B. C.

October 2nd. 1926.

COMMISSIONER'S OFFICE
OCT 11 1926
VICTORIA, B. C.

Dear Mr. Ditchburn,

I have to thank you for your report of September 21st. in connection with the establishment of a pool-room on the Indian reserve at Fort St. James, B.C. It has been decided not to allow this pool-room to be established on the reserve and I shall be glad if you will inform the Indian agent to this effect.

Yours very truly,

Duncan Scott

Deputy Superintendent General.

W. E. Ditchburn, Esq.,
Indian Commissioner,
Regina, Sask.

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23/7815.

September 27, 1926.

Your file 71-163.

Dear Sir:- Re-Poolroom in Stuart Lake Agency.

I beg to acknowledge receipt of your letter of the 21st instant on the above mentioned subject, accompanying which was the report of Sergt. S. Taylor, of the R.C.M.P. dated 30th August, incorporating letter, which he had received from several Chiefs of the Stuart Lake Band, objecting to a permit being given to the Indian Isadore Louie to operate a poolroom on the reserve.

In reply I beg to say I reported fully on this matter to the Department on the 21st instant recommending in view of the circumstances that a permit should not be issued. No doubt you have received my report by this time as it was written on the same date on which you wrote to me.

I am returning herewith Sergt. Taylor's report.

WFD/KD.

Enclosure:-

Your obedient servant,

W. F. Ditchburn.
Indian Commissioner for B. C.

Duncan C. Scott, Esq.,
Deputy Superintendent General
of Indian Affairs,
Ottawa.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF THE
DEPUTY SUPERINTENDENT GENERAL
OTTAWA

71-163

COMMISSIONER'S OFFICE
SEP 27 1926
VICTORIA, B. C.

September 21, 1926.

Dear Mr. Ditchburn,-

With further reference to letter to you of the 17th ultimo, and inclosures, regarding the request for permission to establish a poolroom in the Stuart Lake Indian agency, I beg to say that we have today received a report from the Royal Canadian Mounted Police with reference to this matter, and I think it well to send it to you for consideration and report. Kindly return the inclosure when reporting.

Incl.

Yours very truly,

Duncan C. Scott

Deputy Superintendent General.

W. E. Ditchburn, Esq.,
Indian Commissioner,
Victoria, B.C.

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INDIAN AFFAIRS
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National Archives of Canada
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23/773

Sept.21. 1926.

Your File No.71-163

Dear Sir:

I beg to acknowledge receipt of your letter of the 17th ultimo, having reference to the request of an Indian named Isadore Louie of the Stewart Lake band, that he be allowed to establish a poot-room on the Indian reserve at Fort St. James.

In reply I beg to say that in this particular instance I would recommend that the Department's consent be not given, more particularly in view of what has taken place in this connection.

In March last I received a communication from the Rev. Father Wolfe, of Fort St. James, that a pool-room had been established at that place in close proximity to the Indian reserve, and the Indians were wasting both time and money at the pool-room and were becoming demoralized to such an extent that they would not go out to their hunting grounds and earn a livlihood. Miss Grace Blomfield, the Field Matron at Fort St. James reported similarly on the subject in her report for March last. His Honor, Judge Robertson of the County Court at Prince George also wrote to me on the same question. The matter was also covered by Sergeant H. E. Taylor of the R.C.M.P. in a report dated the 20th of February last to his commanding officer. The sergeant stated that he had viewed the pool-room and found it to consist of a small log shack set in the bush, concealed from the main road and in close proximity to the Indian houses.

As a result of the information I have received with regard to the pool-room I considered tht it was operated by the licensee chiefly for the purpose of catering to the Indians, and, deeming that it was detrimental to the best interests of the Indians, I communicated to the Superintendent of the Provincial Police recommending that the license should be cancelled, and I understand that the license was cancelled.

On the 13th instant, a further report from Sergeant Taylor was received dealing with the proposal to establish a pool-room on the Indian reserve. In this report is incorporated a letter from Chief Joseph Prince, Chief Alexis, Chief John, Capt. Sam Prince, Gov't chief Louis Prince, Chief Dominic, Capt. Jean Felix, General Capt. Leon Prince, all protesting against the application of Louie Prince to operate pool tables on the reserve. A copy of the report is attached hereto which tells its own story.

With regard to Agent Moore's attitude on this subject, I beg to say that he felt that the Fort St. James Indians should not be discriminated against owing to the fact that there were several Indian reserves in the Province on which pool-rooms are allowed to be operated by Indians, and mentioning some reserves in the Babine agency. Up to that time I was of the opinion that the only Indian pool-room was that operated at Alert Bay for which permission of the Deputy Minister had been granted some years ago.

The Secretary,
Dept. of Indian Affairs,
Ottawa.

Upon

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File/dossier 186
pt [A]

INDIAN AFFAIRS
AFFAIRES INDIENNES

National Archives of Canada
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Upon taking up the question with Mr. Indian Agent Hyde of the Babine agency, he informed me that there were pool-rooms on the reserve at Fort Babine, Hagwilget, Glen Vowell, Kitwangar, Hazelton and Kishpiox, but he had never heard complaints about them.

With regard to the Fort St. James case, I beg to say that I agree with Sergeant Taylor in surmising that the previous licensee of the pool-room, one Robert McCorkell, is now endeavouring to dispose of his paraphernalia to the Indian, Isadore Louie, but in view of the protests coming in from the Chiefs and other Indians, the permission sought by Isdore Louie to operate the pool tables on the Reserve should not be acceded to by the Department.

WED/AMC
ENC

Your obedient servant,

W.E.DITCHBURN,
Indian Commissioner for B. C.

INDIAN AFFAIRS
AFFAIRES INDIENNES
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File/dossier 186
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National Archives of Canada
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SUPERINTENDENT'S OFFICE
SEP 13 1926
VICTORIA, B. C.

"E"DIVISION.
VANCOUVER.B.C.

COAST SUB DISTRICT.
PRINCE GEORGE DETACHMENT.
AUGUST 30th.1926.

R E P O R T.

Re: Complaint of LEON PRINCE - Fort St.James.B.C.
Re: Pool tables on Indian Reserves.

H.Q.REF:

B.C.REF:
26-134 P.C.4.

PR.GEO.REF:
35/117.

COAST S/D.REF:

On August 26th.1926 the following letter was received at this Detachment;

Fort St.James.B.C.
Aug.17th.1926.

Dear Mounted Police.
S.Taylor.

"I wish to let you know about trouble here.I believe you been work hard to close the poolroom at Fort St. James.So I thank you for what you have done for my people here.But now,Indian Agent Mr.Moore and foolish Indian boys try to get poolroom license again for Indians themselves.So it looks like they try to put you down.No chiefs or other head people signed with them, they work behind us,they just like laugh at the Government and yourself too.I prove this because I asked Mr. Moore myself.He said Yes I did send letter to Ottawa to give license to the Indians.And I asked him did any chiefs sign the petitions for them boys.He said No.That all I asked him.So I get busy with all my chief on the lake.Not one of us want to have a poolroom amongst the Indians,and I wish you and we all work together.Try to stop the Government not to give license to the boys.Why I complain because I know the Indians very well.I was born amongst them and I stay with them now for fifty-one years of age.Government took license away from white man and the same time give license to the Indians,will be ten times more trouble than the white people have poolroom.Because I know Indians.We give little thing to do then they do everything more then what we allowed them to do.If the Government give license to the Indians for the poolroom will be gambling for money and drinking and poolroom will be opened whole night and Sunday too. Then will be trouble for Government and policeman and ourselves too.Not Indians make this trouble but Indian Agent Mr.Moore.Not only Indians make trouble for Government,a man lose his license for poolroom he make more trouble for Government if Indians get license.I hear man lose his license talk already now.So I think if we work now we help Government and ourselves and our people too. This letter is for you and Indian Department too.So I sent petitions with this had been signed by all the chiefs in Stuart Lake Band and myself.Please I hope you work with us and show my letter to Indian Department in Ottawa.

Yours very truly,
(Sgd) Cap;Leon Prince.

Signed by;

Chief Joseph Prince.
Chief Alexie.
Chief John.
Capt.Sam Prince.
Gov't chief Louis Prince.
Chief Dominic.
Capt.Jean Felix.
General Capt.Leon Prince.

INDIAN AFFAIRS
AFFAIRES INDIENNES
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File/dossier 136
pt [a]

National Archives of Canada
Archives nationales du Canada

"P.S. We don't want no poolroom on Indian Reserve. If license give to Reservation we chiefs take axe and smash the pool table and fire to the building then the trouble will be against Indian Agent because he helped the foolish Indians to get license for them".

On the 26th.inst. I left Prince George for Stuart Lake to inquire into other complaints received from the Indians as per accompanying Crime Report, and whilst there investigated this complaint.

I interviewed Mr.Moore the Indian Agent in Vanderhoof.

He informed me that on eof the young Indians at Fort St.James had asked him if it would be possible for him to buy a pool table for use in his own house. Mr.Moore told him that he would send his request on to Ottawa and get a ruling on the matter. He also informed me that there would be no permission given until there had been a meeting of the chiefs at Fort St.James.

The reference in the above letter to a white man's poolroom at Fort St,James refers to a poolroom that was licensed for one Robert McCorkell, white trader. See report dated Prince George Feb.20th. and March4th. 1926 and headed;-

Re: Robert McCORKELL - Fort St.James.B.C.
Pool room licensee.

This license has now been cancelled and the pool room is closed, and the owner probably desires to sell the tables.

I saw the Rev.Father Wolfe the Catholic missionary at Ft.St.James, and he is greatly opposed to any permission being granted to individual Indians to have pool tables in their homes.

There is no doubt that if such is allowed, it will in reality devolve into an open pool room, as there would not be sufficient police supervision to see that Indians did not use the table and play for money, and the work of getting McCorkell's pool room closed would be nullified.

Whilst at Ft.St.James I explained to the Indians that Mr.Moore the Agent was not working against the chiefs wishes in the matter. I also cautioned them in regard to the threats in their letter regarding the destruction of tables and buildings, and told them under no circumstances were they to take the law into their own hands.

A further report will be rendered as developments occur in this matter.

H.E.Taylor Sergt.
#5533.
(H.E.TAYLOR)
I/C.Prince George Detachment.

The Officer Commanding,
R.C.M.Police,
Vancouver, B.C.
Sir:

FORWARDED. A copy will not be sent to Indian Agent unless by your instructions.

S.T.WOOD Insp.
Commanding Coast Sub District.

P.Rupert
2-9-26

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File/Dossier 186
pt [a]
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

Re: Complaint of Leon Prince, Fort St. James, B.C.
Re: Pool Tables on Indian Reserve.

The Indian Commissioner,
for B.C. VICTORIA.

Sir: Copy for your information.

(A.W. Duffus) Supt.
Cmndg. B.C. District.

Vancouver.
10-9-26.

INDIAN AFFAIRS
AFFAIRES INDIENNES
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pt [A]
National Archives of Canada
Archives nationales du Canada

Copy.

"E" DIVISION
VANCOUVER B. C.

COAST SUB DISTRICT.
PRINCE GEORGE DETACHMENT
AUGUST 30th, 1926.

R E P O R T.

Re:-Complaint of LEON PRINCE - Fort St. James, B. C.
Re:- Pool tables on Indian Reserve.

H.Q. REF.

B.C.REF.
26-134 P.G.4

Pr.Geor.Ref.
35/117.

Coast S/D REF.
35-44-26.

On August 26th, 1926, the following letter was received at this Detachment:-

Fort St. James, B. C.,
Aug. 17th, 1926.

Dear Mounted Police.
S. Taylor.

"I wish to let you know about trouble here. I believe you been work hard to close the poolroom at Fort St. James, So I thank you for what you have done for my people here. But now, Indian Agent Mr. Moore and foolish Indian boys try to get poolroom licence again for Indians themselves. So it looks like they try to put you down. No chiefs or other head people signed with them, they work behind us, they just like laugh at the Government and yourself too. I prove this because I asked Mr. Moore myself. He said Yes I did send letter to Ottawa to give licence to the Indians. And I asked him did any chiefs sign the petitions for them boys. He said No. That all I asked him. So I get busy with all my chief on the lake. Not one of us want to have a poolroom amongst us Indians, and I wish you and we all work together. Try to stop the Government not to give licence to the boys. Why I complain because I know the Indians very well. I was born amongst them and I stay with them now for fifty-one years of age. Government took licence away from white man and the same time give licence to the Indians, will be ten times more trouble than the white people have poolroom. Beacuse I know the Indians. We give little thing to do then they do everything more than what we allowed them to do. If the Government give licence to the Indians for the poolroom will be gambling for money and drinking and poolroom will be opened whole night and Sunday too. Then will be trouble for Government and policemen and ourselves too. Not Indians make this trouble but Indian Agent Mr. Moore. Not only Indians make trouble for Government, a man lose his licence for poolroom he make more trouble for Government if Indians get licence. I hear man lose his licence talk already now. So I think if we work now we help Government and purselves and our people too. This letter is for you and Indian Department too. So I sent petition with this had been signed by all the chiefs in Stuart Lake Band and myself. Please I hope you work with us and show my letter to Indian Department in Ottawa.

Yours very truly,
(Sgd) Cap: Leon Prince.

Signed By:-
Chief Joseph Prince.
" Alexis.
" John.
Capt. Sam Prince.
Gov't chief Louis Prince.
Chief Dominic
Capt. Jean Felix
General Capt. Leon Prince.

"P.S. We don't want no poolroom on Indian Reserve. If

licence

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pt [A]

INDIAN AFFAIRS
AFFAIRES INDIENNES

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licence give to Reservation we chiefs take axe and smash the poolroom table and fire to the building then the trouble will be against Indian Agent because he helped the foolish Indians to get licence for them".

On the 26th inst. I left Prince George for Stuart Lake to enquire into other complaints received from the Indians as per accompanying Crime Report, and whilst there investigated this complaint.

I interviewed Mr. Moore, the Indian Agent in Vanderhoof.

He informed me that one of the young Indians at Fort St. James had asked him if it would be possible for him to buy a pool table for use in his own house. Mr. Moore told him that he would send his request to Ottawa and get a ruling on the matter. He also informed me that there would be no permission given until there had been a meeting of the chiefs at Fort St. James.

The reference in the above letter to a white man's poolroom at Fort St. James refers to a poolroom that was licenced for one Robert McCorkell, white trader. See report dated Prince George Feb. 20th, and March 4th 1926 and headed:

Re: Robert McCorkell - Fort St. James, B.C.
Pool room licence.

This licence has now been cancelled and the pool room is closed, and the owner probably desires to sell the tables.

I saw the Rev. Father Wolfe, the Catholic missionary at Fort St. James, and he is greatly opposed to any permission being granted to individual Indians to have pool tables in their homes.

There is no doubt that if such is allowed, it will in reality devolve into an open pool room, as there would not be sufficient police supervision to see that Indians did not use the table and play for money, and the work of getting McCorkell's pool room closed would be nullified.

Whilst at Fort St. James I explained to the Indians that Mr. Moore the Agent was not working against the chiefs wishes in the matter. I also cautioned than in regard to the threats in their letter regarding the destruction of tables and buildings, and told them that under no circumstances were they to take the law into their own hands.

A further report will be rendered as developments occur in this matter.

(Sgd) H.E. Taylor, Sergt.
#5533.

(H.E. Taylor)
I/C Prince George Detachment

The Officer Commanding,
R.C.M. Police,
Vancouver, B. C.

Sir:- FORWARDED. A copy will not be sent to Indian Agent unless by your instructions.

(Sgd) S.T. Wood,
Inspt.
Commanding Coast Sub Dist.

P. Rupert
2-9-26.

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File/dossier 186
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INDIAN AFFAIRS
AFFAIRES INDIENNES

National Archives of Canada
Archives nationales du Canada

Re: Complaint of Leon Prince, Fort St. James, B. C.
Re: Pool Tables on Indian Reserve.

The Indian Commissioner,
for B. C.,
Victoria.

Sir:- Copy for your information.

(Sgd) A.W. Duffus. Supt.
Commdg. B.C. District

Vancouver,
10-9-26.

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INDIAN AFFAIRS
AFFAIRES INDIENNES

National Archives of Canada
Archives nationales du Canada

ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA.

YOUR REPLY REFER TO
No. 71-163
ALSO TO THE DATE OF THIS LETTER
PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS
CANADA

August 17, 1926.

Sir,-

I beg to enclose a copy of a letter from Mr. Agent Moore of Vanderhoof, B.C. together with a copy of a letter addressed to the Agent by Isadore Louie of Stuart Lake, in which he asks to be allowed to establish a pool room on the Stuart Lake Indian Reserve.

Encl.

COMMISSIONER'S OFFICE
AUG 23 1926
VICTORIA, B. C.

Kindly advise the Department whether you consider that this should be allowed.

Your obedient servant,

(J.D.McLean.)
Asst. Deputy and Secretary.

W. E. Ditchburn, Esq.,
Indian Commissioner,
Victoria, B.C.

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File/dossier 186
pt [A]
INDIAN AFFAIRS
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National Archives of Canada
Archives nationales du Canada

INDIAN AGENT'S OFFICE.

Vanderhoof, B.C.

N-1 August 9th, 1926.

Sir,-

I beg to attach hereto a copy of a letter received from one of the Indians at Fort St. James, which is self explanatory. In this connection I may say that at the present time there is not a pool room operating at Fort St. James owing to recent regulations made by the Attorney General's Department of the Province which make all pool rooms in unorganized districts out of bounds to Indians. Under the circumstances I cannot see why the Stuart Lake Indians could not have a pool room on their reserve as well as the Babine Indians. The two reserves are so close and travel between the two of almost daily occurance that this pool room question has been a sore point with the Stuart Lake Band for the last two or three years. Kindly take this matter under consideration and please advise your wishes.

I have the honour to be,Sir,

Your obedient servant,

(Sgd.) R.H. Moore.
Indian Agent,

The Secretary,
Department of Indian Affairs,
Ottawa.

RHM/L.

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RG 10, C-II-2, vol 11297
File/dossier 186
pt [A]

INDIAN AFFAIRS
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National Archives of Canada
Archives nationales du Canada

Copy

Stuart Lake

July 29th, 1926.

Mr. Moore,
Indian Agent,
Vanderhoof,

Dear Sir:

I wish to get in my house at Stuart Lake Indian Reserve a pool table and would like to know if it is against the law to do this. Someone tell me it is. I do not think so because I know Babine Indians have several pool tables in the vallage at Babine. If anyone can do this here I want to try first one.

Please let me know first you can.

Isadore Louie.

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INDIAN AFFAIRS
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National Archives of Canada
Archives nationales du Canada

INDIAN AGENT'S OFFICE

Hazelton, B.C.

IN YOUR REPLY REFER TO
No. 23/7630
AND
27-8-26
TO DATE OF THIS LETTER

COMMISSIONER'S OFFICE
SEP 4 1926
VICTORIA, B. C.

August 31st 19 26

Sir,—

In reply to your letter dated the 27th instant having reference to a report that the Indians of Fort Babine band have a poolroom on their reserve. I beg to inform you that I surmise the poolroom is the one owned and operated by Dominic Wess, an Indian of the band. This poolroom has been in operation for some considerable time and previous to my appointment to this office.

Some five years ago I had notices posted up in this poolroom regulating the hours and the manner it should be conducted. As I have not received any complaints, either in writing or otherwise, I do not see why this recreation, providing it is conducted in an orderly way, should have a bad influence among the Indians, surely the Indians are entitled to play pool on their own reserves as what money they spend is amongst themselves and there is no other form of amusement.

There are poolrooms at Hagwilget, Glen Vowell, Kitwanga, Hazelton and Kippiox Indian Reserves.

Your obedient Servant,

E. Hyde

Indian Agent.

W. E. Ditchburn, Esq.,
Indian Commissioner for B.C.
Victoria, B.C.

P.S. I trust you are feeling much better. E.H.

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File/dossier 186
pt [A]

INDIAN AFFAIRS
AFFAIRES INDIENNES

National Archives of Canada
Archives nationales du Canada

23/7630.

August 27, 1926.

Dear Sir:-

It has been reported to the Department that the Indians of the Fort Babine band have a poolroom on their reserve and I wish you would inform me whether this statement is correct, and if so does the existence of the poolroom have a bad influence among the Indians?

Please reply to this letter at once.

WVD/KD.

Yours truly,

W. V. Ditchburn.
Indian Commissioner for B. C.

E. Hyde, Esq.,
Indian Agent,
Hazelton, B. C.

0001-0500

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File/dossier 186
pt [A]

INDIAN AFFAIRS
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23/7227.

June 1, 1926.

Your Honor,-

I beg to acknowledge receipt of your letter of the 27th ultimo referring to Indians visiting pool rooms and particularly with regard to one in close proximity to the Fort St. James Reserve.

In reply I beg to say that some little time ago I wrote to the Superintendent of Provincial Police about this particular resort, as it was having a demoralizing effect on the Indians in that they were neglecting their regular vocations. I strongly recommended that the licence should be cancelled.

My Department has now taken up with the Attorney-General the question of prohibiting Indians from frequenting pool rooms altogether, no matter where situated.

Thanking you for your interest in this question, I am,

Yours very respectfully,

W.E.Ditchburn.
Indian Commissioner for B.C.

WED/HM.

His Honor Judge Robertson,
Prince George,
B.C.

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File/dossier 186
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INDIAN AFFAIRS
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National Archives of Canada
Archives nationales du Canada

COMMISSIONER'S OFFICE
JUN 1 1926
VICTORIA, B. C.

THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

Provincial Gaol
COUNTY COURT REGISTRY
May 27 1926

W. E. Ditchburn Esq.,
Chief Inspector
Indian Affairs Dept.
Victoria B.C.

Dear Sir:

Rev. Father Wolfe sometime ago asked me to write you in regard to a pool room at Fort St James and which is very near to the Indian Reserve.

From my experience in this country I believe that the nearness of a pool room to an Indian Reserve tends to demoralize the Indians & would suggest that no pool room should be allowed to be licensed within say eight or ten miles of a reserve, particularly if such reserve is away from a town or City. With Kindest regards.

Yours very faithfully
H. A. Robertson J.P.

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File/dossier 186
pt [A]
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

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Royal Canadian Mounted Police
(C.I.B)

Vancouver, B.C.
March 9th. 1926.

Ref. No. B.C.District
26-134 P.G. 2.

Your fyle: 23/6747.

COMMISSIONER'S OFFICE
MAR 12 1926
VICTORIA, B. C.

W. E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
P.O. Box 666,
Victoria, B.C.

Dear Sir:

Re: Robert Mc.Corkell,
Pool Room Licensee,
Fort St.James, B.C.

Permit me to thank you for your letter of the 6th. instant in the above connection, copy of which I have forwarded to the Officer Commanding Coast Sub/District for his information.

Your's truly,

(A. W. Duffus) Supt.
Commanding B.C. District.

2/C.

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File/dossier 186
pt [A]
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

23/6763.

March 9, 1926.

Reverend Sir:-

I beg to acknowledge receipt of your letter of the 1st instant having reference to the operation of a pool-room, at Fort St. James, in close proximity to Indian habitations on the Indian Reserve.

In reply I beg to say that a few days ago I received through the Officer Commanding R.C.M.P., a copy of the report of Sergeant H.E.Taylor on this subject and in view of the facts brought out by the Sergeant, I have written to the Superintendent of the Provincial Police recommending that the licence of the pool-room referred to should be cancelled, as it is considered to be in the best interests of the Indians that they should not be given any opportunity to waste either time or money around such an institution, which can be devoted to much better purposes.

Yours respectfully,

W.E.Ditchburn.
Indian Commissioner for B.C.

WED/HM.

Rev. Chas. Wolfe, O.M.I.
Fort St. James,
B.C.

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File/dossier 1/86
pt [illegible]
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

Fort St.James,B.C.
March 1st.1926.

W.E.Ditchburn,Esq.
Indian Commissioner,
Victoria,B.C.

Dear Sir:

I beg to inform you that a Pool Room has been opened at Fort St.James,not far from the Indian Reservation,by Bert McCorkell. The license is made out in the name of Robert McCorkell,his brother.

By all appearance,this has been done to get the Indians,as they have been invited to it.And no white man goes there.

The enclosed copies of letters will show you on what ground I protested against such a Pool Room,in writing to the Indian Agent,R.H.Moore,at Fort Fraser,B.C..

Things seem to be naging on,and in the hope of a more speedy action,I beg of you to do what you can in the interest of the Indians.

In July 1921,a Pool Room,kept by one Davis was closed by an order in court,on account of the evil effect it had on Indians. Later on, the license to open a Pool Room by one of the store keeper here was refused,for fear of renewing the same trouble of 1921.And now a Pool Room is opened just close by the Indian Reservation.

I had decided the Indians to build new houses,in order to get them to use their money in a profitable way.And now the same Indians are wasting time and money in the Pool Room,from the time it is opened till 11p.m.

My reasons exposed to the Indian Agent don't seem to have much effect,i.e.the Indians waste their money,will gamble, will hang around and not go out hunting,their families will surfer,and at last will apply to the Indian Department for support.

If no action is taken,we shall have a most depraving condition up here.But I shall at least have done my duty by these under my care, in exposing to you the demoralizing effects of a Pool Room on Indians.

Hoping,dear Sir,that you will consider this matter and help us to bring the Indians to a better standard,
I beg to remain,

Very respectfully yours,

Father Chas. Wolfe, O.M.I.

Father Chas.Wolfe,O.M.I.
Fort St.James,B.C.

COMMISSIONER'S OFFICE
MAR 8 1926
VICTORIA, B. C.

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pt [A]
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

Fort St.James,B.C.
February 8th.1926.

Copy.

R.H.Moore,Esq.
Indian Agent
Fort Fraser,B.C.

Dear Sir:

A Pool Room has been opened at Fort St.James,by Bert McCorkell, not far from the Indian Reservation.By all appearance,so far,this has been done to get mostly the Indians.

They are there wasting time and money,from 12 noon till 11p.m.If this is allowed to go on,the Indians will hang around,will not go out hunting,their families will suffer,and we shall have the same trouble we had in July 1921.

A court decision was given then,by Judge Robertson,I am told,that no Pool-Room license shall be issued in future to any one at Fort St. James.

I am writing to Judge Robertson,to make sure of that and get copy of same.

I thought I would let you know my stand on this question,before bringing this matter up to the Indian Department.

Hoping you will be able to do something in the interest of the Indians,I am,

Respectfully yours,

(Signed) Father Chas.Wolfe,O.M.I.
Fort St.James,B.C.

INDIAN AFFAIRS
AFFAIRES INDIENNES
RG 10, C-II-2, Vol. 11297
File/dossier 186
pt [A]
National Archives of Canada
Archives nationales du Canada

Copy.

Fort Fraser,B.C.
Feb.15th.1926.

Please quote:
File No.R-5.

Rev.Father Charles Wolfe,O.M.I.
Fort St.James,B.C.

Dear Father Wolfe:-

I beg to acknowledge receipt of your communication of the 8th.inst.complaining about the opening of a pool room at Fort St.James by Bert McCorkell,for which I thank you.

In this connection I might say that the matter has already been brought to my attention and that it will be brought to the attention of the Department in the near future.Regarding the information that you have received about Judge Robertson on giving a Court decision to the effect that no pool room license shall be issued to any one in Fort St.James,I might say that this is beyond the powers vested with Judge Robertson and for your information I would like to explain that what Judge Robertson did do in 1921 was to cancell the pool room license of one Davis who was operating a pool room at Fort St.James at that time and apparently doing a little bootleg business among the Indians on the side. Going into the matter of the granting or this license at Fort St.James,it may be news to you to know that the license was granted by the Supt.of Prov.Police at Victoria and that T.W.S.Parsons,who used to be Inspector for this District,is now in the Superintendent's Office and no doubt was referred to on account of his knowledge of conditions at Stuart Lake,so that it would be rather a large order to get the license cancelled and all that can possibly be done is to prohibit the Indians from going there at all and no doubt the Indian Dept.will not discriminate against the Stuart Lake Indians(from-going) in that they cannot play pool while Vanderhoof,Prince George,Ft.Fraser and all the other towns along the Railway have pool rooms frequented by Indians.

However it is up to the Dept.to make arrangements with the Attorney General's Dept.of this Province before any further action can be taken from this end unless a complaint is made that McCorkell is bootlegging.

Yours truly,

(Signed) R.H.Moore,

Indian Agent.

INDIAN AFFAIRS
AFFAIRES INDIENNES
RG 10, C-II-2, vol. 11297
File/dossier 186
pt [A]
National Archives of Canada
Archives nationales du Canada

Fort St.James,B.C.
February 20th.1926.

Copy.

File No.R-5.

R.H.Moore,Esq.
Indian Agent,
Fort Fraser,B.C.

Dear Sir:

I beg to acknowledge receipt of your answer of the 15th.inst.I am glad that the matter in question will be brought to the attention of the Indian Department in the near future.

Mr.T.W.S.Parsons might have been referred to or not, in the Superintendent's office of Prov.Police at Victoria.But he might not know that no white man around here has been seen in the Pool Room playing pool,so far.Which fact has it's significance.

That the Indians in towns along the Railway are frequenting Pool rooms,is a fact,but they don't stay there a whole after noon and evening as the Indians do here.

Anyway,if I remember well,there existed in 1913 a regulation or law,prohibiting Indians to go to Pool rooms,and unless this has been repealed,there is no reason for excuse,but rather for enforcing the regulation.

I am in favour for lawful recreation for Indians, under the Ind.Dept.supervision,which alone has the material care of Indians.

If the Indians are allowed to waste and gambling their money away,they will later on come back and ask the Indian Dept. for support,for themselves and their families.And then instead of bringing up the Indians to a certain standard,we are only favoring laziness and what follows.

I am certain you will do the best in this matter and I thank you.

Respectfully yours,
(Signed)Father Chas.Wolfe,O.M.I.
Fort St.James,B.C.

INDIAN AFFAIRS
AFFAIRES INDIENNES

RG 10, C-II-2, vol. 11297
File/dossier 136
pt [A]

National Archives of Canada
Archives nationales du Canada

23/6764.

March 9, 1926.

Your FileR-1.

Dear Sir:-

I beg to acknowledge receipt of your letter of the 3rd instant referring to complaints received in connection with the operation of a pool room in close proximity to an Indian Reserve, at Fort St. James.

In reply I beg to say that a few days ago I received from the Officer Commanding the R.C.M.P. the Crime Sheet of Sergeant H.E.Taylor, dated the 20th February, dealing with this matter, and in view of the statements made in the same, I wrote to the Superintendent of Provincial Police recommending that the pool room licence issued to Robert McCorkell be cancelled, as it appeared to me the licensee was catering particularly to the Indians for his revenue, otherwise the pool room might properly be operated at some other location than that described by Sergeant Taylor, which, it is observed, is described as being "a small log shack set in the bush and concealed from the main road and close to the dwellings of the Indians of the Reserve".

In to-day's mail, I also received a letter from Rev. Father Wolfe, the Missionary at Fort St. James, in which he registered a complaint against the above referred to pool room. Miss Bloomfield, the Field Matron, at Fort St. James, also mentions this in her report for the month of January. Both the Priest and the Field Matron state that the operation of this pool room is having a demoralizing effect on the Indians in that they spend a great part of their time and money there, which could be used to much better purposes. It is, therefore, considered to be in the best interest of the Indians that the pool room licence should be cancelled.

With regard to the Provincial Regulation of 1913 banning Indians from frequenting pool rooms, it is felt that Indians would be far better off if the Regulation were strictly enforced, particularly in out-of-the-way places where there is little police supervision, but it would be a delicate matter for our Department now to demand that this Regulation should be strictly enforced, in view of the fact that permission has been given, in a few instances, to Indian bands to operate pool tables themselves on Indian Reserves under strict regulation, subject to the permission being revoked, if it is shown that the playing of pool or billiards on an Indian reserve is having a detrimental effect on the Indians.

WED/HM.

Your obedient servant,

R.H. Moore, Esq.,
Indian Agent,
Fort Fraser, B.C.

W.E.Ditchburn,
Indian Commissioner for B.C.

RG 10, C-II-2, vol. 11297
File/dossier 186
pt [4]
INDIAN AFFAIRS
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National Archives of Canada
Archives nationales du Canada

23

Indian Office,
At Fort Fraser, B.C.
March 3rd. 1926.

COMMISSIONER'S OFFICE
MAR 8 1926
VICTORIA, B.C.

Please refer:-
Our File No. R-1.

W.E.Ditchburn, Esq.,
Indian Commissioner for B.C.,
Victoria, B.C.

Dear Sir:-

I beg to enclose herwith a copy of a Report received this day from Sergt. H.E.Taylor of the Royal Canadian Mounted Police dealing with the opening of a poolroom at Fort St.James. This matter was brought to my attention by Sergt. Taylor upon his return from Fort StJames and after going into the matter from all angles and looking up previous correspondence on poolroom matters in the office, I decided that when I got the full report from Sergt. Taylor I would take the matter up with you.

I am also enclosing a letter from the Department to Mr. McAllan under date of July 31st. 1913 on the poolroom question. I discussed this letter with the Provincial Police Constable at Vanderhoof and he informed me that these regulations have not existed here since construction days, before the war and that Indians have had free access to all poolrooms for the last ten years.

If the Provincial Attorney General's Department will take the same stand as outlined in this letter everything would be perfectly satisfactory and no trobble would be enountered. However, no complaint has been made about any of the other poolrooms operating in all the small towns along the Railway and frequented mostly by Indians from the reserves and you can readily see how unfair it would be to prevent the Stuart Lake Indians from going into the poolroom at Fort StJames but allow them to frequent any of the poolrooms in other small places. Therefore it is either a case of cancelling Stuart Lake poolroom license altogether or lay down a hard and fast rule prohibiting any Indian from frequenting it or any other poolroom in the Province or if they do, have the license cnacelled of the poolroom concerned.

I am in favour of a showdown in the matter and if we are going to take any action in the matter at all, let us declare all poolrooms out of bounds and have the co-operation of the Attorney General's Department, as outlined in the attached letter.

When going into the matter with the Provincial Constable he informed me that he recommended that Robert McCorkell be granted the license at Fort StJames realising the fact that it was only a matter of time until someone got a license at that point on account of the steady growth of the place and he figured that McCorkell was as good if not a better man to have the license than any of the other people who would be liable to apply. He also informed me that trade jealousy was largly responsible for most of the complaints.

I also received a complaint from Father Wolfe, the Priest at Fort StJames on the same subject and replied stating that I was bringing the matter to the attention of the Department in the near future, this meaning when I received the report from Sergt. Taylor. Needless to say the priest is looking at it from the point of view of the church alone.

Suming the whole matter up I strongly recommend that the Department take the question of poolrooms up with the Superintendent of Provincial Police and try and have him agree to the terms outlined in the Department's letter attached,which means that all pool rooms in the Province will be out of bounds to Indians.This,to my mind,is much fairer than discriminating against any partciular pool room or any partcular Band or Tribe of Indians. I am satisified that the poolroom in qiestion has not got a good effect on the Indians,but rather the opposite,but I also know that any poolroom no matter where it may be situated and frequented by Indians is detrimental to them and undesirable from the point of view of the Department,hence my recommendation.

RG 10, C-11-2, Vol 11297
File/dossier 1/36
pt [a]
INDIAN AFFAIRS
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Archives nationales du Canada

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INDIAN OFFICE

At.....

.....*19*.....

-2-

W.E.Ditchburn, Esq:-

Con't.

I hope that this letter is a full explanation of the facts as they exist at the present time and if there is any further information you may require on the subject I will be only too pleased to give it to you. I want to be perfectly candid and fair with all parties concerned, especially the Stuart Lake Indians in that, no discrimination against them or their means of recreation is imposed and I hope that you will understand my position in the matter. I would be pleased to have a line from you on this matter stating your opinion of the stand that I am taking and if it is satisfactory to the Department and yourself.

As Such

I have the honour to be, Sir,
Your obedient servant,

R. H. Moor.

Indian Agent.

RHM/L.

RG 10, C-II-2, vol. 11297
File/dossier 186
pt [illegible]

INDIAN AFFAIRS
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COPY.

"E"DIVISION.
VANCOUVER, B.C.

COAST SUB DIVISION.
PRINCE GEORGE DETACHMENT.
FEBRUARY 20th. 1926.

_R_E_P_O_R_T_.

Re. Robert McCorkell- Fort StJames., B.C.
Pool room licensee.

H.Q.Ref. _

B.C.DIST. REF. _ _ _ _ _

PR.GEO. REF. 35/88.

COAST SUB-DIST. REF.35/8/26.

Whilst on patrol to Fort StJames on February 4th.1926, I received complaints from Rev.Father Wolfe, priest at Indian Mission for the Stuart Lake Indian Reserve,and from the storekeepers at Fort St. James, to the effect that a poolroom was being operated in close proximity to the Indian Reserve.

I viewed the building where the poolroom is being operated, and it consists of a small log shack set in the bush and concealed from the main road,and close to the dwellings of the Indians of the Reserve.

The main tenor of the complaints was that the Indians would not go out and hunt where there was a poolroom to play in,and would spend all their money and lay around the reserve.

I was informed that about four years ago a poolroom license held by some other person,was cancelled at Fort StJames owing to the detrimental effect on the Indians in the vicinity.

At the time the license was cancelled there appears to have been an unwritten understanding between the licensing authorities and the white residents of Fort St.James, that no future licenses would be issued at this place.

The present licensee, Robert McCorkell operates a store at Tacla Lake Landing and one at Fort St. James and odes considerable trading in fur with the Indians.

I took the matter up with R.H.Moore the Indian Agent of Fort Fraser and he stated that when he received a copy of my report he would forward his own recommendations with it, to the effect that the pool room was undesirable at this point, to Commissioner Ditchburn at Victoria, and request him to take the matter up with the licensing authorities.

H.E.Taylor, Sergt.
#5533.
I/C. Prince George Detabhment.

RG 10, Vol. 11297, File 60,088-2
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

COPY.

File No. 432569.

Ottawa, Ont.,
July 31st. 1913.

Circular:-

Sir:-

I beg to inform you that as a result of action on the part of this Department the Attorney General of British Columbia has stated that he suggested to the Superintendent of Police, (who issues licenses under the Pool Room's License Act in British Columbia), that notice be sent to all the Chief Constables in the different districts instructing them to forbid any of the licenmees to permit Indians to frequent or loiter around pool rooms. As the Supt. of Police has power to cancel all licenses if his instructions are not carried out, it is hoped that good results will follow. It is most desirable in the interest of the Indians that they shall be prevented from frequenting Pool Rooms, Billiard Rooms or Bowling Alleys. You should endeavour as far as possible to have the Department's wishes in this matter regarded.

Your obedient servant,

Signed:-

(J.D.McLean)
Asst. Deputh & Secr.

W.J.McAllan, Esq.,
Indian Agent.
South Ft. George, B.C.

236.

RG 10, C-11-3, vol. 11097
File/dossier 186
pt 1a1

INDIAN AFFAIRS
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National Archives of Canada
Archives nationales du Canada

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23/

Address all communications to:
THE SUPERINTENDENT,
British Columbia Provincial Police,
Victoria, B.C.

In reply quote File No.

OFFICE OF THE SUPERINTENDENT
VICTORIA

POOLROOMS

Your File No. 23/6746

SUBJECT:

March 9th,1926

The Indian Commissioner for British Columbia,
Box 666
Victoria,B.C.

Robt.McCorkell's
poolroom licence
at Ft.St.James.

Dear Sir:

I beg to acknowledge the receipt of your letter of the 6th inst., relative to the marginally mentioned matter. It has, however, already been brought to my attention and I am writing the Officer Commanding "D" Division (Prince Rupert) thereon.

COMMISSIONER'S OFFICE
MAR 10 1926
VICTORIA, B. C.

Yours very truly

J. H. McMullin

J.H.McMullin
Superintendent

TWSP/C

RG 10, C-II-2, vol. 11297
File/dossier 186
pt [A]
INDIAN AFFAIRS
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POOLROOMS

23/6746

March 9th,1926

The Indian Commissioner for British Columbia,
Box 666
Victoria,B.C.

Robt.McCorkell's
poolroom license
at Ft.St.James.

Dear Sir:

I beg to acknowledge the receipt of your letter of the 6th inst., relative to the marginally mentioned matter. It has, however, already been brought to my attention and I am writing the Officer Commanding "D" Division (Prince Rupert) thereon.

Yours very truly

J.H.McMullin
Superintendent

TWSP/C

RG 10, C-11-2, vol 11297
File/dossier 186
pt [4]

INDIAN AFFAIRS
AFFAIRES INDIENNES

National Archives of Canada
Archives nationales du Canada

23/6747.

March 6, 1926.

Dear Sir:-

I beg to acknowledge receipt of Report of Sergeant H.E. Taylor, of your Prince George Detachment, dealing with the operation of a pool room in close proximity to an Indian Reserve, near Fort St. James, by a Robert McCorkell.

In reply I beg to inform you that as it is considered that the pool room has a demoralizing effect on the Indians and is a deterrent to their advancement, I have laid the facts before J.H. McMullin, Esq., Superintendent of Provincial Police, under whose Branch pool room licences are issued, and have recommended that the licence for the pool room above referred to should be cancelled.

Your obedient servant,

W.E. Ditchburn,
Indian Commissioner for B.C.

WED/HM.

A.W. Duffus, Esq.,
Superintendent,
Commanding B.C.District,
R.C.M.P.
Vancouver, B.C.

RG 10, C-11-2, vol. 11297
File/dossier 186
pt [A]
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

23/6746.

March 6, 1926.

Dear Sir:-

Information has reached this Office to the effect that one Robert McCorkell, of Fort St. James, maintains a pool room in close proximity to an Indian Reserve which is having a demoralizing effect on the Indians in that they hang around this place spending all their money playing pool, and thus neglect their hunting and trapping.

I am attaching hereto copy of a report from Sergeant H.E. Taylor, of the Prince George Detachment, R.C.M.P. in which it is shown that the pool room in question is operated in a log cabin set in a bush and concealed from the main road, close to the Indian dwellings on the Reserve.

It is apparent, therefore, that the licensee of this pool room caters particularly to the Indians for his revenue.

As this pool room is considered to be a detriment to the advancement of the Indians, I would respectfully recommend that the licence to operate the same should be cancelled.

Your obedient servant,

Enclosure:-

W.E.Ditchburn,
Indian Commissioner for B.C.

WED/HM.

J.H. McMullin, Esq.,
Superintendent, Provincial Police,
Parliament Buildings,
Victoria, B.C.

See File 157 for Sgt Taylors original Report. (HM)

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File/dossier 186
pt [A]
INDIAN AFFAIRS
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Archives nationales du Canada

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C O P Y.

Coas[redacted] Sub District,
Prin[redacted] George Detachment.
February 20th, 1926.

R E P O R T.

Re: Robert McCorkell - Fort St.James, B.C.
Pool Room Licensee.

Whilst on patrol to Fort St. James on February 4th, 1926, I received complaints from Rev.Father Wolfe, priest at the Indian Mission for the Stuart Lake Indian Reserve, and from the storekeepers at Fort St. James, to the effect that a poolroom was being operated in close proximity to the Indian Reserve.

I viewed the building where the poolroom is being operated, and it consists of a small log shack set in the bush and concealed from the main road, and close to the dwellings of the Indians of the Reserve.

The main tenor of the complaints was that the Indians would not go out and hunt where there was a poolroom to play in, and would spend all their money and lay around the Reserve.

I was informed that about four years ago a poolroom license held by some other person, was cancelled at Fort St. James owing to the detrimental effect on the Indians in the vicinity.

At the time the license was cancelled there appears to have been an unwritten understanding between the licensing authorities and the white residents of Fort St. James, that no future licenses would be issued at this place.

The present licensee, Robert McCorkell operates a store at Tacla Landing and one at Ft. St. James and does considerable trading in fur with the Indians.

I took the matter up with Mr. R.H.Moore the Indian Agent of Fort Fraser, and he ststed that when he received a copy of my report he would forward his own recommendations with it, to the effect that the pool room was undesirable at this point, to Commissioner Ditchburn at Victoria, and request him to take the matter up with the licensing authorities.

Sergt.
(Sgd. H.E. Taylor #5533.

I/C. Prince George Detachment.

RG 10, Vol. 6811, File 452,735-3 pt 1a
INDIAN AFFAIRS
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National Archives of Canada
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File 186.

Re operation of pool rooms,
dance halls, moving picture
theatres, etc. on Indian Reserves.

Stuart Lake Agency.

INDIAN AFFAIRS
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RG 10, C-II-2, vol. 11297
File/dossier 186
pt [A]

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MEMO.	*No.*.....	ACTION.	ACTION.—*Continued.*
	OFFICE OF THE INDIAN SUPERINTENDENT FOR BRITISH COLUMBIA, 189.....		

INDIAN AFFAIRS
AFFAIRES INDIENNES

RG 10, C-II-2, vol. 11297
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pt [A]

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INDIAN AFFAIRS | AFFAIRES INDIENNES

OFFICE OF THE INDIAN COMMISSIONER FOR B.C., VICTORIA | BUREAU DU COMMISSAIRE AUX AFFAIRES INDIENNES B.C., VICTORIA

RG 10, C-II-2, 11297

FILE/DOSSIER	TITLE/TITRE	DATES
	Inspector of Indian Agencies - Indian Commissioner for British Columbia - Farming - Correspondence re Indian farming in various agencies pt [A]	1913-1923
	Inspector of Indian Agencies - Indian Commissioner for British Columbia - Farming - Correspondence re Indian farming in various agencies pt [B]	1928-1933
186	Indian Commissioner for British Columbia - Recreational facilities - Correspondence re operation of poolrooms, dance halls, cinemas, etc. on reserves in Stuart Lake, Bella Coola, Williams Lake, Lytton, Cowichan agencies pt [A]	1921-1929
186	Indian Commissioner for British Columbia - Recreational Facilities - Correspondence re operation of poolrooms, dance halls, cinemas, etc. in general and in Queen Charlotte, Kamloops, Nicola, West Coast, Vancouver, New Westminster, Okanagan, Kootenay, Nass, and Kwawkewlth agencies pt [B]	1927-1934

RG 10, C-II-2, vol. 11297
File/dossier 186
pt [B]
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

186/33551.

March 7, 1934.

Dear Sir:-

Please find herewith a copy of a letter received from Lazare Charlie, of Fort Babine, making enquiry regarding the operation of a pool room. The late Commissioner Ditchburn sent copies of the regulations governing the operation of pool rooms, etc., under date November 22nd, 1928, to the late Agent Hyde. You may possibly find this on your file but if not I would suggest that you write to the Department asking to be furnished with a few copies of this regulation so that you may be in a position to deal definitely with the enquiry of this Indian.

In view of the remote location of this pool room it is considered that the greatest care should be exercised in recommending the granting of permission to operate a pool room to see that the applicant is a suitable person to have charge of such a place.

Your obedient servant,

P/KD.

Enclosure:-

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

G.C. Mortimer, Esq.,
Indian Agent,
Hazelton, B. C.

RG 10, Vol 11297
File/dossier 1/86-2-3 Pt 1&2
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

Copy.

Fort Babine, B. C.,
Feb. 26, 1934.

Dear Sir:-

Very glad to drop you a few lines to let you know that I want to ask you some thing to help me out in my poor business to start because we get good people in our on village I am about to start a pool room in Babine but I want to ask you for purmit to sent me so I dan run a pool room so I'll wait for your answer. If you going to sent me purmet you sent a limit time to open and close.

Yours very truly,

"Mr. Lazare Charlie".

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File/dossier 186
pt (B)
INDIAN AFFAIRS
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Archives nationales du Canada

Fort Rupert B.C.
Feb 26 34

INDIAN AFFAIRS
MAR 6 1934
RECEIVED

Dear Sir

Will you kindly let me have
you a few lines to let me
know that I am entitled to
get my share of the Annuities
that is now due. Thanking you
to hear from you soon.

I am
Yours truly
Agnes Charlie.

INDIAN AFFAIRS
AFFAIRES INDIENNES

RG 10, C-II-2, vol. 11297
File/dossier 186
pt [B]

National Archives of Canada
Archives nationales du Canada

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19/12991 .

November 22, 1928.

Dear Sir:-

It is noted that there are poolrooms in operation on Indian Reserves in your Agency and I am, therefore, forwarding herewith three copies of the regulations governing the operation of such places in order that you may post the same in said poolrooms.

You should make yourself fully conversant with these regulations so that you can properly inform those Indians who cannot read.

All clauses of these regulations are to be strictly enforced.

AVH/KD.

Yours truly,

Enclosures:-

W. E. Ditchburn.
Indian Commissioner for B. C.

Sent To:
W.M. Halliday, Esq.,
Indian Agent,
Alert Bay, B. C.

E. Hyde, Esq.,
Indian Agent,
Hazelton, B. C.

RG 10, C-11-2, vol. 11297
File/dossier 186
pt 181
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

19/12990. November 22, 1928.

Dear Sir:-

I have received printed regulations governing the operation of pool rooms, moving picture theatres and dance halls on Indian Reserves, and I wish you would let me know if there are any of these places of amusement on any Indian reserve in your Agency in order that I may send you enough copies so that one may be posted in each such place.

Your obedient servant,

W.E.Ditchburn.
Indian Commissioner for B.C.

AVH/HM.

Iver Fougner, Esq.,
Indian Agent,
Bella Coola, B.C.

Sent to all Agents except Agents Hyde, Halliday and Harper Reed.

RG 10, C-II-2, vol 11297
File/dossier 186
pt [illegible]
INDIAN AFFAIRS
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National Archives of Canada
Archives nationales du Canada

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19

ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

YOUR REPLY REFER TO
No. 71-1
ALSO TO THE DATE OF THIS LETTER
PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS
CANADA

August 25,1928.

Sir:-

I am sending you under separate cover for distribution as you may see fit, fifty copies of regulations covering the operation of pool-rooms, moving picture theatres, dance halls, etc., on Indian Reserves.

Your obedient servant,

A. F. MacKenzie.

A.F.MacKenzie.
Acting Assistant Deputy and Secretary.

W.E.Ditchburn,Esq.,
Indian Commissioner,
Victoria, B.C.,

COMMISSIONER'S OFFICE
AUG 30 1928
VICTORIA, B. C.

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File/dossier 186
pt [illegible]
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

186
4-/10261.

November 1, 1927.

Dear Mr. Williams,-

When in Ottawa last Spring, I provided you with a copy of the Provincial law governing the operations of pool rooms, etc. in order that it might be a guide in drafting regulations governing the operation of pool rooms, dance halls and places of amusement on Indian reserves, as provided for in clause "g" of Section 92 of the Indian Act, made effective on 31st March, 1927.

I would respectfully request you to inform me as to whether or not these regulations have been drafted. If so, I would like to have a number of copies of the same. If the regulations have not yet been drafted, I consider it important that this matter should be attended to as early as possible in order that they may be put into effect in the Indian pool rooms during the Winter.

Your obedient servant,

W.E.Ditchburn.
Indian Commissioner for B.C.

WED/HM.

Julien Williams,
Law Clerk,
Department of Indian Affairs,
O t t a w a.

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File/dossier 186
pt [illegible]
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

Regulations Governing the Operation of Pool-rooms, Moving Picture Theatres, Dance Halls and other Places of Amusement on Indian Reserves, under the provisions of paragraph "g", Section 95, Chapter 98, Revised Statutes.

---

1. In this Regulation, unless the context otherwise requires:—
"Owner" means any person who, as proprietor, lessee, or otherwise, carries on the business of keeping a pool-room, dance hall, moving picture theatre or other place of amusement, whether such room, dance hall, moving picture theatre or other place of amusement be separate from or connected with other premises.
"Pool" includes pool, billiards, bagatelle or other similar game; and "pool-room" means the place kept by an owner where any such game is played.

2. No pool-room, dance hall, moving picture theatre or other place of amusement shall be operated on an Indian Reserve without the written consent of the Superintendent General of Indian Affairs, and such consent may be in the form contained in Schedule A.

3. The Superintendent General may refuse any application for the operation of a pool-room, dance hall, moving picture theatre or other place of amusement and may, for cause satisfactory to him, summarily cancel any consent given by him.

4. *(a)* No one under the full age of eighteen years shall be permitted by an owner or other person to be or remain in a pool-room, or to play pool or any other game therein, or shall be employed in any pool-room for any purpose.
(b) No one under the full age of fifteen years shall be permitted by an owner or other person to be or remain in moving picture theatre unless accompanied by and in charge of some older person.
(c) No one under the full age of sixteen years shall be permitted by an owner or other person to be or remain in any dance hall.
(d) The minimum age for attendance at other places of amusement shall be such ages as may be designated in the formal consent of the Superintendent General to the operation of such places of amusement.

5. Pool-rooms and moving picture theatres shall be closed at eleven of the clock in the afternoon and dance halls and other places of amusement shall be closed at twelve o'clock midnight and all shall be kept closed until six of the clock of the following morning, and shall also be kept closed on Sundays. During the hours and times in which pool-rooms, moving picture theatres, dance halls and other places of amusement must be closed no game of pool shall be played, no moving picture shown, no dancing or other amusement take place, and all window blinds, curtains, and shutters therein shall be kept open so that an uninterrupted view of the interior of such room, theatre, hall or other place of amusement may be had.

6. No owner shall:—
(a) Permit the shaking of dice or any gambling game or any other game or device of chance to be played for money, cheques, or devices representing money in a pool-room; or
(b) Have, keep, or operate in a pool-room any nickel-in-the-slot machine or other similar machine, or any machine or device for gambling or for operating or playing with for money, tokens, or prizes, or results of any nature or kind whatsoever.

7. No one shall, in or about any pool-room, moving picture theatre, dance hall or other place of amusement, use any profane, vulgar or indecent language.

8. *(a)* The Indian Agent or any other person duly authorized by the Superintendent General shall have authority to enter in and upon any premises operated as a pool-room, moving picture theatre, dance hall or other place of amusement at any time to ascertain whether such premises are in a sanitary condition, provided with ready means of exit and otherwise suitable for the purpose for which they are used.
(b) If such premises are found by the Agent or other authorized person to be unsanitary, unsafe or otherwise unsuitable he shall notify the owner to render them sanitary, safe or suitable forthwith and if this is not done to his satisfaction the Agent or other authorized person shall suspend the right to operate such pool-room, moving picture theatre, dance hall or other place of amusement and report the matter fully to the Superintendent General for instructions.
(c) If during the period of such suspension anyone should operate or attempt to operate such pool-room, moving picture theatre, dance hall or other place of amusement, he shall be guilty of an offence under these Regulations.

9. Every offence against these Regulations committed by the employee, servant, agent, or workman of an owner shall be deemed to be the offence of the owner, who shall be answerable for and shall be punished for such offence: Provided that nothing herein shall absolve the actual offender from guilt and punishment, but he too shall be punished.

10. Where a person is charged with an offence against these Regulations, and the question of a young person's age is material, the young person shall be deemed to be under the age limit fixed by these Regulations unless the contrary is proved.

11. Any one violating any of the provisions of this Regulation shall, on summary conviction before the Indian Agent or a Justice of the Peace, be liable to a fine or penalty not exceeding thirty dollars and costs and in default of payment shall be liable to imprisonment not exceeding thirty days.

Dated at Ottawa this 15th day of February, 1928.

DUNCAN C. SCOTT,
Deputy Superintendent General of Indian Affairs.

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INDIAN AFFAIRS
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SCHEDULE "A"

CONSENT TO OPERATE A POOL-ROOM, MOVING PICTURE THEATRE, DANCE HALL OR OTHER PLACE OF AMUSEMENT, ON AN INDIAN RESERVE.

THIS IS TO CERTIFY that.....

of.....has the necessary consent to operate a

.....on the premises described as:—

.....

.....

on the.....Indian Reserve in the Province of.....
during the pleasure of the Superintendent General of Indian Affairs.

DATED at Ottawa this.....day of.....192....

Deputy Superintendent General of Indian Affairs

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File/dossier 186
pt [illegible]
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MEMO.	No.	ACTION.	ACTION.—*Continued.*
	OFFICE OF THE INDIAN SUPERINTENDENT FOR BRITISH COLUMBIA, 189	File 186 - General.	Re operation of portable moving picture theatres, Somers Wallo, etc, on Indian Reserves

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REPEAT
REPETITION

MEMO.

No......

OFFICE OF THE INDIAN SUPERINTENDENT FOR BRITISH COLUMBIA,

189.....

File 186 - General.

ACTION.

Re operation of sawmills,
moving pictures &c on Reserves

Some Indians, etc, on Indian

ACTION.—*Continued.*

186/13242.

December 26, 1928.

Dear Sir:-

Replying to your letter of the 17th instant I am enclosing herewith five copies of the Regulations governing the operation of Pool-Rooms, Picture Theatres, Dance Halls and other places of amusement on Indian Reserves. Your particular attention is directed to Section 2, which states that such places must have the written consent of the Superintendent General of Indian Affairs, such consent being given only after written application for the same has been made.

Please see that one copy of these Regulations is displayed at all times in a prominent place in each such place of amusement in your Agency. You should make yourself thoroughly acquainted with all the different sections in order that you may be able to explain them to any of the Indians who are unable to read.

KD.

Yours truly,

Enclosures:-

W. E. Ditchburn.
Indian Commissioner for B. C.

J. Gillett, Esq.,
Indian Agent,
Massett, Q.C.I.,
B. C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Massett, B.C.
Dec. 17th, 1928

Dear Sir,-

Replying to your letter No. I86/I3I23 of Dec.7th, I beg to say that the places mentioned as Pool Rooms and Dance Halls in my former letter, are on Indian Reserves, namely, Massett Reserve Two Pool Rooms and a Hall used for pictures and dances occassionally. At Skidegate there ~~are~~ is a Pool Room, and a Hall used for dances and pictures. The pictures are usually shown by a white man from Massett, and Queen Charlotte City, the man from Massett going to Massett Reserve, and from Queen Charlotte City to Skidegate Reserve. They have portable outfits.

Your obedient servant,

J. Gillett

Indian Agent.

W.E. Ditchburn Esq.,
Indian Commissioner,
Victoria, B.C.

COMMISSIONER'S OFFICE
DEC 26 1928
VICTORIA, B. C.

13242

1/5

V

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pt 1&2

INDIAN AFFAIRS
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186/13123.

December 7, 1928.

Dear Sir:-

I beg to acknowledge receipt of your letter of the 1st instant giving information as to the operation of pool rooms, moving picture theatres and other places of amusement in your Agency. I note, however, you omitted to state how many of these places were operated on Indian reserve land. As the regulations made by this Department only affect such places situate on Indian reserves, I wish you would inform me as soon as possible as to whether there are any such places of amusement operating on Indian reserves in your Agency.

AVH/KD.

Yours truly,

W. E. Ditchburn.
Indian Commissioner for B. C.

J. Gillett, Esq.,
Indian Agent,
Massett, B. C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Massett, B.C.
Dec. Ist, 1928

Dear Sir,-

Replying to your letter No. I9/I2990, I beg to say that there are two pools rooms at Massett and one at Skidegate. There is a Picture show given occassionally by white men, one from Massett and another from Queen Charlotte City, The Indians hold dances in the Town Hall, at both Massett and Skidegate, in the former place about twice a year, and in the latter oftener.

Your obedient servant,

J. Gillett

Indian Agent.

W. E. Ditchburn Esq.,
Indian Commissioner,
Victoria, B.C.

COMMISSIONER'S OFFICE
DEC 7 1928
VICTORIA, B.C.

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MEMO.

No......

OFFICE OF THE INDIAN SUPERINTENDENT FOR BRITISH COLUMBIA,

189.....

ACTION.

ACTION.—*Continued.*

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File 186-

Operation pool rooms, etc.

Queen Charlotte Agency.

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AFFAIRES INDIENNES

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Kamloops, B.C.,
November 24th, 1928.

1-1-4-3590.

Dear Sir:-

I beg to acknowledge receipt of circular letter 19/12990, of the 22nd inst., with reference to regulations govering the operation of pool rooms, moving picture theatres and dance halls on Indian Reserves.

In reply I beg to state that there are none of the above mentioned places on any of the Reserves in this Agency, so that I will not require any copies of the regulations governing same.

I have the honour to be, Sir,

Your obedient servant,

Ewen MacLeod

(Ewen MacLeod)
Indian Agent.

EM/S.

W.E. Ditchburn, Esq.,
Indian Commissioner for B.C.
VICTORIA , B.C.

COMMISSIONER'S OFFICE
NOV 26 1928
VICTORIA, B. C.

MEMO.

No. _____

OFFICE OF THE INDIAN SUPERINTENDENT FOR BRITISH COLUMBIA,

189____

Land Crops Agency

Pool Permo, etc.

File 186

ACTION.

ACTION.—*Continued.*

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

G-204

OFFICE OF
INDIAN AGENT

Merritt, B. C.

November 24th 1928.

COMMISSIONER'S OFFICE
NOV 26 1928
VICTORIA, B. C.

Dear Sir:-

I beg to acknowledge receipt of your 19/12990, of the 22nd instant, in reference to regulations governing the operations of pool-rooms, mov - ing picturetheatres and dance halls on Indian reserves, .

In reply, I beg to advise that there are none of the above mentioned places of amusement on any Indian reserve in the Nicola Agency.

Yours truly,

Alfred. N. Barber

(Alfred. N. Barber)
Indian Agent.

W. E. Ditchburn, Esq.,
Indian Commissioner for B. C.,
VICTORIA, B. C.

AHN

2211-1-03

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MEMO.

No. _____

OFFICE OF THE INDIAN SUPERINTENDENT FOR BRITISH COLUMBIA,

189____

Nicola Agency

Post Papers, &c.

ACTION.

File 186

ACTION.—*Continued.*

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RCAP 1-1-D-0-0-0

MEMO.	No.	ACTION.	ACTION.—*Continued.*
	OFFICE OF THE INDIAN SUPERINTENDENT FOR BRITISH COLUMBIA, 189	File 186 Pool Rooms, etc. West Coast	Agency.

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186/13239.

December 26, 1928.

Dear Father McCaffrey:-

I beg to acknowledge receipt of your letter of the 20th instant intimating it had come to your knowledge that there was a movement on foot to establish a common dance hall on the Sechelt Indian reserve No. 2, and that you wish to raise your objection to the same.

In reply I beg to say that probably the information reaching you is due to the fact that Regulations Governing the Operation of Pool-Rooms, Moving Picture Theatres, Dance Halls and other Places of Amusement on Indian Reserves, have recently been instituted by this Department under the provisions of paragraph "g", Section 95, Chapter 98, Revised Statutes of Canada--the Indian Act. A copy of these Regulations is enclosed herewith for your information.

Some little time ago shortly after these Regulations were issued I wrote to all our Indian Agents to ascertain whether there were any such places on the reserves, and if so to give me the names of the operators. Mr. Perry, Indian Agent of the Vancouver Agency, in replying informed me that while there were no pool-rooms there was a community hall at Sechelt which on occasion was used for dancing and was under the direction of Reggie Paul, the Secretary of the Sechelt Indian Council. I, therefore, wrote to Paul, furnishing him with a copy of the Regulations and pointing out to him that it would be necessary for him to apply to the Superintendent General of Indian Affairs, through Mr. Indian Agent Perry, for a permit as provided for under Section 2, and I am inclined to the opinion that action along this line has been taken.

The Department has felt for some time that it would be a grievous mistake to entirely prohibit the Indians from various forms of amusement, except the potlatch, providing such amusements were properly controlled and it was for this reason that the Regulations were gotten up by the Superintendent General of Indian Affairs. If, on the other hand, all forms of amusement are prohibited, the Indians, past experience has taught us that these amusements will go on just the same in secret places and the results would be very harmful to the morals and no doubt to the pockets of the Indians.

I notice you classify No. 2 Reserve as a Church Reserve, but I beg to inform you that my Department does not

Rev. J. McCaffrey, O.M.I.,
Principal Sechelt Indian Residential School,
Sechelt, B. C.

place

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place any reserve in such a category, or in other words, all reserves are exactly on the same footing. We know that No. 2 is a reserve where for the time being the Indians only reside for certain seasons of the year, but there is nothing to prevent them from doing so continuously if they wish. If they do not reside there continuously there is little likelihood of their building a new dance hall, amusement hall or even operating a pool-room as it would not thus be profitable.

In conclusion may I suggest that at this Christmas season, if a dance hall, amusement hall or a pool-room is operated on any of the reserves in your district it might be well for you to visit these in person on occasion to see if they are being conducted in accordance with the Regulations pertaining thereto?

WED/KD.

Enclosure:-

Yours respectfully,

W. E. Ditchburn.
Indian Commissioner for B. C.

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0211-1-8-D

Sechelt Residential School

COMMISSIONER'S OFFICE
DEC 24 1928
VICTORIA, B. C.

Sechelt, B.C. December 20 th, 1928

W.E.DITCHBURN
Indian Commissioner
VICTORIA , B.C.

Dear Sir:

It has come to my knowledge that there is a movement on foot to establish on the Sechelt Reserve a common dance hall and a possible pool room and that permission for same has been requested from your office. This information did not come from an official source nor from the natives here, in fact my enquiries lead me to believe that the matter is being carried on surreptitiously as far as I am concerned.

I need not tell you of my relation to the people of the Sechelt Reserve and how all their disputes and quarrels are eventually referred to me. In view of the position I hold, I am vitally interested in all that concerns their welfare, both spiritual and temporal.

In consequence, I would like to protest against the establishing on this Reserve of any common dance hall or pool room, the which I consider a menace to the morals of my parishoners as well as a detriment to the ordiliness and peace of this community.

For one thing, the Sechelt Indians do not, as a rule, make their permanent home at this Reserve. This is a Church Reserve where they ~~gath~~ gather periodically for religious services and, apart from a few old, sick and infirm among them, they almost invariably disperse to their various home reserves at the conclusion of the services. Hence there is no need of such things as I complain of at this Reserve.

Now, ~~I only~~

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Sechelt Residential School

Sechelt, B. C.

Now, the only place at present available for such purposes is the assembly hall. This hall is used not only for their tribal meetings but also for religious purposes, so much so that it is known as the "CATECHISM HOUSE". Naturally it would be out of the question to make such use of this building for their purposes and especially since it stands in close proximity to the church itself.

Again, this building, standing in the centre of the village and within a stone's throw of the Residential School, would, under the proposed circumstances, constitute a common nuisance and seriously interfere with the peace, the discipline and the general work of the School.

For these reasons I judge that the granting of a request for the establishing of a common dance hall and a pool room on the Sechelt Reserve would not be in the best interests of the Sechelt Reserve and its people and its institutions and I pray you, Mr Commissioner, to use your authority to refuse such a permit when and by whomsoever requested.

Very respectfully,

Rev. J. McCaffrey o.m.i.

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Squamish Indian Res.No.I.
North Vancouver B.C.Dec.4.1928.

Mr.W.E.Ditchburn;
Indian Commissioner,
Victoria B.C.

Dear Mr.Commissioner;

I am in reply to your communication of the 29th.Ultimo, with enclosure of regulations Re dance halls Etc.

I am glad to see that such places are governed by such regulations as provided in the statute. As you know our hall is the property of the Squamish Indians but in the absence of a regularly appointed supervisor, I shall make application as required, and will endeavor to have my people live up to the regulations which will be posted in the hall.

Thanking you, I am

Respectfully Yours

Secretary Squamish Indian Council.

COMMISSIONER'S OFFICE
DEC 5 1928
VICTORIA, B. C.

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186/13046. November 29, 1928.

Re Pool-rooms, etc. on Indian Reserves.

Dear Sir:-

I beg to acknowledge receipt of your letter of the 28th instant informing me that a pool room is operated on Homalco Reserve No.1, at Church House, by Moses Wilson, and that dance halls are operated on Sechelt Indian Reserve No.2 and at Mission Reserve No.1, at North Vancouver, under the offices of the Sechelt and Squamish Councils by Reginald Paul and Andrew Paull, respectively.

Attached hereto please find copies of letters I have addressed to Moses Wilson, of Church House; Reginald Paul, of Sechelt; and Andrew Paull, of Mission Reserve, North Vancouver, directing that they immediately apply to the Superintendent General, through yourself, for permits to operate the pool-room and dance halls referred to, as you will observe that under Section 2 of the Regulations governing such places herewith enclosed, permits must be obtained which, of course, necessitates applications being made.

Your obedient servant,

Enclosures:-

W.E.Ditchburn.
Indian Commissioner for B.C.

WED/HM.

C.C.Perry, Esq.,
Indian Agent,
415 Winch Bldg.,
Vancouver, B.C.

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INDIAN AFFAIRS
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186/13044.

November 29, 1928.

Dear Sir:-

I am herewith furnishing you with a copy of the

"Regulations Governing the Operation of Pool-rooms, Moving Picture Theatres, Dance Halls and other Places of Amusement on Indian Reserves, under the provisions of paragraph "g", Section 95, Chapter 98, Revised Statutes of Canada - Indian Act."

It is understood that you have the direction of a dance hall on Sechelt Indian Reserve No.2, and therefore, it will be necessary for you to make application to the Superintendent General of Indian Affairs, through your Indian Agent, Mr.C.C.Perry, of Vancouver, for a permit to operate such dance hall, as under Section 2 of the Regulations you will observe that no dance hall shall be operated on an Indian reserve without the written consent of the Superintendent General of Indian Affairs.

As it is the intention of the Department strictly to enforce these Regulations, I beg to request that youwill give this matter your immediate attention.

Enclosure:-

In the meantime I have to request that you will make yourself conversant with the Regulations and tack the same up in a conspicuous place in the dance hall in order that other Indians may know their contents.

WED/CV.

Your obedient servant,

Reginald Paul,
Council Secretary,
Sechelt I.R.No.2,
Sechelt, B.C.

W.E.Ditchburn.
Indian Commissioner for B.C.

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pt [illegible]

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186/13041.

November 29, 1928.

Dear Sir:-

I am herewith furnishing you with a copy of the

"Regulations Governing the Operation of Pool-rooms, Moving Picture Theatres, Dance Halls and other Places of Amusement on Indian Reserves, under the provisions of paragraph "g", Section 95, Chapter 98, Revised Statutes of Canada - Indian Act."

It is understood that you have the direction of a hall which is used for dancing on Mission Indian Reserve No. 1, North Vancouver, and therefore, it will be necessary for you to make application to the Superintendent General of Indian Affairs, through your Indian Agent, Mr.C.C.Perry, of Vancouver, for a permit to operate such dance hall, as under Section 2 of the Regulations you will observe that no dance hall shall be operated on an Indian reserve without the written consent of the Superintendent General of Indian Affairs.

Enclosure:-

As it is the intention of the Department strictly to enforce these Regulations, I beg to request that you will give this matter your immediate attention.

In the meantime I have to request that you will make yourself conversant with the Regulations and tack the same up in a conspicuous place in the hall which is used for dancing in order that other Indians may know their contents.

WED/HM.

Your obedient servant,

Andrew Paull,
Council Secretary,
Mission Reserve No.1,
North Vancouver, B.C.

W.E.Ditchburn.
Indian Commissioner for B.C.

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pt 1B1

INDIAN AFFAIRS
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186/13040.

November 29, 1928.

Dear Sir:-

I am herewith furnishing you with a copy of the

"Regulations Governing the Operation of Pool-rooms, Moving Picture Theatres, Dance Halls and other Places of Amusement on Indian Reserves, under the provisions of paragraph "g", Section 95, Chapter 98, Revised Statutes of Canada - Indian Act."

It is understood that you are operating a pool-room on Homalco Indian Reserve No.1, at Church House, and, therefore, it will be necessary for you to make application to the Superintendent General of Indian Affairs, through your Indian Agent, Mr.C.C.Perry, of Vancouver, for a permit to operate such pool-room, as under Section 2 of the Regulations you will observe that no pool-room shall be operated on an Indian reserve without the written consent of the Superintendent General of Indian Affairs.

As it is the intention of the Department strictly to enforce these Regulations, I beg to request that you will give this matter your immediate attention.

Enclosure:-

In the meantime I have to request that you will make yourself conversant with the Regulations and tack the same up in a conspicuous place in the pool-room in order that other Indians may know the contents.

WED/HM.

Your obedient servant,

Moses Wilson (Indian),
Homalco Indian Reserve No.1,
Church House, B.C.

W.E.Ditchburn.
Indian Commissioner for B.C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

415 Winch Building,
Vancouver Agency, Vancouver, B.C.,

19/12990.

November 28, 1928.

Dear Mr. Ditchburn:

I have the honor to acknowledge receipt of your letter dated November 22nd. regarding the printed regulations governing the operation of pool rooms,etc. on Indian Reserves.

In reply I beg to advise you that there is a pool room at Church House conducted by Moses Wilson; a village dance hall at Sechelt under the direction of Reginald Paul, Council Secretary; and at North Vancouver Mission Reserve No.1. is a hall which is used for dancing under the direction of Andrew Paull, Council Secretary.

I would request that a copy of the regulations be sent to each of the Indians named, and I would like to have an additional copy for the purpose of my file here, if convenient.

Yours sincerely,

Chas. C. Perry

(C. C. Perry)
Indian Agent.

W. E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
Victoria, B.C.

COMMISSIONER'S OFFICE
NOV 29 1928
VICTORIA, B. C.

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	OFFICE OF THE INDIAN SUPERINTENDENT FOR BRITISH COLUMBIA, 189.....		

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File 186 -

Operation pool rooms, etc.

Vancouver Agency.

INDIAN AFFAIRS
AFFAIRES INDIENNES

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186/13069.

December 3, 1928.

Your File:- 1-6

Dear Sir;-

With reference to yone letter of the 1st instant I am enclosing herewith four copies of the Regulations governing the operations of Pool Rooms, Dance Halls and other places of Amusement on Indian Reserves. I regret that owing to my limited supply these are all that I can spare for your Agency.

You should make yourself thoroughly acquainted with all the clauses in order to properly instruct these Indians who cannot read. Please see that one of these notices is at all times prominently displayed in all such places of amusement in your Agency.

AVH.

Yours truly,

Enclosure;-

W.E.Ditchburn.
Indian Commissioner for B.C.

A.O'N.Deunt, Esq.,
Indian Agent,
New Westminster, B.C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

File No. 1-6.

Your Ref.No.19/12990.

New Westminster,B.C.
December 1st,1928.

Dear Sir:-

In reply to your letter of the 22nd ultimo, I beg to inform you that there are no pool rooms, moving picture theatres and dance halls on Indian Reserves in this Agency.

In connection with the latter,however, Indians hold dances from time to time in their Community Halls, and if you desire notices posted in these buildings, I should be glad to have six or eight copies of the notices.

Yours truly,

A.O'N. Daunt.
Indian Agent.

W.E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
VICTORIA,B.C.

COMMISSIONER'S OFFICE
DEC 3 1928
VICTORIA, B. C.

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File/dossier 186
pt [illegible]
INDIAN AFFAIRS
AFFAIRES INDIENNES

National Archives of Canada
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MEMO.

No. _____

OFFICE OF THE INDIAN SUPERINTENDENT FOR BRITISH COLUMBIA,

189____

Post Alberni, etc.

Lytton Shuswaptem Okanagan

File 186

ACTION.

ACTION.—*Continued.*

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

File I-4

Vernon, B.C.
December 3rd, 1928.

Sir, Re Your File 19/12990

I beg to acknowledge the receipt of your letter of the 22nd ult. regarding regulations covering the operation of pool rooms etc. on Indian Reserves, and in reply I beg to advise that there are no such places on any Reserve in this Agency.

Your obedient servant,

Fred J.C. Ball

(F.J.C.Ball)
Indian Agent.

W.E.Ditchburn, Esq.,
Indian Commissioner for B.C.
P.O.Box 666,
Victoria, B.C.

FJCB:C.

COMMISSIONER'S OFFICE
DEC 6 1928
VICTORIA, B. C.

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MEMO.

No. .....

OFFICE OF THE INDIAN SUPERINTENDENT FOR BRITISH COLUMBIA,

189.....

Okanagan Agency.

Public Sports, etc.

ACTION.

File 186

ACTION.—*Continued.*

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Cranbrook, B. C., Nov. 30th, 1928.

Refer No. 19/12990

Dear Sir:

In reply to your letter of the 22nd inst. regarding places of amusement on the Indian reserves here, I beg to state that there are no moving picture houses, pool-rooms, or any other such places on any of the reserves in this Agency.

Your obedient servant,

E. H. Small,
Indian Agent.

W. E. Ditchburn,
Indian Commissioner for B. C.,
VICTORIA, B. C.

COMMISSIONER'S OFFICE
DEC 3 1928
VICTORIA, B. C.

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MEMO.

No. _____

ACTION.

ACTION.—*Continued.*

OFFICE OF THE INDIAN SUPERINTENDENT FOR BRITISH COLUMBIA,

189____

Kootenay Agency.

Pool Rooms, etc.

File 186

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT
Prince Rupert, B.C.
Nov. 28th 1928

19/12990 Nov. 22nd.
25-223.

Sir:-

I beg to acknowledge receipt of your circular letter of November 22nd. and should be glad to receive one dozen copies of the printed regulations governing the operation of pool rooms and dance halls on Indian reserves.

We have pool rooms and moving picture shows operated by Indians on the Kincolith and Port Simpson reserves, also at Kitkatla.

Your obedient servant,

W. Ellison

WEC/JJ

Indian Agent.

W.E. Ditchburn, Esq.,
Indian Commissioner for B.C.
Victoria, B.C.

COMMISSIONER'S OFFICE
DEC 3 1928
VICTORIA, B. C.

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pt [illegible]

INDIAN AFFAIRS
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136/8/15063.

December 3.1928.

Your File;- 8-F-145.

Dear Sir;-

I beg to enclose herewith copy of a letter from Stewart Bros.,Kincolith, with copy of my reply to the same. I note in your letter of October 29th last you state that the Kincolith Indians would all be home about the end of Novepber and I think it would be advisable to meet them at once in order that a settlement may be arrived at and at the meeting the matter of the attached account might be dealt with.

It is assumed that Stewart Bros. are Indians and have a store and Pool Room in operation on the Reserve for both of which places they have obtained a licence. This is not necessary for Pool Rooms or Stores operated on Indian Reserves. I am enclosing two copies of requlations issued by the Department governing the operation of such places. From Section 2 you will observe that it is necessary to have the written consent of the Superintendent General, such consent necessitates application being made by the operator. I wish you would take one copy of these regulationa to Kincolith and have it posted in a conspicuous place in the Pool Room fully explaining to the Indians all the conditions set forth therein.

Yours truly,

WED/AH.

W.E.Ditchburn,
Indian Commissioner for B.C.

Enclosure;-

W.E.Collison, Esq.,
Indian Agent,
Prince Rupert,
B.C.

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pt [illegible]

INDIAN AFFAIRS
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186/13068. December 3, 1928.

Dear Sir;-

With reference to your letter of 28th ultimo, I am enclosing herewith eight copies of the Regulations governing the operation of Pool-Rooms, Picture Shows and other places of amusement on Indian Reserves. As my supply of these is limited this is all that I can spare for your Agency.

In this regard I would refer you to my letter of today in respect to the account from Stewart Bros. of Kincolith in which I enclosed two copies of these regulations.

Please see that these notices are kept posted in prominent places in all Pool Rooms, Picture Theatres, etc. operating on Indian Reserves in your Agency. You should make yourself thoroughly acquainted with all the Sections of these Regulations in order to be able to instruct all Indians concerned.

AVH. Yours truly,

Enclosure;-

W.E.Ditchburn.
Indian Commissioner for B.C.

W.E.Collison, Esq.,
Indian Agent,
Prince Rupert,
B.C.

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Archives nationales du Canada

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Excerpt from letter sent to Mr. Indian

Agent Collison on December 3, 1928,

file 136/8/13063.

"It is assumed that Stewart Bros. are Indians
"and have a store and pool room in operation on the Reserve
"for both of which places they have obtained a licence.
"This is not necessary for pool rooms or stores operated
"on Indian Reserves. I am enclosing two copies of regula-
"tions issued by the Department governing the operation of
"such places. From Section 2 you will observe that it is
"necessary to have the written consent of the Superintendent
"General, such consent necessitates application being made
"by the operator. I wish you would take one copy of these
"regulations to Kincolith and have it posted in a con-
"spicuous place in the pool room fully explaining to the
"Indians all the conditions set forth therein."

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	OFFICE OF THE INDIAN SUPERINTENDENT FOR BRITISH COLUMBIA, 189		
	Hazelton Agency. Pool Rooms, etc.	File 186	

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pt [B]

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FILE 96.

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

ALERT BAY.B.C., Nov.26,1928.

Dear Mr. Ditchburn:

I acknowledge receipt of your letter of Nov.22nd, enclosing three copies of the regulations governing the operation of poolrooms and dance halls on Indian Reserves.

I had received one copy from Ottawa and had made typewritten copies for the use of the poolrooms and explained to the poolroom operators all the details regarding same. I am very glad to get the printed copies.

Your obedient servant,

W.M.Halliday,
Indian Agent.

Mr.W.E.Ditchburn,
Indian Commissioner for B.C.,
Victoria,B.C.

COMMISSIONER'S OFFICE
NOV 30 1928
VICTORIA, B. C.

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MEMO.

No. _____

ACTION.

ACTION.—*Continued.*

OFFICE OF THE INDIAN SUPERINTENDENT FOR BRITISH COLUMBIA,

189

Indian Agent Work

Pool Adams, etc.

File 186

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INDIAN AFFAIRS

AFFAIRES INDIENNES

OFFICE OF THE INDIAN COMMISSIONER FOR B.C., VICTORIA

BUREAU DU COMMISSAIRE AUX AFFAIRES INDIENNES B.C., VICTORIA

FILE/DOSSIER	TITLE/TITRE	DATES
	RG 10, C-II-2, VOLUME 11298	
	Inspector of Indian Agencies - Indian Commissioner for British Columbia - Farming - Correspondence re Sheep Protection Act and control of Indian dogs	1917-1947
	Indian Commissioner for British Columbia - Fishing - Correspondence re various agencies	1933-1934
	Indian Commissioner for British Columbia - Fishing - Correspondence re various agencies	1914-1935
	Indian Commissioner for British Columbia - Fishing - Correspondence re various agencies	1919-1930
	Indian Commissioner for British Columbia - Fishing - Correspondence re ban on eating clams and mussels	1942-1943

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OFFICE OF THE
DEPUTY MINISTER

DEPARTMENT OF AGRICULTURE

PROVINCE OF
BRITISH COLUMBIA

VICTORIA

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ag sept
sup To

NOTICE

SHEEP PROTECTION ACT

Notice is hereby given that by Order in Council No. 1963, approved the 30th day of September, 1947, His Honour, the Lieutenant-Governor in Council has been pleased to exempt the following defined area of the unorganized territory of the Province of British Columbia from the operation of the "Sheep Protection Act", Chapter 259, R.S.B.C. 1936:-

All that part of the Province of British Columbia lying north of the following described line:- Commencing at the most easterly end of the most southerly boundary of the International Boundary between Canada and Alaska; thence easterly across Portland Inlet to the middle line of Steamer Passage; thence easterly along said middle line and continuing easterly to and along the northerly boundary of the watershed of the streams flowing into Khutzeymateen Inlet and that of Khutzeymateen River to the easterly boundary of the watershed of the Nass River; thence in a general northerly direction along said easterly boundary to the 56th parallel of north latitude; thence easterly along said parallel to the northerly bank of the PeaceRiver; thence easterly along said northerly bank to the 120th meridan of west longitude, being the easterly boundary of the Province of British Columbia.

J.B. MUNRO
Deputy Minister

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DOGS

By-laws for the taxation, control and destruction of Dogs and for the protection of Sheep, pursuant to Section 95 subsec F, of Chapter 98 R.S.C. 1927 (The Indian Act).

(1) No Indian shall own more than one dog without a permit in writing from the Indian Agent for each dog so owned in excess of one, which permit shall be for one year only and issue and renewal thereof shall be at the discretion of said Agent. The fee for such permit shall be one dollar for each male dog and three dollars for each bitch in addition to all registration fees:

(2) Every dog (male or female) that is owned by an Indian shall be registered in the manner following: Subject to the preceding paragraph numbered one, The Chief of the band or some person designated by the Indian Agent shall register each such dog by name, age and description and name of owner and shall collect from the respective owner the sum of one dollar ($1.00) for each male dog owned by him and two dollars ($2.00) for each bitch. All registration and transfer fees shall be accounted for to the Department and all registrations and transfers shall be reported at such intervals as the Agent may require:

(3) Each dog so registered shall wear at all times a collar bearing theron an official registration tag and number supplied by the Indian Agent. Such registration shall be for the lifetime of the dog registered. For registration of a change of ownership a fee of 10 cents shall be charged:

(4) ...

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(4) If there be any difficulty or delay in registration the owner of the dog may obtain the tag and registration through the Indian Agent or collector:

(5) Any dog owned by any Indian and found, whether on or off the reserve, not so registered or not bearing said official tag issued in respect of such dog or a duplicate thereof granted by the collector or Indian Agent, may be destroyed by the Indian Agent or any person authorized by him who, for such purpose may enter on the Reserve and the premises whereon the dog is thereon and shall report in writing to the Indian Agent as may be directed by him by such date as the Commission shall from time to time determine

(6) The Agent shall each year appoint and instruct a Collector to visit each band and inspect the dogs and registration thereof. Such collector shall be paid a per diem allowance at a rate fixed by the Department. Each such Collector shall have authority to enter all premises whereon any dog is harboured or is believed to be and to destroy any dogs not registered or not bearing said official tag:

(7) Any dog that has worried, wounded, killed, or pursued any sheep, hogs, cattle or other animals may be destroyed by order of the Indian Agent or of any Justice of the Peace.

(8) It shall be lawful for any person to kill any dog in the act of pursuing, worrying or killing any sheep, hogs, cattle or other animals elsewhere than on the Reserve.

(9) No dog not owned by an Indian shall be harboured by any Indian or on any Reserve and any dog not owned by an Indian found on a Reserve may be seized or destroyed by the ~~dog inspector~~ or other person authorized by the Indian Agent.

Laisa Woldenkin

(10) .....

D-I-95

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(10) In case the parties to an action for the recovery of damages for injury done to sheep, belong to a band which has a capital account and draws annuity the amount or any proportion of the judgment may be paid out of the interest account of the band, and deducted from the share or shares of the annuity and interest money of the party liable until the amount is fully repaid to interest account.

(11) Where the owner of any dog killing, injuring, terrifying or worrying sheep is not known, upon application and proof of loss to the satisfaction of the council of the band by the aggrieved party, the council may by resolution recommend to the Superintendent General that a sum not exceeding one-third of the mutton value of the sheep so killed be paid to such aggrieved party from the interest money of the band, provided that such claim is made in writing to the Chief of the band or Indian Agent within ten days after such loss is discovered and the evidence in support of the claim is produced at the first regular meeting of the council after the said notice is given unless the council extends the time for such proof.

(12) These regulations wherever applied by direction of the Superintendent General shall prevail over any rule or regulations respecting dogs, made by any band.

(13) These Bylaws ~~save by-law numbered one (1)~~ shall not affect any Reserves or Agencies or any part thereof that are from time to time exempted in writing by the Superintendent General.

The Superintendent General may in writing from time to time exempt any Reserve or agency or any part thereof from the whole or from any clause section or part in his discretion of the foregoing by-laws or from any provision or provisions thereof for such period as he shall see fit or until his further order. (14) These by-laws subject to the last preceding section numbered (13) shall come into effect on the 1st. day of January 1928.

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Corporation Camp
Game officials

Under Section 95
the Indian act Subsection F
the authority of the Supt general
family 07
~~To~~ 104 adys daggers 3 kept camps
+ pups

~~3~~ 70.

Dec 95 page 34

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Dec 95 (F) Ins act N. 11553
letter from Sanyas 23 June 47
All agencies above ch 5211
Re Bylaws for taxation control
& Destruction of dogs on 2 R's

application to Dept to apply these
regulations - Form issued by
the Dept (Nov 25th 42)
must application be made to
Ottawa?

collection of licencies who's
responsible?

better breed

Dyment to carry out in the
Skeena

Estimate # of dogs

Dept notices for posting on
reserves keeping dogs under control.

Wearing of tag.

Metallic tag

25 ¢

only 10 dogs on reserve
Hope we no longer to pay over
Indian office rebate

REPEAT
REPETITION

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Bylaws for the Taxation, Control and Destruction of Dogs and for the Protection of Sheep under the provisions of Paragraph " F " of section 92, chap. 81, R.S.C., as enacted by 8-9 George V, chapter 26, section 5.

TAX ON DOGS.

1. There shall be levied annually in every reserve, upon the owner of each dog therein, an annual tax of one dollar for a dog, if only one, and three dollars for each additional dog owned by him, and two dollars for a bitch if only one, and five dollars for each additional bitch.

2. The council of the band may appoint the constable of the band or some responsible member to make up a list of the owners of dogs and to enter opposite the names the number of dogs and bitches by him owned and to collect the annual tax. If such appointment is not made by the first day of March in each year, the Indian Agent shall make such appointment from the membership of the band.

3. The owner of any dog shall be required by the collector to deliver to him in writing a statement of the number of dogs owned by him and for any neglect or refusal to do so, and for every false statement made in respect thereof, he shall incur a penalty of five dollars.

4. The collection of the tax shall be made by the first of May in each year for that particular year.

5. Where the collector has been refused the tax imposed by this regulation, the collector shall impound such dog and shall report the same under oath to a Justice of the Peace or Indian Agent who shall by an Order under his hand and seal to be served by any constable require such dog to be destroyed by the owner thereof, or by a constable.

(2) For the purpose of carrying out such order the constable may enter on the premises of such owner and destroy such dog.

6. The collector, by the first day of June in each year, shall make a return of his collection to the Indian Agent which return shall give a list of all the owners of dogs, the number of dogs and bitches owned by each, the amount of the tax collected from each owner, and the names of the owners, if any, whose dogs have been destroyed for non-payment of taxes.

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7. The collector shall receive for his services twenty-five per cent of the tax collected and the balance of the amount shall be paid to the Indian Agent, with the return under the above section, to be forwarded to the Department and applied to the credit of the funds of the band.

8. A collector who fails to make his return and to pay to the Indian Agent the balance of his collections by the appointed date or knowingly makes any false statement in such return shall be liable on summary conviction to a fine not exceeding fifteen dollars and costs, or in default of payment to imprisonment for not more than twenty days.

PROTECTION OF SHEEP AND OTHER ANIMALS.

9. No dog shall be allowed to be at large unless accompanied by, or being within reasonable call of the owner or some person having charge or care thereof.

The owner of any dog allowed to be at large in contravention of this section shall be liable, upon summary conviction, to a penalty not exceeding five dollars and costs or in default of payment to imprisonment for not more than seven days.

10. The owner of any dog that runs at large and pursues, worries, wounds or kills any sheep, hogs, cattle or other animals, shall on summary conviction be liable to a fine of not more than fifteen dollars and costs or in default of payment to imprisonment for not more than twenty days.

11. Any dog or dogs proved under the preceding section to have pursued, worried, wounded or killed, any sheep, hogs, cattle or other animals may, if the Indian Agent or Justice of the Peace before whom proof is made, sees fit, be ordered by him to be killed and destroyed.

12. It shall be lawful for any one to kill any dog in the act of pursuing, worrying or destroying any sheep, hogs, cattle or other animals elsewhere than on the reserve.

13. Any one in possession of any dog or who allows any dog to remain about his house or premises shall be deemed the owner of such dog for the purposes of this bylaw.

14. No conviction shall be a bar to any action by the owner or possessor of any sheep for the recovery of damages for the injury done to such sheep.

ADJUSTMENT OF CLAIMS.

15. In case the parties to an action for the recovery of damages for injury done to sheep, belong to a band which has a capital account and draws annuity the amount or any propor-

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tion of the judgment may be paid out of the interest account of the band, and deducted from the share or shares of the annuity and interest money of the party liable until the amount is fully repaid to interest account.

16. Where the owner of any dog killing, injuring, terrifying or worrying sheep is not known, upon application and proof of loss to the satisfaction of the council of the band by the aggrieved party, the council may by resolution recommend to the Superintendent General that a sum not exceeding one-third of the mutton value of the sheep so killed be paid to such aggrieved party from the interest money of the band, provided that such claim is made in writing to the Chief of the band or Indian Agent within ten days after such loss is discovered and the evidence in support of the claim is produced at the first regular meeting of the council after the said notice is given unless the council extends the time for such proof.

17. These regulations wherever applied by direction of the Superintendent General shall prevail over any rule or regulations respecting dogs, made by any band.

DUNCAN C. SCOTT,
Deputy Superintendent General of Indian Affairs.

Dated at Ottawa,
the 27th day of June, 1918.

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on payment of the tax the owner will be supplied with a collar and tag for each animal for which the tax has been paid.

Bylaws for the Taxation, Control and Destruction of Dogs and for the Protection of Sheep under the provisions of Paragraph " F " of section 92, chap. 81, R.S.C., as enacted by 8-9 George V, chapter 26, section 5.

TAX ON DOGS.

1. There shall be levied ~~annually~~ in every reserve, upon the owner of each dog therein, ~~an annual~~ tax of one dollar for a dog, if only one, and three dollars for each additional dog owned by him, and two dollars for a bitch if only one, and five dollars for each additional bitch.

2. The council of the band may appoint the constable of the band or some responsible member to make up a list of the owners of dogs and to enter opposite the names the number of dogs and bitches by him owned and to collect the annual tax. If such appointment is not made by the first day of March in each year, the Indian Agent shall make such appointment from the membership of the band.

3. The owner of any dog shall be required by the collector to deliver to him in writing a statement of the number of dogs owned by him and for any neglect or refusal to do so, and for every false statement made in respect thereof, he shall incur a penalty of five dollars.

4. The collection of the tax shall be made by the first of May ~~in~~ each year for that particular year.

5. Where the collector has been refused the tax imposed by this regulation, the collector shall impound such dog and shall report the same under oath to a Justice of the Peace or Indian Agent who shall by an Order under his hand and seal to be served by any constable require such dog to be destroyed by the owner thereof, or by a constable.

(2) For the purpose of carrying out such order the constable may enter on the premises of such owner and destroy such dog.

6. The collector, by the first day of June in each year, shall make a return of his collection to the Indian Agent which return shall give a list of all the owners of dogs, the number of dogs and bitches owned by each, the amount of the tax collected from each owner, and the names of the owners, if any, whose dogs have been destroyed for non-payment of taxes.

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FORM NO. 1028

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INDIAN AFFAIRS
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a daily rate fixed by the dept.

7. The collector shall receive for his services twenty-five per cent of the tax collected and the balance of the amount shall be paid to the Indian Agent, with the return under the above section, to be forwarded to the Department and applied to the credit of the funds of the band.

8. A collector who fails to make his return and to pay to the Indian Agent the ~~balance of his~~ collections by the appointed date or knowingly makes any false statement in such return shall be liable on summary conviction to a fine not exceeding fifteen dollars and costs, or in default of payment to imprisonment for not more than twenty days.

PROTECTION OF SHEEP AND OTHER ANIMALS.

9. No dog shall be allowed to be at large unless accompanied by, or being within reasonable call of the owner or some person having charge or care thereof.

The owner of any dog allowed to be at large in contravention of this section shall be liable, upon summary conviction, to a penalty not exceeding five dollars and costs or in default of payment to imprisonment for not more than seven days.

10. The owner of any dog that runs at large and pursues, worries, wounds or kills any sheep, hogs, cattle or other animals, shall on summary conviction be liable to a fine of not more than fifteen dollars and costs or in default of payment to imprisonment for not more than twenty days.

11. Any dog or dogs proved under the preceding section to have pursued, worried, wounded or killed, any sheep, hogs, cattle or other animals may, if the Indian Agent or Justice of the Peace before whom proof is made, sees fit, be ordered by him to be killed and destroyed.

12. It shall be lawful for any one to kill any dog in the act of pursuing, worrying or destroying any sheep, hogs, cattle or other animals elsewhere than on the reserve.

13. Any one in possession of any dog or who allows any dog to remain about his house or premises shall be deemed the owner of such dog for the purposes of this bylaw.

14. No conviction shall be a bar to any action by the owner or possessor of any sheep for the recovery of damages for the injury done to such sheep.

ADJUSTMENT OF CLAIMS.

15. In case the parties to an action for the recovery of damages for injury done to sheep, belong to a band which has a capital account and draws annuity the amount or any propor-

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tion of the judgment may be paid out of the interest account of the band, and deducted from the share or shares of the annuity and interest money of the party liable until the amount is fully repaid to interest account.

16. Where the owner of any dog killing, injuring, terrifying or worrying sheep is not known, upon application and proof of loss to the satisfaction of the council of the band by the aggrieved party, the council may by resolution recommend to the Superintendent General that a sum not exceeding one-third of the mutton value of the sheep so killed be paid to such aggrieved party from the interest money of the band, provided that such claim is made in writing to the Chief of the band or Indian Agent within ten days after such loss is discovered and the evidence in support of the claim is produced at the first regular meeting of the council after the said notice is given unless the council extends the time for such proof.

17. These regulations wherever applied by direction of the Superintendent General shall prevail over any rule or regulations respecting dogs, made by any band.

DUNCAN C. SCOTT,
Deputy Superintendent General of Indian Affairs.

Dated at Ottawa,
the 27th day of June, 1918.

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Bylaws for the Taxation, Control and Destruction of Dogs and for the Protection of Sheep under the provisions of Paragraph " F " of section 92, chap. 81, R.S.C., as enacted by 8-9 George V, chapter 26, section 5.

TAX ON DOGS.

1. There shall be levied annually in every reserve, upon the owner of each dog therein, an annual tax of one dollar for a dog, if only one, and three dollars for each additional dog owned by him, and two dollars for a bitch if only one, and five dollars for each additional bitch.

2. The council of the band may appoint the constable of the band or some responsible member to make up a list of the owners of dogs and to enter opposite the names the number of dogs and bitches by him owned and to collect the annual tax. If such appointment is not made by the first day of March in each year, the Indian Agent shall make such appointment from the membership of the band.

3. The owner of any dog shall be required by the collector to deliver to him in writing a statement of the number of dogs owned by him and for any neglect or refusal to do so, and for every false statement made in respect thereof, he shall incur a penalty of five dollars.

4. The collection of the tax shall be made by the first of May in each year for that particular year.

5. Where the collector has been refused the tax imposed by this regulation, the collector shall impound such dog and shall report the same under oath to a Justice of the Peace or Indian Agent who shall by an Order under his hand and seal to be served by any constable require such dog to be destroyed by the owner thereof, or by a constable.

(2) For the purpose of carrying out such order the constable may enter on the premises of such owner and destroy such dog.

6. The collector, by the first day of June in each year, shall make a return of his collection to the Indian Agent which return shall give a list of all the owners of dogs, the number of dogs and bitches owned by each, the amount of the tax collected from each owner, and the names of the owners, if any, whose dogs have been destroyed for non-payment of taxes.

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7. The collector shall receive for his services twenty-five per cent of the tax collected and the balance of the amount shall be paid to the Indian Agent, with the return under the above section, to be forwarded to the Department and applied to the credit of the funds of the band.

8. A collector who fails to make his return and to pay to the Indian Agent the balance of his collections by the appointed date or knowingly makes any false statement in such return shall be liable on summary conviction to a fine not exceeding fifteen dollars and costs, or in default of payment to imprisonment for not more than twenty days.

PROTECTION OF SHEEP AND OTHER ANIMALS.

9. No dog shall be allowed to be at large unless accompanied by, or being within reasonable call of the owner or some person having charge or care thereof.

The owner of any dog allowed to be at large in contravention of this section shall be liable, upon summary conviction, to a penalty not exceeding five dollars and costs or in default of payment to imprisonment for not more than seven days.

10. The owner of any dog that runs at large and pursues, worries, wounds or kills any sheep, hogs, cattle or other animals, shall on summary conviction be liable to a fine of not more than fifteen dollars and costs or in default of payment to imprisonment for not more than twenty days.

11. Any dog or dogs proved under the preceding section to have pursued, worried, wounded or killed, any sheep, hogs, cattle or other animals may, if the Indian Agent or Justice of the Peace before whom proof is made, sees fit, be ordered by him to be killed and destroyed.

12. It shall be lawful for any one to kill any dog in the act of pursuing, worrying or destroying any sheep, hogs, cattle or other animals elsewhere than on the reserve.

13. Any one in possession of any dog or who allows any dog to remain about his house or premises shall be deemed the owner of such dog for the purposes of this bylaw.

14. No conviction shall be a bar to any action by the owner or possessor of any sheep for the recovery of damages for the injury done to such sheep.

ADJUSTMENT OF CLAIMS.

15. In case the parties to an action for the recovery of damages for injury done to sheep, belong to a band which has a capital account and draws annuity the amount or any propor-

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tion of the judgment may be paid out of the interest account of the band, and deducted from the share or shares of the annuity and interest money of the party liable until the amount is fully repaid to interest account.

16. Where the owner of any dog killing, injuring, terrifying or worrying sheep is not known, upon application and proof of loss to the satisfaction of the council of the band by the aggrieved party, the council may by resolution recommend to the Superintendent General that a sum not exceeding one-third of the mutton value of the sheep so killed be paid to such aggrieved party from the interest money of the band, provided that such claim is made in writing to the Chief of the band or Indian Agent within ten days after such loss is discovered and the evidence in support of the claim is produced at the first regular meeting of the council after the said notice is given unless the council extends the time for such proof.

17. These regulations wherever applied by direction of the Superintendent General shall prevail over any rule or regulations respecting dogs, made by any band.

DUNCAN C. SCOTT,
Deputy Superintendent General of Indian Affairs.

Dated at Ottawa,
the 27th day of June, 1918.

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DEPARTMENT OF AGRICULTURE

PROVINCE OF BRITISH COLUMBIA

VICTORIA

NOTICE

SHEEP PROTECTION ACT

Notice is hereby given that by Order in Council No. 1963, approved the 30th day of September, 1947, His Honour, the Lieutenant-Governor in Council has been pleased to exempt the following defined area of the unorganized territory of the Province of British Columbia from the operation of the "Sheep Protection Act", Chapter 259, R.S.B.C. 1936:-

All that part of the Province of British Columbia lying north of the following described line:- Commencing at the most easterly end of the most southerly boundary of the International Boundary between Canada and Alaska; thence easterly across Portland Inlet to the middle line of Steamer Passage; thence easterly along said middle line and continuing easterly to and along the northerly boundary of the watershed of the streams flowing into Khutzeymateen Inlet and that of Khutzeymateen River to the easterly boundary of the watershed of the Nass River; thence in a general northerly direction along said easterly boundary to the 56th parallel of north latitude; thence easterly along said parallel to the northerly bank of the PeaceRiver; thence easterly along said northerly bank to the 120th meridan of west longitude, being the easterly boundary of the Province of British Columbia.

J.B. MUNRO
Deputy Minister

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J.B. MUNRO
Deputy Minister

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J.B. MUNRO
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Oct. 21, 1947.

F.E. Anfield, Esq., Indian Agent, Prince Rupert, B.C.

Re - Sheep Protection Act -

Following discussion between Dr. H.L. Keenleyside, Deputy Minister of Mines and Resources, Mr. T.W.S. Parsons, late Commissioner B.C. Police, Mr. J.B. Munro, Deputy Minister of Agriculture and the Indian Commissioner for B.C., the matter of exemption of the northern part of the Province from the operation of the Sheep Protection Act was brought before the Executive Council and Order-in-Council No. 1963 was passed as a result.

A copy of the Order-in-Council is enclosed herewith for your information.

for D. M. MacKay
Indian Commissioner for B.C.

Encl.

-ms.

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Oct. 21, 1947.

R.H. Sampson, Esq., Indian Agent, Telegraph Creek, B.C.

Re - Sheep Protection Act -

Following discussion between Dr. H.L. Keenleyside, Deputy Minister of Mines and Resources, Mr.T.W.S.Parsons, late Commissioner of B.C. Police, Mr. J.B. Munro, Deputy Minister of Agriculture, and the Indian Commissioner for B.C., the matter of exemption of the northern part of the Province from the operation of the Sheep Protection Act was brought before the Executive Council and Order-in-Council No. 1963 was passed as a result.

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Oct. 21, 1947.

R. Howe, Esq., Indian Agent, Vanderhoof, B.C.

Re - Sheep Protection Act -

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CE OF THE
DEPUTY MINISTER

DEPARTMENT OF AGRICULTURE
PROVINCE OF BRITISH COLUMBIA

VICTORIA
October 8th, 1947

Major D. M. McKay
Commissioner of Indian Affairs
Box 760
Vancouver, B. C.

Dear Major McKay:

As a result of discussions which were held between Dr. H. L. Keenlyside, Deputy Minister of Mines and Resources, Ottawa, T. W. S. Parsons, O.B.E., Commissioner of B. C. Police, and myself, with the very valuable suggestion which we had received from you, the matter of exemption of the northern part of the Province from the operation of the Sheep Protection Act was brought before the Executive Council and Order-in-Council No. 1963 was passed as a result.

I have sent copies of the enclosed notice to Dr. Keenlyside, Mr. J. V. Fisher, Deputy Minister of Finance, and to Mr. T. W. S. Parsons, O.B.E., Commissioner of B. C. Police. These copies may be useful to you for the purpose of advising Indian Agents within the area of the government's decision.

I trust that the Agents to the south of this boundary, who are not inside of the area, may not make this information too generally known so that the B. C. Police Constables will be enabled to collect licences in the balance of the Province.

Yours very truly,

J. B. Munro

JBM/ewf
Encl.

J. B. Munro
Deputy Minister

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PROVINCE OF BRITISH COLUMBIA

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J.B. MUNRO
Deputy Minister

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Oct. 3rd, 1947.

Dear Mr. Hoey:

In July last Mr. Sampson, Indian Agent, Telegraph Creek, drew our attention to complaints being received by him from Indians of his Agency against the payment of the Provincial Dog Licence fee imposed by the Province under the "Sheep Protection Act." On receipt of Mr. Sampson's letter representations were made to the Provincial authorities to exempt the northern areas from the tax inasmuch as very few sheep, if any, were being raised in the territory and dogs constituted the only beast of burden for both Indian and white alike and further that the tax would impose a hardship without in any way meeting the actual purposes of the act.

If the Province desired to impose a tax on sleigh and carrier dogs in these very remote areas there would be little we could do about it but to do so for the protection of sheep which do not exist within hundreds of miles could not in any sense be justified.

Dr. Keenleyside discussed the matter with the Provincial officials during his stay in Victoria with the result that the dog tax will not be collected with respect to Indian dogs in the Atlin Provincial Constituency or in the Provincial Constituency of Peace River north of the river (Peace) itself. A copy of my letter to Mr. J. B. Munro, Deputy Minister of Agriculture on the subject and a copy of his reply thereto confirming the arrangement made are enclosed for your information.

/EW

Yours faithfully,

D. M. MacKay,
Indian Commissioner for B.C.

R. A. Hoey, Esq.,
Director,
~~Indian~~ Affairs Branch,
Ottawa, Ont.

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~~13~~-19-1

Oct. 3rd, 1947.

R.H.S. Sampson, Esq., Indian Agent, Telegraph Creek, B.C.

I have to refer to your letter of June 23rd, 1947, your file O-19/11, regarding the collection of Dog Licence fees under the "Sheep Protection Act." On receipt of your letter representations were made to the Provincial authorities requesting that the northern areas be exempt from the tax. The matter was also discussed with the Deputy Minister, Dr. Keenleyside, during his visit to Vancouver, with the request that he take the matter up with the Provincial officials with a view to securing the exemption considered desirable. The Deputy made representations accordingly with the result that our wishes have very largely been met in the matter.

I am enclosing for your information a copy of an exchange of correspondence between this office and Mr. J. B. Munro, Deputy Minister of Agriculture, on the subject and will forward you a copy of the map to which Mr. Munro refers once the map has been received at this office and the necessary copies made.

/EW
Encls.

D. M. MacKay,
Indian Commissioner for B.C.

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OFFICE OF THE
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DEPARTMENT OF AGRICULTURE
PROVINCE OF BRITISH COLUMBIA

VICTORIA

September 22nd,
1 9 4 7

D. M. MacKay, Esq.,
Indian Commissioner for B.C.,
P. O. Box 70,
Vancouver, B.C.

Dear Mr. MacKay:

Re Provincial Dog Tax - file No. 13-19-1 - Sept. 16th

With reference to the matter of Provincial Dog Tax collection in northern British Columbia, I expect that within a very short time the necessary Order in Council will be passed. The boundaries of the area are being laid down by the Surveys Branch of the Lands Department and Commissioner T. W. S. Parsons has already notified his Provincial Police Officers in the various localities affected on August 29th, 1947, that it has been decided to forego the collection of dog taxes from white and indian residents in their vicinities.

I am very appreciative of the support that you as well as Dr. H. L. Keenleyside has given us in bringing about this decision to relieve indians and the whites of these dog tax payments. I will notify you of any changes that may be brought about to adversely affect these people. I think they are all putting up with plenty of hardships and they doubtless appreciate what little we can do to make their lot easier. The map will be sent to you in a few days.

Yours very truly,

J. B. Munro
Deputy Minister

JBM/AH

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13-19-1

Sept. 16, 1947.

Dear Mr. Munro:

Re: Provincial Dog Tax

With reference to your letter of August 21st and previous correspondence regarding the above noted matter, Dr. H. L. Keenleyside advised me that he had discussed the subject with you and Commissioner Parsons during his recent visit to Victoria and it was agreed that the tax would not be collected in respect to Indian dogs in the Atlin Provincial Constituency or the Peace River Constituency north of the river (Peace) itself; this to be effected by administrative action on the part of the Provincial Police and not through amendment to the existing Act. I should say that this arrangement would be quite satisfactory to this Department but in order to locate the southerly limits of the area exempted I should appreciate a map of the constituencies referred to. This, I presume, might be available through the Surveys Branch if your Department is not in possession of a map giving the information required.

I should like to thank you very much for the assistance rendered which has been most helpful in bringing about a satisfactory adjustment of a matter which if allowed to continue would have resulted in the imposition of unnecessary hardship on many of the trapping Indians of the north.

Yours faithfully,

/EW

D. M. MacKay,
Indian Commissioner for B.C.

J. B. Munro, Esq.,
Deputy Minister of Agriculture,
Parliament Buildings,
VICTORIA, B.C.

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OFFICE OF THE
DEPUTY MINISTER

DEPARTMENT OF AGRICULTURE
PROVINCE OF BRITISH COLUMBIA

VICTORIA
August 21st, 1947.

Major D. M. MacKay
Commissioner of Indian Affairs
Box 70, Vancouver, B. C.

Dear Major MacKay:

Further to my letter of August 19th to Mr. Coleman, I enclose copy of a letter from Commissioner T. W. S. Parsons, making certain suggestions with reference to the handling of the matter of collection of dog taxes from the Indians of Northern British Columbia.

The Minister has suggested that this question be discussed with Dr. H. L. Keenlyside, whom we expect to see next week, but I would suggest that if you have the opportunity of bringing the matter to his attention, you might do so prior to his meeting us.

By glancing at the map of the electoral districts of British Columbia you will note that in Alberni, Comox, Mackenzie, Prince Rupert, Skeena, Atlin, Omineca, Fort George, and Peace River districts, there are probably less than 1,000 sheep and the loss by dogs might be estimated as being only about one hundred dollars in the average year in thoseparts of the Province.

For that reason Commissioner Parsons suggests that the Federal government pay any costs for sheep losses which would not greatly embarrass the Federal Treasury but would relieve the Indians of the necessity for paying dog licences.

I hope you will consider the suggestions in the attached memorandum.

Yours very truly,

J. B. Munro
Deputy Minister

JBM/ewf
Encl.

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13-19-1

August 20, 1947

R.H. Sampson, Esq., Indian Agent, Telegraph Creek, B.C.

Referring to your letter of the 23rd of June, 1947, with regard to dog licences, I now enclose, for your information, copy of a letter from Mr. J.B. Munro, Deputy Minister of Agriculture, dated August 19th, to the writer, and a copy of a letter written by Mr. Munro to the Commissioner of the Provincial Police.

for D.M. MacKay,
Indian Commissioner for B.C.

Encls.

:ms.

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OFFICE OF THE
DEPUTY MINISTER

DEPARTMENT OF AGRICULTURE
PROVINCE OF BRITISH COLUMBIA

VICTORIA

August 19th, 1947.

James Coleman, Esq.
P. O. Box 70
Indian Affairs Branch
Vancouver, B. C.

Dear Mr. Coleman:

Your letter of August 18th written on behalf of Commissioner D. M. MacKay, is received, and a copy has been forwarded to T. W. S. Parsons, Commissioner, B. C. Police, for his information with the suggestion that the Indians be given the relief recommended by you.

Yours very truly,

J. B. Munro

JBM/ewf

J. B. Munro
Deputy Minister

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COPY

August 19th, 1947.

Commissioner T. W. S. Parsons
Provincial Police
BUILDINGS, Victoria, B. C.

Dear Commissioner Parsons:

The attached letter just received from James Coleman of the office of Indian Affairs for British Columbia is sent on for your information. The Minister of Agriculture, the Livestock Commissioner, and I all concur in the opinion that all of that portion of the Province north of the 55th parallel, north latitude, should be exempt from taxation on Indian dogs whether they are within Indian reserves or without.

Mr. Coleman's suggestion of them being used for carrying or packing seems to be valid but we are aware that your personal knowledge of that immense district of British Columbia is sufficient to enable you to instruct your British Columbia Police Constable in the matter.

If it is necessary to pass an Order-in-Council in this connection I am quite sure that you will find the Honourable Frank Putnam sympathetic toward the wards of the Canadian government in the north and I believe that the Attorney-General's department would prepare such an Order if it is necessary.

Yours very truly,

JBM/ewf
Encl.

J. B. Munro
Deputy Minister

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13-19-1

August 18, 1947.

J.B. Munro, Esq.,
Deputy Minister,
Dept. of Agriculture,
Parliament Buildings,
Victoria, B.C.

Dear Mr. Munro:-

With reference to Dog Tax at Telegraph Creek, I would advise that we have bylaws for the taxation and control of dogs on Indian Reserves under the provisions of Section 95 of the Indian Act, but from the last paragraph you will note that they only apply to the Indian Reserves directed by the Minister, usually on the advice of the local Indian Agent.

I presume that these regulations were designed, like the Provincial Sheep Act, to protect the public, and the Indians themselves, from the ravages of uncontrolled dogs. I agree with Commissioner Parsons, insofar as the Indian Reserves are concerned, the Sheep Act would be ultra vires.

However, the question under discussion is apparently of a different nature. Commissioner Parsons knows the Telegraph Creek country better than most men, and is aware that dogs there, white or Indian, are practically the only beast of burden, and that there are not only no sheep in the country, but not even domestic fowl and very few horses. Consequently the protection of the Sheep Act would hardly appear necessary. The dogs, Indian and white, being used entirely for transport, cannot be confined to the Indian Reserves, which are few and far between, and apparently the complaint is that as soon as they are used off the Reserves the officials tax them.

If the Province desired to impose a tax on sleigh and carrier dogs in these very remote areas there would be little

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we could do about it, but to do so for the protection of sheep which do not exist within hundreds of miles, is an anomaly that I find difficult of explanation to our wards in those areas.

It appears to me that the local police could be instructed to exempt from payment those who are Indians within the meaning of the Indian Act.

Yours faithfully,

D. M. MacKay,
Indian Commissioner for B.C.

Encl.

:ms.

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OFFICE OF THE
DEPUTY MINISTER

DEPARTMENT OF AGRICULTURE
PROVINCE OF
BRITISH COLUMBIA

VICTORIA

August 12th, 1947.

Major D. M. MacKay, Esq.
Indian Commissioner for British Columbia
Box 70
Vancouver, B. C.

Dear Major MacKay:

Re: Your File 13-19-1, July 10/47.

With further reference to your communication of July 10th, the Commissioner of British Columbia Police has written to me as follows.

"In connection with the operation of the Sheep Protection Act in the Telegraph Creek area, if these Indians live on reserves and I take it that they wouldbe the ones the Indian Department is interested in, then they have the remedy in their own hands. Under Section 95, paragraph (f), of the Indian Act the Superintendent General may make by-laws for the taxation, control, and destruction of dogs and for the protection of sheep. I am not sure on this point--possibly the Attorney-General's Department could advise you - but our Sheep Protection Act may be ultra vires as far as the collection of dog tax from Indians is concerned in view of the provision in the Indian Act".

It might be that you would care to comment on Section 95, paragraph (f), of the Indian Act because there is just a possibility that the provisions of the Sheep Protection Act may be ultra vires as far as the Indian Act is concerned.

Yours very truly,

J. B. Munro

JBM/ewf

J. B. Munro
Deputy Minister

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OFFICE OF THE
DEPUTY MINISTER

DEPARTMENT OF AGRICULTURE
PROVINCE OF BRITISH COLUMBIA

VICTORIA

August 4th, 1947.

D. M. MacKay, Esq.
Indian Commissioner for British Columbia
Box 70
Vancouver, B. C.

Dear Major MacKay:

Re: Your File 13-19-1, July 10/47.

On my return to the office at Victoria I have received your letter of July 10th to which is attached a letter from R. H. S. Sampson, Indian Agent, dated June 23, 1947, regarding the "Sheep Protection Act".

Officials of this Department are inclined to agree with the contentions of Mr. Sampson, especially in the northern half of the Province where domestic sheep are rarely kept and where the destruction of them by Indian dogs is not large. Our main trouble is on Vancouver Island and the Gulf Islands where, as you know, the depredation of Indian dogs in the sheep flocks is quite serious. However, as this matter comes under the Provincial Police, I am referring your communication and that of Mr. Sampson to Commissioner T. W. S. Parsons, who knows that portion of the Province well and who is inclined to be sympathetic with your recommendations.

Upon hearing from the Commissioner, I will be able to deal with your letter further, at which time I will return to you the communication from Mr. Sampson.

Yours very truly,

J. B. Munro
Deputy Minister

JBM/ewf

P.S. c.c. sent to Mr. Sampson - Aug. 4/47

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COPY for the inf. of Major MacKay

August 4th, 1947.

Commissioner T. W. S. Parsons
Provincial Police
BUILDINGS, Victoria, B. C.

Dear Commissioner Parsons:

Attached hereto is communication from Major D. M. MacKay, with attachments from R. H. S. Sampson, of Telegraph Creek, and Dr. W. R. Gunn, Livestock Commissioner.

This is the matter I referred to by telephone on Wednesday last. I believe that Section 23 of the "Sheep Protection Act" gives the necessary authority for the exemption of Indians in the territory to be decided upon by the Provincial Police and the Agricultural officials concerned.

It is my own view that all that portion of British Columbia lying north of parallel 55° north latitude should be exempt from the operation of the Sheep Protection Act, except the portion known as the Peace River Block, and even a large area of the Peace River Block should be exempt.

I would appreciate having your views on this matter for I agree with the Indian Commissioner and the Indian Agent that we are working a definite hardship on the wards of the Dominion by endeavouring to collect dog licences in those parts of the Province.

Yours very truly,

JBM/ewf
Encl.

J. B. Munro
Deputy Minister

c.c. to Mr. Sampson - Aug 6/47.

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cc.

13-19-1

July 10, 1947

J.B. Munroe, Esq.,
Deputy Minister of Agriculture,
Parliament Buildings,
Victoria, B.C.

Dear Mr. Munroe:-

I enclose herewith a letter dated 23rd ult., received from Mr. Indian Agent Sampson of Telegraph Creek advising that the imposition of dog licences in that area on Indians' dogs is working a definite hardship on his wards, these people being dependent on the animals for transportation etc., particularly in connection with the operation of their trap lines.

Outside of one or two horses there were no domestic animals or poultry in the district, consequently the necessity of the application of the Act to this northern area would not be apparent.

It would be appreciated if you would advise me if any relief can be granted these Indians, either under Section 23 of the Sheep Protection Act, or by some other form of exemption.

Yours faithfully,

D. M. MacKay,
Indian Commissioner for B.C.

Encl.

:ms.

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Stikine Agency

Telegraph Creek, B.C.

23 June 47

Major D.M.MacKay, Indian Commissioner for B.C. Vancouver.

Several Indians of this Agency have approached me with complaints about having to pay for dog licences under the 'Sheep Protection Act' of British Columbia. The local B.C. Police constable has been contacted in this connexion and advises that he has definite instructions from his Department to collect dog licences for all dogs.

The fact that the Indian's dogs are currently located on an Indian Reserve apparently does not absolve the owners from paying a licence because the dogs also travel to points off the Reserves at certain time of the year.

It has occured to me that as the primary purpose of the Sheep Protection Act is for the protection of sheep and poultry it would hardly be effective in this part of the Province where neither sheep nor poultry are kept. As under section 23 of the Act there is provision for the exemption of certain parts of the Province do you think representations could be made to the Provincial authorities to have the area of this Agency declared exempt?

Owing to the high cost of feed the Indians of this area rarely keep more dogs than is necessary for hauling their supplies to trap-lines and a small 'hunt dog' which is used for hunting bear and grouse.

At the present time it will be a distinct hardship on the Indians to have to pay dog licences. Some of them have four or five sled dogs and one hunting dog, and may in addition

cont'd.

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Commissioner, cont'd.

have four or five puppies over 3 months old which will later be used to replace old sled dogs. Fur prices, as you know, have dropped considerably and the Indians of this district are beginning to suffer from lack of revenue, and to have to take out dog licences for their dogs only adds to their burdens. It is not practical either for them to destroy their dogs as these animals are indispensable in moving supplies out to their trap-lines in the winter, and packing dried fish during the summer season.

Anything you can do to relieve this extra financial burden on the Indians will be greatly appreciated.

R.H.S.Sampson,
Indian Agent.

S/B

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144-6-2108.

January 11,1943.

The Secretary, Indian Affairs Branch,
Dept. Mines & Resources, Ottawa,Ont.

Your File 29-156.

I have received a copy of your letter of January 6th, addressed to Mr. Indian Agent Todd regarding the application of Bylaws for Taxation, Control and Destruction of Dogs to Reserves in the Kwawkewlth Agency.

In this connection I would advise that I have instructed Inspector Coleman to look into this matter as it is doubtful if these Bylaws should be applied to the Agency as a whole. In no other case in British Columbia have we found this necessary our experience being that it is only where Reserves are located close to white farming settlements is the measure of control provided desirable.

/M

D. M. MacKay,
Indian Commissioner for B.C.

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copy [illegible] the information of Major [illegible]. M. MacKay
Indian Commissioner,
P. O. Box 70,
Vancouver, B.C.

23-156

, January 6, 1942.

M. S. Todd, Esq., Indian Agent, Alert Bay, British Columbia.

Re: Dog regulations,
Kwawkewlth Agency,
British Columbia.

Further to my letter to you of November 20 on the above noted subject I might add that, owing to the possibility of difficulty being experienced by the Indians in registering their dogs, it is presumed that you will arrange some convenient manner for the Indians to register their dogs and obtain dog licences.

In order to complete our records I shall be obliged if you will inform me as to the procedure followed.

TRLM

T. R. L. MacInnes,
Secretary.

INDIAN COMMISSIONER
JAN 11 1943
VANCOUVER, B. C.

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DEPARTMENT OF MINES AND RESOURCES

INDIAN AFFAIRS BRANCH

Letter No.....

Office of the.....*Indian Agency,*

.....*19*.....

Sir,

I enclose herewith Vouchers Nos.....,

amounting to $.....*in favour*

of.....

for.....

This expenditure was authorized by Departmental

Letter No.....*dated*.....

Your obedient servant,

Indian Agent

The Secretary,
Indian Affairs Branch,
Department of Mines and Resources,
Ottawa

Form No. I.A. 518

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OFFICE OF THE
INDIAN AGENT

CANADA

DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE_____

Alert Bay, B.C.,
December 4, 1942.

Dear Sir,-

Replying to your letter of November 25th last, file 144-6-1401, contents of which wer e discussed recently with you at Vancouver, I now beg to give you the information requested.

I enclose you herewith copy of my application to the Department that Bylas promulgated by the Department in 1937 relating to Taxation, Control and Destruction of Dogs on Reserves be made applicable to all Indian Reserves in this Agency. I also enclose copy of Departmental letter dated October 5th last, No. 29-156, in which approval was granted.

In respect to the fourth paragraph of your letter, in which you refer to the circular I sent out to all Chiefs of the Kwawkewlth Agency, I beg to advise you this was a brief summary of the important requirements of the regulations in question, for the information and guidance of the Indians. It was felt that a brief summary of the regulations was less expensive,and more understandable by some of the Indians. I am however today writing to Ottawa requesting sufficient copies of the original Bylaws to give each Chief a copy, and trust that this will be satisfactory.

Your obedient servant,

(M. S. Todd)
Indian Agent

Major D.M. MacKay,
Indian Commissioner for B.C.,
Department of Mines and Resources,
Vancouver, B.C.

Received Dec 5/42

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AFFAIRES INDIENNES
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COPY

Alert Bay, B.C.,
29th August, 1942.

Sir,-

Replying to Departmental letter No.29-156 dated March 6th 1940 in connection with new Bylaws for Taxation,Control and Destruction of Dogs on Indian Reserves which was passed in 1937 to replace the former bylaws, I beg to advise owing to there being some doubt in my mind as to whether all Reserves in the Kwawkewlth Agency should come within the meaning of this new regulation, no reply has been made until the matter was given further consideration.

I might say the question of treatment of dogs by Indians, and their apparent irresponsibility to animals has finally made me feel that all dogs in this Agency should be protected by the above-mentioned bylaws. I am therefore recommending to the Department that all reserves in the Kwawkewlth Agency be covered by the Act, and would appreciate if the Department would give approval to apply the new bylaws to all Indian Reserves in the Kwawkewlth Agency.

If the Department has on hand dog tags,I would appreciate fifty of these, also a quantity of Permits and any other supplies which may be necessary.

I enclose herewith cheque No.34235 in the amount of $3.00 together with duplicate of Receipts No.28100 and 28101 with Receiver General Return No.21, and would ask that these amounts be credited to the bands indicated pending receipt of authority from the Department for these Reserves.

Your obedient servant,

(M. S. Todd)
Indian Agent

The Secretary,
Indian Affairs Branch,
Department of Mines and Resources,
Ottawa, Canada.

INDIAN COMMISSIONER
DEC 8 1942
VANCOUVER, B. C.

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COPY

DEPARTMENT OF MINES AND RESOURCES
Indian Affairs Branch

29-156

Ottawa, October 5, 1942.

Dear Sir:

I have to refer to your letter of August 29, 1942, in which you referred to Departmental letter of March 6, 1940, in connection with new Bylaws for Taxation, Control and Destruction of Dogs on Indian Reserves.

In accordance with your request application was made for the Minister's approval to apply the new bylaws to all Indian reserves, Kwawkewlth Agency. The Minister's approval has been received and you are hereby authorized to proceed with the enforcement of the dog bylaws, copy of which is enclosed herewith.

Fifty dog tags will be forwarded to you immediately. Enclosed are dog registration forms which should be completed in duplicate. One copy is to be retained in your office and the other returned here for our record when the registration is completed.

With regard to a supply of permits requested in the third paragraph of your letter above mentioned I may say that the issuing of a dog tag or dog tags to an Indian owner as set out in section 3 of the enclosed bylaws will be considered adequate permission for an Indian to keep a dog or dogs.

Yours very truly,

"T.R.L. MacInnes"
Secretary

M. S. Todd, Esq.,
Indian Agent,
Alert Bay,B.C.

INDIAN COMMISSIONER
DEC 8 1942
VANCOUVER, B. C.

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copy for the information of
Major D. M. MacKay.

, November 30, 1949.

M. S. Todd, Esq., Indian Agent, Alert Bay, British Columbia.

Re: Dog regulations,
Kwawkewlth Agency,
British Columbia.

A copy of your circular letter to Indians has been brought to our attention. It is noted that your circular contained no reference to the fact that the bylaws have been applied by direction of the Minister of Mines and Resources. Please supply the omission by further notice to the Indians.

It is observed also that your circular is headed "Bylaws for Taxation, Control and Destruction of Dogs on Indian Reserves", although the wording and order of these bylaws has been altered. It is appreciated that you summarized the bylaws in simple language for the Indians to understand and that procedure is approved. It is thought, however, that your circular should have been headed "A Summary of ..."etc., as the impression given by your wording -- that the contents of the circular are the bylaws themselves -- is not correct.

Please be guided accordingly in any future communications to the Indians of this or any other subject in which official instructions or regulations are referred to.

T.R.L.M

T. R. L. MacInnes,
Secretary.

INDIAN AFFAIRS
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144-6-1401.

November 25,1942.

Dear Sir:

I have received a circular, reported to have been recently sent out under your signature, to Indians and others relating to the Taxation, Control and Destruction of Dogs on Reserves in the Kwawkewlth Agency.

It is presumed that this circular is based on the Bylaws promulgated by the Department in December 1937 [redacted], which became effective on January 1st, 1938, but please confirm.

You might advise me at your earliest convenience if you made application to the Department that these Bylaws be made applicable to Indian Reserves in your Agency and, if so, send me a copy of your letter on the subject, together with a copy of the Department's reply thereto.

You might also explain why you sent out the circular which, appears to be a brief summary of the important requirements of the regulations in question, instead of the form as issued by the Department.

These Bylaws become effective on order of the Minister of Mines and Resources and not the Indian Agent.

Yours faithfully,

/M.

D. M. MacKay,
Indian Commissioner for B.C.

M. S.Todd,Esq.,
Indian Agent,
Alert Bay,B.C.

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144-6-1400.

November 25,1942.

Dear Mr. Neill:

I have your letter of November 20th, enclosing a copy of a circular relating to the Taxation, Control and Destruction of Dogs on Indian Reserves, recently sent out by Mr. Indian Agent Todd to various Chiefs and Missionaries in the Kwawkewlth Agency.

Following complaints made by white farmers, particularly in the Cowichan District and parts of the central interior of the Province, against the killing of sheep by Indian dogs, the Department gave consideration to the matter of suitable regulations to control the situation. In December 1937 certain Bylaws were prepared by the Department under the provisions of Paragraph "F" of Section 95, of the Indian Act, effective as from the 1st day of January 1938, a copy of which is attached.

It will be observed that Section 7, provides that these regulations shall only apply to such Reserve or parts thereof as may be directed in writing by the Minister of Mines and Resources.

It is not known if Mr. Todd made application to the Department to apply these regulations to Reserves in the Kwawkewlth Agency, nor why he did not use the form issued by the Department instead of the one sent out by him. The Agent is being asked for information on these points.

/M.
Encl.

Yours faithfully,

D. M. MacKay,
Indian Commissioner for B.C.

A. W. Neill,Esq., M.P.
Alberni, B.C.

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OFFICE OF THE
INDIAN AGENT

CANADA

DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE 1-1-8.

NEW WESTMINSTER, B.C.
March 25th, 1942.

Dear Sir:-

With reference to our telephone conversation regarding compensation for loss of sheep killed at the Matsqui Indian Reserve.

I referred the matter, as instructed by you, to the Deputy Minister of Agriculture at Victoria. It was apparently passed by him to the Live Stock Commissioner, and I am enclosing herewith, for your information, a copy of his reply.

Yours truly,

A.O'N. Daunt.
Indian Agent.

Encl.

Major D.M. MacKay,
Indian Commissioner for B.C.,
P.O. Box 70, Vancouver, B.C.

INDIAN COMMISSIONER
MAR 26 1942
VANCOUVER, B. C.

from File 144

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COPY.

DEPARTMENT OF AGRICULTURE.
Province of British Columbia.

Victoria.
March 24, 1942.

A.O'N. Daunt, Esq.,
Indian Agent,
New Westminster,B.C.

Dear Sir:-

Your letter to the Deputy Minister of Agriculture has been passed on to me for consideration.

In instances such as the one you mention we would pay the claim since we would be required under the Act to do so. We would then take action against the Indian for not having paid his dog tax. I think that if you look at it in that way you will note that it is two separate matters, one a case by the Indian against your Dog Tax Fund, the other a case against the Indian for failure to pay the dog tax. I am not a legal man of course and this is only my lay opinion but that is the way it would be dealt with by this Government.

Yours very truly,

(Sgd.) W.R. Gunn.

Live Stock Commissioner.

WRG:ES.

INDIAN COMMISSIONER
MAR 26 1942
VANCOUVER, B. C.

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DEPARTMENT OF AGRICULTURE
PROVINCE OF BRITISH COLUMBIA

VICTORIA

July 16, 1941.

Major D.M. MacKay,
Indian Commissioner for B.C.,
Box 70, Vancouver, B. C.

Dear Major MacKay:

I must apologize for not writing you sooner with respect to your letter on sheep killings on the Indian Reserve at Wilmer. Your letter is further proof to the old adage that it pays to get both sides of a story. From this it is quite evident that Mr. Houlgrave took a lot of the law into his own hands when he went on the Reserve and killed Indian dogs. He was only making it difficult for your officers to do anything for him and I really do not know what we can do in this matter. I will have to discuss it with the Deputy and the Minister to see whether we can do anything for him but it is just a problem.

I want to again thank you for this report.

Yours very truly,

Wallace R. Gunn

W.R. Gunn
Live Stock Commissioner.

WRG:ES

INDIAN COMMISSIONER
JUL 17 1941
VANCOUVER, B. C.

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144/ 2602.

17th June, 1941.

Dear Sir:-

With further reference to your letter of the 3rd instant, regarding the complaint of Mr. G. P. Houlgrave, of Wilmer, B.C., in connection with sheep allegedly killed by Indian dogs, I would advise that I am now in receipt of a report from Mr. Indian Agent Irwin, from which I am unable to find that it has been definitely established that the damage was caused by Indian dogs.

It appears that Mr. Houlgrave took the matter into his own hands and proceeded to the Reserve, shooting one of the Indian dogs. It is quite evident from the report that at least some of the destroyed sheep were on the Reserve at the time they were killed, and that there was contributory negligence on the part of the owner in failing to protect his sheep with a legal fence, and keeping his gates open. If it could be proven that an Indian dog was responsible for the damage, no doubt Mr. Houlgrave could seek redress under the "Sheep Protection Act" insofar as any sheep that were destroyed off the Reserve is concerned. On the other hand, he would be liable for trespass charge under the "Indian Act" for those sheep that were on the Reserve. The Department, of course, could not assume any responsibility for this loss.

It appears to me that this regrettable occurrence was due to a very large extent to Mr. Houlgrave's own neglect in letting the sheep trespass on to adjoining property.

Yours faithfully,

For D. M. MacKay.
Indian Commissioner for B. C.

:HN

W. R. Gunn, Esq.,
Live Stock Commissioner,
Department of Agriculture,
Parliament Bldgs.,
Victoria, B.C.

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OFFICE OF THE
INDIAN AGENT

CANADA

DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE 2-10

Cranbrook.B.C.
June 11th.1941

Re File 40-2453

Dear Sir:-

I wish to acknowledge receipt of your letter of the 7th. inst.,together with copies of letters from Dr. W.R.Gunn,Live-stock Commissioner and Constable J.W.White,of the Provincial Police at Invermere.B.C. with reference to the killing of a number of sheep owned by G.P.Houlgrave whose ranch adjoins the Shuswap Reserve,only a short distance from the Indian village.

Mr.Houlgrave's loss is very great;and if there is any way in which he can be compensated I should be very glad,but I dont think there is. According to my information,some of his sheep at the time of the killing were on the Reserve-and some were not. His fence was in poor condition,and in all likeli-hood the gate was open that leads down to the Reserve. Undoubtedly,an Indian dog or dogs did the killing,although I have never heard off their killing sheep before,or since.

Mr.Houlgrave proceeded to the Indian village as soon as he knew of the killing,and shot one Indian dog. In this act he was, ofcourse in error,admittedly his provocation was intense. If two dogs took part in the killing,it would have seemed quite natural to have shot them both,or, to have requested me to have the second dog put away Mr.Houlgrave did not do this,or the second killer,(if there is one) would have been destroyed.

I enclose herewith a letter received from Mr.Houlgrave, copy of and my reply.
I/L

Yours faithfully,
Andrew Irwin
Indian Agent.

Major D.M.Mackay,
Indian Commissioner for B.C.
P.O.Box.70.
Vancouver. B.C.

encls.

INDIAN COMMISSIONER
JUN 14 1941
VANCOUVER, B. C.

81-2-8

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OFFICE OF THE
INDIAN AGENT

CANADA

DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE 2-10

Cranbrook.B.C.
June 11th.1941

Re File 40-2453

Dear Sir:-

I wish to acknowledge receipt of your letter of the 7th. inst.,together with copies of letters from Dr. W.R.Gunn,Live-stock Commissioner and Constable J.W.White,of the Provincial Police at Invermere.B.C. with reference to the killing of a number of sheep owned by G.P.Houlgrave whose ranch adjoins the Shuswap Reserve,only a short distance from the Indian village.

Mr.Houlgrave's loss is very great;and if there is any way in which he can be compensated I should be very glad,but I dont think there is. According to my information,some of his sheep at the time of the killing were on the Reserve-and some were not. His fence was in poor condition,and in all likeli-hood the gate was open that leads down to the Reserve. Undoubtedly,an Indian dog or dogs did the killing,although I have never heard off their killing sheep before,or since.

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I enclose herewith a letter received from Mr.Houlgrave, and my reply.
I/L

Yours faithfully,

Andrew Irwin
Indian Agent.

Major D.M.Mackay,
Indian Commissioner for B.C.
P.O.Box.70.
Vancouver. B.C.

encls.

INDIAN COMMISSIONER
JUN 14 1941
VANCOUVER, B. C.

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The Department of Indian Affairs
Cranbrook.
B.C.

Wilmer. B.C.
January. 13th 1941.

"Ex- Chambers Ranch"

Dear Sirs.

I wish to bring to your attention a matter of great seriousness, which I wish to be settled as expeditiously and amicably as possible.

On the day of January 7th, a flock of my sheep (45 head) were chased and ravaged by Indian dogs. Those sheep that were not killed outright, were so very badly damaged, it necessitated shooting them, with the result I lost the whole 45 head.

The matter was immediately placed in the hands of the local Police, when an Indian admitted the ownership of the dogs that were responsible. After a discussion with the aforesaid Police, I was informed that the Police were not liable for the handling of Indian affairs of this nature, and that I could not, therefore, obtain any satisfaction from this source. Consequently, a reasonable presumption on my part is, that if I desire compensation, which I most certainly do, you are the people to whom I have to apply therefor.

1/

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22-1-22

This state of affairs here is all the more deplorable at the present time, when the demand for wool, mutton, and other farm produce is so urgent, and the feeling in this valley among the white population is running very high. Several people are awaiting the outcome of this enquiry, as it is associated in many minds with similar cases which were brought to a most unsatisfactory conclusion.

This is not a letter of extortion but merely an appeal to your sense of fair play and for my reasonable living rights. We also wish this matter to be settled amicably, but, if this is impossible, I shall be obliged to consult my Solicitors and resort to severer methods.

I await your immediate reply, and shall be glad to supply you with any further details and such proof as you may require.

Yours Sincerely—

G. P. Hanegrave.

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OFFICE OF THE
INDIAN AGENT

CANADA

DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

COPY

PLEASE QUOTE
FILE 26-10

Cranbrook, B.C.

Jan 24th. 1941

Dear Sir:-

Your letter of the 13th, received and contents carefully noted. I need hardly say how extremely sorry I am-your loss is indeed very great. Unfortunately there is little or nothing that I can do to help you. If anything might be suggested it would be, that you arrange with Constable White of Invermere to make an inspec--tion of your sheep, and submit a report together with a carefully worded letter of your own, to the Deputy Minister of Agriculture, at Victoria, giving all the facts in connection with the loss you have sustained.

There is an Act on the Statutes of the Province known as the Sheep Breeders' Protection Act, which would appear to have been specially printed to benefit cases such as yours. The Deputy Minister would advise you as to the procedure necessary to secure such benefits as the Act provides. There is not to my knowledge any means by which the Indian Affairs Branch would compensate you for your loss. The responsibility as you know, and the liability if proven, rests entirely with the Indians involved.

Wishing you every success in your effort to collect through the above channel, I am,

I/L

Yours very truly,

Andrew Irwin.
Indian Agent.

Mr. G.P. Houlgrave.
Wilmer. B.C.

INDIAN COMMISSIONER
JUN 14 1941
VANCOUVER, B. C.

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INDIAN AFFAIRS
AFFAIRES INDIENNES

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144
40/2453

June 7, 1941.

Dear Sir:

I enclose herewith copy of a letter dated the 3rd instant, together with police report dated the 7th ultimo, received from Dr. W.R.Gunn, Live Stock Commissioner, complaining of killing of sheep by Indian dogs at Wilmer, B.C.

Paragraph 2 of the police report states that the sheep were scattered all over the Reserve and from this it would appear that at the time they were killed or hurt they were actually in trespass.

It would be appreciated if you would furnish me with a duplicate report on the matter stating whether the sheep were hurt on or off the Reserve. Also, if the owner protects the sheep from reaching the Reserve by a legal fence.

If the Indian dogs on Shuswap Indian Reserve are becoming too numerous or a danger to neighboring stock, you should inform the Department and have them bring this Reserve within the provisions of the regulations covering the ownership of dogs on Indian Reserves, which will enable you to destroy unnecessary and untaxed dogs. You have a copy of these regulations.

Yours faithfully,

D.M.MacKay,
Indian Commissioner for B.C.

:GR

A. Irwin, Esq.,
Indian Agent,
Cranbrook, B.C.

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JHH
40/2452

June 7, 1941.

Dear Sir:

I beg to acknowledge receipt of your letter of the 3rd instant with reference to the complaint of Indian dogs at Wilmer, B.C., killing sheep.

It is noted in paragraph 2 of the Constable's report of the 7th ultimo that "these sheep had scattered all over the Reserve", from which it would appear that the sheep were actually in trespass at the time that the damage was sustained. Such trespass is contrary to the provisions of the Indian Act, rendering the owner of the sheep liable to prosecution. However, I am requesting a report in the matter from our Indian Agent at Cranbrook.

Yours faithfully,

D.M.MacKay,
Indian Commissioner for B.C.

:GR

W.R.Gunn, Esq.,
Live Stock Commissioner,
Department of Agriculture,
Victoria, B.C.

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DEPARTMENT OF AGRICULTURE
PROVINCE OF BRITISH COLUMBIA

VICTORIA

June 3, 1941.

Major D.M. MacKay,
Commissioner of Indian Affairs,
325 Granville St.,
Vancouver, B. C.

Dear Sir:

I am attaching for your attention copy of police report received regarding the killing of sheep of Mr. G.P. Houlgrave's of Wilmer, B.C., admittedly killed by Indian dogs. Is there anything that you can do to clear this matter up and help us out?

What is very important in these matters is that killings once started seem to continue and increase where killer dogs are at work in any community. Therefore I feel that some action should be taken to clean up the dog problem on this reserve and if there is anything that you can do to compensate Houlgrave it would be very much appreciated.

With kindest personal regards, I am

Yours very truly,

Walter R. Gunn.

W.R. Gunn
Live Stock Commissioner.

WRG:ES
Encl.

INDIAN COMMISSIONER
JUN 6 1941
VANCOUVER, B. C.

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Copy

Division "B" Date 7-5-41
District East Kootenay
Detachment: Invermere

Unorganized Territory

REPORT

Re:- HOULGRAVES, G.P.--Wilmer B.C.--Sheep Protection Act.

1. I am in receipt of a memo from Deputy Minister of Dept of Agriculture re loss of sheep by Mr. Houlgrave.

2. Mr. Houlgrave last year had sheep on what is known as the "Lambert Ranch" which joins the Shuswap Indian Reserve. At 9:30 am. on Jan 8th 1941 Mr. Houlgrave reported that 8 head of sheep had been destroyed by two dogs belonging to Eugene Joe an Indian living on the reserve. Houlgrave had shot one dog. That evening I saw Eugene Joe and the Chief Baptiste Thomas. Joe admitted that it was his dogs and that one was dead. later Mr. Houlgrave reported 45 head in all destroyed. These sheep had scattered all over the Reserve and had either been killed or so badly hurt that they had to be destroyed.

3. As the damage was done by Indian dogs belonging to an Indian who lives on the Reserve and comes within the Indian Act, Mr. Houlgrave was advised to get in touch with Mr. Irwin, Indian Agent at Cranbrook as under Sec. 95 (f) of the Indian Act there is power to make by-laws for the control of dogs and the protection of sheep, and it would seem that the Sheep Protection Act does not apply, and even if it were possible to get a judgment against Joe Eugene, it could not be enforced.

REPORT CONCLUDED

The N.C.O. I/C
The B.C. Police
East Kootenay District
Cranbrook B.C.

(J. White) Constable
I/C Invermere Detachment.

INDIAN COMMISSIONER
JUN 6 1941
VANCOUVER, B. C.

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WE SPEAK FOR THOSE WHO CANNOT SPEAK FOR THEMSELVES

INSPECTOR'S PHONE E-8351

VICTORIA BRANCH

British Columbia Society for the Prevention of Cruelty to Animals

304 JONES BLOCK,
715 FORT STREET

Victoria, B.C. 15th November '39

D, M. MacKay .
Indian Commissioner for B, C.
P, O, Box 80, Vancouver . B, C.

Dear Sir , Your # I44/224I.

We beg to acknowledge your favor of Ist inst and thank you for the reports enclosed .

At the meeting last evening of our Executive Committee , gratification was expressed that you were certainly improving the treatment of their animals by the Indians .

Thanking you for trouble you have taken in the matter .

Yours very truly ,

A. Neville Smith
Acting Secretary.
S.P.C.A.

INDIAN COMMISSIONER
NOV 15 1939
VANCOUVER, B. C.

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144/2241.

November 1, 1939.

Dear Sir:

With further reference to your letter of October 19th in the matter of reported neglect of Indian dogs at Gilford Island, I am forwarding herewith copies of letters from Mr. Indian Agent Todd and the Chief of the Band concerned regarding the matter, for your information.

Yours faithfully,

Encl
/AC

D. M. MacKay.
Indian Commissioner for B.C.

A. Nevile Smith, Esq.,
Acting Secretary,
B.C. Society for the Prevention of Cruelty to Animals,
304 Jones Block,
715 Fort Street,
Victoria, B.C.

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OFFICE OF THE
INDIAN AGENT

CANADA

DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE

Alert Bay, B.C.,
October 28, 1939.

Dear Sir,-

This will acknowledge receipt of your letter of October 20th last, No. 144-2018, enclosing copy of a letter received from the Acting Secretary of the British Columbia S.P.C.A..

Upon receipt of your letter, I communicated with Chief William Scow of the Kwicksutaineuk Band whose village is on Gilford Island, and enclose you herewith copy of his reply, which will be self-explanatory.

For your information, owing to some of the Indians having more than one dog, I insisted on each owner paying the yearly dog tax in order that we could control a situation such as you mentioned in your letter, but unfortunately one or two families have obtained dogs unknown to this office, and these are the dogs which this letter refers to. It is one problem we have to face in this Agency and which is always receiving our attention.

Your obedient servant,

M S Todd
(M. S. Todd)
Indian Agent

Major D.M. MacKay,
Indian Commissioner for B.C.,
Department of Mines and Resources,
Vancouver, B.C.

INDIAN COMMISSIONER
OCT 31 1939
VANCOUVER, B. C.

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AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

COPY

From Wm. Scow,
Alert Bay,
Oct. 28th 1939

To M.S. Todd
Indian Agent
Alert Bay.

Dear Sir:

Received your letter re dogs on Gilford Island. I am very sorry this have to occur at our village. These dogs have been left by some people other than the members of our Band.

But have left instructions that dogs be either taken care of or destroyed.

Since the end of the salmon season people have been living at the village.

Your obedient servant,

(Sgd)"Chief Wm Scow"

H-2-1-0
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144/2018.

October 20, 1939.

Dear Sir:

I am forwarding herewith a letter from the Acting Secretary of the British Columbia S.P.C.A. regarding alleged neglect of Indian dogs, with particular reference to those on Guilford Island.

You might look into this complaint and submit a report in due course. The regulations referred to in my letter to Mr. Smith can be applied to your Agency or any reserve thereof, if you consider conditions and circumstances warrant such action being taken.

Yours faithfully,

Encl
/AC

D. M. MacKay.
Indian Commissioner for B.C.

M. S. Todd, Esq.,
Indian Agent,
Alert Bay, B.C.

RG 10, C-II-2, vol. 11298
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144/2017.

October 20, 1939.

Dear Sir:

I wish to thank you for bringing the subject matter of your letter of October 19th to the attention of this office.

A copy of your letter is being forwarded to Mr. Indian Agent Todd, Alert Bay, in whose Agency Guilford Island Reserve is situate, for his attention.

This Department definitely discourages Indians to keep dogs they cannot properly and adequately provide for, and some time ago promulgated regulations designed to prevent neglect of Indian dogs.

You should hear in due course from Mr. Todd.

Yours faithfully,

D. M. MacKay.
Indian Commissioner for B.C.

/AC

A. Nevile Smith, Esq.,
Acting Secretary,
B.C. Society for the Prevention of Cruelty to Animals,
304 Jones Block,
715 Fort Street,
Victoria, B.C.

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WE SPEAK FOR THOSE WHO CANNOT
SPEAK FOR THEMSELVES

INSPECTOR'S PHONE E-8351

VICTORIA BRANCH

British Columbia Society for the Prevention of Cruelty to Animals

304 JONES BLOCK,
715 FORT STREET

Victoria, B.C.

October 19th 1939.

Major McKay;
Superintendent Of Indian Affairs ;
Vancouver . B C.

Dear Sir ;

Our attention has been drawn to neglect of dogs on Indian Reservations ; particularly GuilfordIsland , and we were shown pictures of two dogs which had been photographed and reproduced on a screen .

The party who made the report said the dogs were very hungry and he fed them , evidently the Indians were away .

If you can do anything to help us in the matter of correcting the cruel practice of leaving the animals unfed we shall appreciate it .

Yours very truly .

A Neville Smith
acting Sec'y

INDIAN COMMISSIONER
OCT 20 1939
VANCOUVER, B. C.

INDIAN AFFAIRS
AFFAIRES INDIENNES

RG 10, C-11-2, vol. 11298

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E22-1-2-3

Transferred to file 144

14/193.

July 8, 1939.

Dear Sir: Re Your File 194545.

I have to refer to the Department's letter of February 15th regarding the desirability of amending Section 152 of the Indian Act in order to bring within the Magisterial jurisdiction of Indian Agents those parts of the Criminal Code relating to "Cattle and Other Animals" (Sections 536, 537 and 538) and "Cruelty to Animals" (Section 542). This suggestion has been discussed with a number of our Agents and some of the local Magistrates and without exception I found considerable opposition to the proposal. It is not considered advisable to extend powers to an Agent that would virtually make him a Police Magistrate over his charges. My own opinion is that it is much better that the Indians be brought before the local Court than the Agent, who comes in contact with the Indian village politics through his administrative activity. Very few Agents have any training along judicial lines whereas most Magistrates now appointed, especially in larger centers, have some training in law. The amendment to the Act as suggested is therefore not recommended.

I regret the delay in replying to the Department's communication in this matter, but as the proposal was considered to be one to which careful thought should be given and on which the views of others should be secured, the delay was unavoidable.

Yours faithfully,

/AC

D. M. MacKay.
Indian Commissioner for B.C.

The Secretary,
Indian Affairs Branch,
Department of Mines and Resources,
Ottawa, Ont.

RG 10, C-II-2, vol 11298

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ADDRESS REPLY TO THE
SECRETARY, INDIAN
AFFAIRS BRANCH

CANADA

DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE 194545

OTTAWA February 14,1939.

Dear Sir:

I am in receipt of a communication dated the 3rd instant, from the British Columbia Society for the Prevention of Cruelty to Animals, Victoria, B.C., from which I may quote for your information as follows:-

> "Complaints have been received of the suffering of animals owned by Indians, this is doubtless true of animals of Siwashes in British Columbia, especially of dogs which are the worst sufferers. I would therefore earnestly ask that measures be taken by your department to alleviate the lot of animals belonging to Indians throughout Canada and to endeavour to have an enactment promulgated which would provide for a fitting punishment to Indians proved guilty of ill-treatment of animals."

I would like to know if you think it would be desirable, by amendment to Section 152 of the Indian Act, to bring within the magisterial jurisdiction of Indian Agents those parts of the Criminal Code relating to "Cattle and Other Animals" (Sections 536, 537, 538) and "Cruelty to Animals" (Section 542).

Yours very truly,

T.R.L.MacInnes.
Secretary.

Major D.M.MacKay,
Indian Commissioner,
Vancouver,B.C.

INDIAN COMMISSIONER
FEB 20 1939
VANCOUVER, B. C.

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144/21.

June 27, 1939.

Dear Sir:

I am forwarding herewith, for your information, a report received from the Commissioner of B.C. Police re the destruction of Indian dogs at the Malahat and Cowichan Indian Reserves.

Regulations regarding the control of Indian dogs were promulgated December 6th, 1937, and authority obtained from the Department to have these regulations apply to your Agency. In order to avoid possible difficulties which might arise by the police entering the Reserves to shoot dogs, some of which may be licenced, without your knowledge it would be well to familiarize the police with our regulations above referred to and seek their cooperation in their enforcement.

Yours faithfully,

Encl
/AC

D. M. MacKay.
Indian Commissioner for B.C.

R. H. Moore, Esq.,
Act. Indian Agent,
Duncan, B.C.

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Address all communications to:
THE COMMISSIONER
British Columbia Provincial Police
(C.I.D.)
Victoria, B.C.

CRIMINAL INVESTIGATION DEPARTMENT
VICTORIA

Your File No.....

In reply quote File No. 39
2600

SUBJECT:
INDIAN DOGS

June 21st, 1939.

Major D.M. MacKay,
Indian Commissioner for B.C.,
Dept. of Mines & Resources,
P.O. Box 70,
Vancouver, B. C.

Dear Sir:-

I enclose herewith for your information copy of a report submitted by Constable Shand, Duncan District, dealing with the marginally noted subject.

Yours truly,
R Reader
SI M.S.P.
for T.W.S. Parsons,
Commissioner,
B.C. Police.

PC
Encl.

INDIAN COMMISSIONER
JUN 22 1939
VANCOUVER, B. C.

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RG 10, C-II-2, vol. 11298

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DIVISION: "A"

DISTRICT: Duncan

DETACHMENT: Duncan Dist- Hdqrs.

FILE No.

DATE: June 19th. 1939

PR or PCR.

UNORGANIZED TERRITORY

R E P O R T

RE: INDIAN DOGS COMPLAINT RE:.

1. Monday June 19th. 1939 9.15 AM With reference to a letter from the Commissioner, to the Officer Commanding "A" Division, under date of the 16th. instant, in the above connection.

2. On Thursday June 15th. 1939, The Officer Commanding, informed this Office he was in receipt of a complaint from Mr. Williams of the Mill Bay Ferry, regarding the Indian Dogs at that point.

H'QRS. REF.

3. Same date, the undersigned interviewed Mr. Moore, Indian Agent at Duncan, and received his permission to proceed to Mill Bay and destroy these dogs. At the same time I informed him, that this Office with the assistance of the Game Warden of Duncan, had already destroyed, Thirty One Indian Dogs in the vicinity of Duncan, which had been left by the Indians when they went away, in addition to this there were a number of cats destroyed.

DIV'L REF.

4. On Friday June 16th. 1939 Game Warden Hayes and the undersigned proceeded to Mill Bay, and Six Dogs and one Cat were destroyed on the patrol.

DIST. REF.

5. On Monday June 19th. 1939, before the Commissioners letter was received, Game Warden Hayes and Constable McKim had received a Complaint and went to the reserve and shot three more dogs at the home of Joe Elliott, further while this report is being made, Constable McKim is out on the same matter.

DET. REF.

6. Each year, the Indians leave home for various points and always leave their dogs at home, with the result that the Police have to call and destroy them, however, we make the practice of informing the local Indian Agent, as destroying the dogs always causes a stir on the Reserve and some hard feelings.

To the Officer Commanding
"A" Division. B.C.P.
Victoria B.C.

D.J. Shand Const. for
R. Dunn Sergt I-C
Duncan District. AOD.

RECEIVED
C.I.B. HQRS.
JUN 21 1939
B.C. POLICE
VICTORIA, B.C.

FORWARDED TO
COMMISSIONER
JUN 20 1939
Inspr. Commdg. "A" Div.

INDIAN COMMISSIONER
JUN 22 1939
VANCOUVER, B.C.

★ R.C.P. 19

This report should show whether its subject-matter relates to organized or unorganized territory. If organized, clearly state the particular Municipality concerned. Any report rendered under the "Government Liquor Act" should state the amount of expenses incurred in connection therewith.

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144/8883.

18th Apr.,1939.

Dear Sir:- Your File 810-B-4.

re: Control of Dogs

I have to refer to your letter of April 14th, regarding the control and destruction of dogs on the Reserves of your Agency. There has been a great deal of correspondence on this subject which resulted in providing regulations which should be effective in dealing with this matter.

Mr. J. S. Taylor, M.P., has been interested in the effective control of dogs, both Indian and White, and had the matter before the Federal Department of Agriculture, as well as our own Department, for consideration. On January 10th of this year I addressed a letter to the Department (copy of which is attached) pointing out the difficulty of enforcing the regulations without giving the Agent authority to employ someone authorized to enter the Reserve or have the Provincial Police check up on all dogs and destroy those not registered.

You might let me know whom you could employ to do this work. He should be a very reliable and responsible person. You might also let me have information regarding the rate per day you suggest should be paid and the number of days required to do the work. Authority to employ such a person would have to be obtained from the Department.

I might add, however, that I feel you should get the Provincial Police to co-operate with you in this respect, and I should like you to approach them and ask if they would be good enough to detail a constable to check over the Reserves close to Duncan and destroy dogs that are not registered. I spoke to Commissioner Parsons about this and,

R. H. Moore, Esq.,
Act. Indian Agent,
DUNCAN, B.C.

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although he would not at the moment give a decision, he stated he did not see why the Provincial Police should not assist in the work. If you could secure the co-operation of the local Provincial Police, I doubt if there would be any need to employ anyone specially to check up and destroy dogs.

Yours faithfully,

D.M.MacKay.
Indian Commissioner for B.C.

DM/HN

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OFFICE OF THE
INDIAN AGENT

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE 810-B-4.

Your File:
144/6554. Nov. 4th. 1938.

Duncan, B. C.

April 14th. 1939.

Dear Major Mackay:

I would refer you to your letter, date and File number above noted in connection with the control of Indian dogs.

It would appear as if there are at least twice as many dogs on the Cowichan Reserves, adjacent to Duncan, than there is any need for.IfI could could be given the necessary authority to employ someone on a per centage basis, along the lines recommended by Mr Graham in his letter to the Department, sent through your office, dated August 27th. 1938.

At present these dogs are running wild, or the next thing to it, all over the country. They are not half fed at home and consequently roam from post to pillar looking for something to eat. Some of them have commenced to chase sheep and I am of the opinion that it would be wise for us to take action immediately. The white settlers in this community feel very strongly about the way these dogs are allowed to run and seem to think that no effort is being made by this Department to enforce our own regulations. I had a talk with the S.P.C.A. Inspector yesterday and he will assist in any way he can. Kindly advise at your convenience.

Your obedient servant;

R.H. Moore

(R.H.Moore)
Indian Agent.

D.M.MacKay, Esq.,
Indian Commissioner for B.C.
P. O. Box. 70.
Vancouver, B. C.

INDIAN COMMISSIONER
APR 15 1939
VANCOUVER, B. C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Q.C.I.
File No 6/4970

Massett, B.C.
January 12th,1939.

Dear Sir:-

I beg to acknowledge receipt of your letter datedd January 3rd,1939.File No 144/7404 re: differences with Const-Middleton of New Massett,B.C.

The above letter came as a big surprise to me,as Mr Middleton and I have always been the best of friends.

However,reporting on the patrolling of the Massett Reserve by Const Middleton,I may say that during December we had about 65 Skidegate Indians come to the Reserve on their way to Alaska,also several Weddings and Banquets were being held about the time,I asked Const Middleton to take a trip down there about 10 P.M. just to see that all was quiet,he promised he would, there was no differences of any kind regarding the ~~the~~ above request.

Regarding the destruction of Dogs on the Reserve at Massett,I was informed at the Office that a German police dog (bitch) 4 pups ~~were~~ was chasing the Deer and Cattle,I spoke to the owner,(an Indian)who agreed that the dog was getting dangerous, and was willing for the bitch to be shot,(destroyed).I asked Const Middleton if he would destroy the dog for me,(as the previous Constable used to do this for me),he replied that he only had seven Cartridges,and he would have to write to Prince Rupert to get permission to buy more,saying that an emergency might arise and he would need the above seven shells,I told Mr Middleton that the dog was dangerous,and might attack children on the Reserve or elsewhere, and should be destroyed as soon as possible,Next day Constable Middleton shot the dog and reported same to me at the Indian Office, There was no augument,more than the above,that evening I dined with Mr and Mrs Middleton.

Mr Middleton informed me yesterday that he reported the above to his O.C. at Prince Rupert,with the idea of getting a ruling as to his own work,since the report was sent in Const Middleton ~~xx~~ was at Prince Rupert,and Inspector Gammond asked the Const if there had been any differences between us and he answered No.

I may mention that I spent my Christmas with Mr and Mrs Middleton,and only yesterday I received a pair of Kid gloves as a present from them.

Const Middleton received a copy of the taxing and pounding etc,of dogs,and is typeing me two copies for use at this office,

Your obedient servant,

B.T.Phillips,
Acting Indian Agent.

Major D.M.MacKay.,
Indian Commissioner for B.C.
P.O.Box 70, Vancouver, B.C.

INDIAN COMMISSIONER
JAN 19 1939
VANCOUVER, B. C.

tom

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144/7404.

3rd Jan.,1939.

Dear Sir:-

The Deputy Commissioner of B. C. Police has written to this Office, forwarding certain correspondence regarding differences which are reported to have arisen between you and Provincial Constable Middleton, who is stationed at Massett. The points in dispute appear to be in the matter of the patrolling of the Indian Reserve and the destruction of Indian dogs. Whatever they may be I trust that they are not of a serious character.

I need not remind you of the desire of this Branch for the fullest co-operation between its employees and the Police Services. Differences, of course, are bound to occur from time to time but with tolerance and a real desire for a better understanding, these should be readily overcome and forgotten.

I should like to have a full report from you as to what has occurred between you and Constable Middleton.

Yours faithfully,

D.M.MacKay.
Indian Commissioner for B.C.

DM/HN

B. T. Phillips, Esq.,
Act. Indian Agent,
MASSETT, Q.C.I., B.C.

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144/7405.

3rd Jan.,1939.

Dear Sir:-

I have received your letter of December 22nd, with enclosures, regarding differences which are reported to have arisen between Mr. Acting Indian Agent Phillips and Constable Middleton at Massett.

Mr. Phillips has not reported the matter to this Office, from which I am inclined to conclude that the points in dispute are not of a serious character. It is regretted, however, that these differences whatever they may be, have occurred, and I trust they will not be permitted to develop.

Mr. Phillips is being asked for a report on what has occurred, and also being advised of the wishes of this Department in the matter of co-operation between its officers and the Provincial Police Service.

Yours faithfully,

D. M. MacKay.
Indian Commissioner for B.C.

DM/HN

T.W.S. Parsons, Esq.,
Deputy Commissioner,
B. C. Police,
Parliament Bldgs.,
VICTORIA, B.C.

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Address all communications to:
THE COMMISSIONER
British Columbia Provincial Police
(C.I.D.)
Victoria, B.C.

CRIMINAL INVESTIGATION DEPARTMENT
VICTORIA

Your File No.

In reply quote File No.

SUBJECT:

Patrol of Old Massett Indian Reserve and Shooting of Dogs.

December 22nd,
1 9 3 8

Major D.M. McKay,
Indian Commissioner for B.C.,
Dept. of Mines & Resources,
P. O. Box 8,
Vancouver, B. C.

Dear Sir:

I am enclosing for your information copy of a report submitted by our Constable at Massett. I have replied to this and enclose copy of my reply for your information.

As you no doubt fully appreciate, this Department is most anxious to work on the friendliest of terms with your officials. I suppose differences will arise at times, but with a little tolerance they can quickly be forgotten. The present situation, it seems to me, has arisen through a lack of knowledge of the laws governing the taxation and destruction of dogs on Indian Reserves. I feel Staff Sergeant Gammon has not quite given correction instructions in paragraph three of his letter to the Constable, but this will be corrected now.

Yours truly,

T.W.S. Parsons,
Deputy Commissioner,
B. C. Police.

INDIAN COMMISSIONER
DEC 24 1938
VANCOUVER, B. C.

TWSP/DN
Encl.

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Officer Commanding "D" Division,

Prince Rupert.

December 22nd, 1938

Patrol of Old Massett Indian Reserve and Shooting of Dogs.

With reference to Constable Middleton's report of the 9th instant, Staff Sergeant Gammon's remarks thereon and your forwarding note, I am directed by the Deputy Commissioner to say that it is to be regretted that some differences appear to exist between the Indian Agent for Queen Charlotte Islands and the Constable. The particular point under dispute at present seems so trivial that it would be a pity to create strained relationship between the two Departments in that area through it.

In the matter of dogs on Indian Reserves, this, of course, is governed by Section 95, Subsection 2, of the Indian Act. I am sending you a copy of the By-laws made pursuant to this Section. Your attention is particularly drawn to the fifth paragraph. These By-laws provide for the destruction of dogs for the non-payment of the tax. It hardly seems to me that any dogs can be destroyed without an order under the hand and seal of a Justice of the Peace or Indian Agent requiring such dog to be destroyed by the owner or by the Constable and the Constable, therefore, could hardly carry out the verbal request of Mr. Phillips as he might leave himself open to criticism. If the dogs were worrying, wounding or killing any sheep, etc., the procedure is provided for in paragraphs ten and eleven of the By-laws. Here, before any order for destruction is given, proof would have to be made that a dog had actually worried, wounded or killed as alleged.

I am sending a copy of Constable Middleton's report to the Indian Commissioner for B.C. as I feel that it is advisable that he should know the situation there.

Constable Middleton, however, must be instructed to exert every effort to co-operate amicably with the Indian officials and if he is in doubt as to any procedure he should report the circumstances to his District N.C.O. and ask for instructions and at the same time inform the Indian Agent of what he has done and the reason therefore.

INDIAN COMMISSIONER
DEC 24 1938
VANCOUVER, B. C.

INDIAN COMMISSIONER
DEC
VANCOUVER
1938

R. Peachey,
S/Inspector,
I/c C. I. B.

RP/DN
Encl.

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DIVISION: "D"

DISTRICT: Prince Rupert

DETACHMENT: Massett, B.C.

FILE No.

DATE: 9-12-38

PR or PCR.

UNOGANIZED TERRITORY

REPORT

Nil

Re:- Patrol Of Old Massett, Indian Reserve.- & Shooting of Dogs.

1. December 8th, 1938, Mr. B.T.Phillips, Indian Agent for the Queen Charlotte Islands, requested me to patrol to the Indian Reserve at nights, also that I shouls attend a wedding on the Reserve on the 21st of December this year. I asked Mr. Phillips if there were any complaints of drinking etc, and he stated no. I mentioned the fact to Mr. Phillips that I patrolled to the Indian Reserve 3. or 4. times a week on foot, and I thought that this was enough, and that according to my diary I patrolled more than any other Constable had. I also mentioned the fact to Mr. Phillips that he had two Indian Constables on the Reserve, and that if I was wanted I could always be got either on the streets around New Massett, or home, that this was the only two places I went. I also told Mr. Phillips that if the Dominion Goverment would pay the cost of the taxi hire I would also patrol the Reserve at nights and he stated that it was a Provincial road. I told Mr. Phillips that it was only a few weeks ago that he asked me to lay off the Indians to which he made no reply.

H'QRS. REF.

DIV'L REF.

2. Mr. Phillips then stated to me that he had about a dozen dogs that belonged to Indians on the Reserve, and requested me to go up to the Reserve the following day and shoot them. I told Mr. Phillips that I had only about 8. shells, and that I was not sure wheather I should shoot the dogs or not, as it was a serious matter shooting dogs without the permission of the owner. He then stated that he was the boss of the Reserve that I had to do as he said, and that I had to go to the Reserve when he said, or called for me. I told him that I always had why mention that. The following day I proceeded to the Reserve and Mr. Phillips stated that Mr. Peter Brown had 4.Or 5. dogs to be shot, I saw Mr. Brown and shot a Police dog at his request, after I had destroyed this dog Mr. Brown was very sore and stated that Mr. Phillips had no business to order his dog shot, and that I had not to shoot his other dogs as he was going to give two of them away to Indians at Skidigate.

DIST. REF.

DET. REF.

3. I told Mr. Phillips that I would like some understanding regarding the patrolling of this Reserve etc, and he stated to me that if I got any calls from the Reserve, I had not to go there unless I notified him first. I might state that on two previous ocassions when I have had calls I have gone to the Residence of Mr Phillips and advised him, and then proceeded to the Reserve on my own. Would you please give me some instructions regarding the patrolling of this Reserve, also if it is my duty to go on the Reserve and shoot these dogs.

N.C. O. 1/c.
Prince Rupert District.
Prince Rupert, B.C.

W. Middleton
(W. Middleton)
Constable #545.
1/c. Massett Detachment.

INDIAN COMMISSIONER
DEC 24 1938
VANCOUVER

RECEIVED
C.I.B. HQRS.
DEC 19 1938
B.C. POLICE
VICTORIA, B.C.

Cont'd on Page 2.

★ B.C.P. 19—100M-338-2666

This report should show whether its subject-matter relates to organized or unorganized territory. If organized, clearly state the particular Municipality concerned. Any reports rendered under the "Government Liquor Act" should state the amount of expenses incurred in connection therewith.

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DIVISION:

DISTRICT:

DETACHMENT:

FILE No.

DATE: 9-12-38.

PR or PCR.

Re: Patrol of Old Massett, Indian Reserve, & Shooting of Dogs.

Prince Rupert,B.C. 15-12-38; Forwarded to the Officer Commanding, "D". Division, B.C. Police, Prince Rupert, B.C.

It appears some friction has taken place between Mr. Phillips, Indian Agent,Massett,B.C., and our Constable, W.Middleton. Knowing the Constable I do not think he would do anything intentionally to cause trouble, and as he asked for instructions on certain points I have written him, which is as follows:-

1. "I beg to acknowledge the receipt of your Report dated 9-12-38, in which you ask for instructions on certain points.

2. It is our duty to prevent crime ascwell as to bring an accused to justice after committing an offence. In order to do this we require the assistance of the public at large, and it is to our interest to have the co-operation of other departments, and if possible, not to cause friction amony any officials This does not mean that you are to take instructions from them, t they come to you from this office, or from other officials of this Department, nevertheless, should any person request you to do something, which is within reason, it would be advisable for you to do so, in this you must use your own discretion, or if you are in doubt write me as you have done in this instance.

H'QRS. REF.

DIV'L REF.

3. With reference to para. 2 of your Report, a Police Officer has no authority to shoot a dog, except with the consent of the owner, on an order from the Court; or under the provisions of certain sections of the "Sheep Protection Act" and the "Game Act". In some instances a dog might be seriously injured, when it would be an act of kindness to put it out of its misery.

DIST. REF.

4. Regarding para. 3 of your Report, I have covered the question of shooting dogs in the above para. 3 of this memo. The patrolling of the Indian Reservations in order to prevent crime or to detect same, must be left at your own discretion, and should you receive a complaint of a serious nature, I see no reason why you should waste time in notifying the Indian Agent first, but if it is convenient the Indian Agent should be notified at once.

DET. REF.

5. If there are any differences of opinion between you and Mr. Phillips the Indian Agent at Massett, I trust they will be settled amicably."

E. Gammon

(E.Gammon) S/Sergt.
N.C.O. i/c District.

Divisional Headquarters,
Prince Rupert, B.C.,December 15,1938

Mr.Phillips appears to have gone a little too far in giving instructions to Constable Middleton. In the event of any further controversy, S/Sergt.Gammon or myself will make a trip to Massett and straighten it out.

C.G.Barber, Inspector,
Officer Commanding "D" Division.

To: The Deputy Commissioner,
B.C.Provincial Police,
Victoria, B.C.

INDIAN COMMISSIONER VANCOUVER, B. C. DEC 24 1938

RECEIVED C.I.B. HQRS. DEC 19 1938 B.C. POLICE VICTORIA, B.C.

★ B.C.P. 19—100M-338-2666

This report should show whether its subject-matter relates to organized or unorganized territory. If organized, clearly state the particular Municipality concerned. Any report rendered under the "Government Liquor Act" should state the amount of expenses incurred in connection therewith.

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144/7504.

January 10, 1939.

Dear Sir:

I have to refer to your letter of October 13th, file 29-152 with enclosures regarding sheep killing dogs.

This matter was gone into thoroughly with Mr. Indian Agent Graham and more recently discussed with Mr. J.D. Caldwell, who is at present Acting Agent at Duncan. I also took advantage of an opportunity to briefly discuss the subject with Hon. K.C. MacDonald, Provincial Minister of Agriculture, and as a result of the review of the situation with these gentlemen I am satisfied that the regulations promulgated by the Department on December 6, 1937, for the taxation, control and destruction of dogs on Indian Reserves, or parts thereof, are sufficient to adequately deal with the situation insofar as the Indian Affairs Branch is concerned, provided the Agent is given authority to employ and instruct a collector from time to time to visit each Band and inspect the dogs and registration thereof, and to destroy any Indian dogs not registered or not bearing an official registration tag.

It would be extremely difficult, if not impossible, for the Indian Agent with the limited time at his disposal to do this himself and he must have assistance either through the employment of a collector, as suggested, or through the Provincial Police, and I doubt if the Province would be willing to detail a police constable for this special duty. It is my intention, however, to discuss this phase of the subject with Deputy Commissioner T.S. Parsons of the Provincial Police, who is to visit this office within the next few days.

The Department will probably recall that I made provision for the employment of a collector in Section 6 of the draft by-laws prepared by me and submitted to the Department on July 24th, 1937, for consideration. The Department did not include such provision,

The Secretary,
Indian Affairs Branch,
Department of Mines and Resources,
Ottawa, Ont.

however ...

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however, in the final draft as approved and issued on December 6, 1937.

It may be that the costs involved in the employment of a collector, which should not be large, could be provided through one of the divisions of the Special Vote. It may not be possible to do this, but the thought occurred to me.

The subject of sheep killing dogs and adequate measures for their control and destruction was discussed with Mr. J.S. Taylor, M.P. on two occasions when he visited this office. Mr. Taylor was informed of our by-laws and was inclined to agree that they would go a long way to meet the existing situation provided regular checks were made on all Indian dogs by someone authorized to enter the Reserves.

Yours faithfully,

D. M. MacKay.
Indian Commissioner for B.C.

DM/AC

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144/5735.

Sept. 6, 1938.

Dear Sir:

With reference to the attached letter from Mr. Indian Agent Graham, I would recommend that Mr. Graham be authorized to make arrangements along the line suggested by him.

The surplus dogs on Cowichan Indian Reserves are a menace to good health and are responsible to some extent for the destruction of Indian sheep and poultry, and should be destroyed. If the arrangements suggested by Mr. Graham do not bring the desired results, application for authority to expend a small sum to employ a responsible person to do the work will be submitted.

Yours faithfully,

Encl
DM/AC

D. M. MacKay.
Indian Commissioner for B.C.

The Secretary,
Indian Affairs Branch,
Department of Mines and Resources,
Ottawa, Ont.

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(Forwarded in duplicate through Indian Commissioner
Mr. D. M. MacKay)

OFFICE OF THE
INDIAN AGENT

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE 180-A-3

Duncan, B. C.

August 27th, 1938.

Sir:-

Having reference to By Laws for the Taxation Control and Destruction of Dogs on Indian Reserve, I might say that the Indian Chiefs and others were notified of the new regulations at a meeting held here recently before Mr. Commissioner MacKay.

I have made a start on registering dogs and find a tremendous amount of opposition, and in every case a cry of no money and refusing to destroy any extra dogs themselves.

I would like to ask for permission to employ some one to do this work for them, to be paid 50% of the amount collected by them. I have two Indians and a Municipal Tax Collector who are willing to do this work.

The Indians are now leaving for the hop-fields and they just go off and leave their dogs to look after themselves, with the result that it is not long before they take to killing sheep and chickens, etc.

I am just in receipt of a complaint from Mr. G. G. Share who claims that he saw two Indian dogs kill seven of his laying hens, and for which he is making a claim of $9.45.

Your obedient servant,

H. Graham.

(H. Graham)
Indian Agent

The Secretary,
Indian Affairs Branch,
Department of Mines & Resources,
OTTAWA.

INDIAN AGENT
AUG 29 1938
VANCOUVER, B.C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

624-A-4

OFFICE OF
INDIAN AGENT

Duncan, B. C.

Nov. 8th, 1938.

Your No.144/6554

Dear Sir:-

I beg to acknowledge receipt of your letter of the 4th, instant, to-gether with copy of Mr. James S. Taylor's correspondence with the Department regarding sheep killing dogs.

I am in accord with Mr. Taylor that a great hardship is being inflicted upon this district by the killing of sheep by stray dogs, and that a certain amount of it is due to Indian dogs, and this question I have had before the Department for a considerable time, and if the Department would only give me some authority to employ a special constable from time to time to go around the reserve and check up on all dogs under the new regulations, I am sure the menace from Indian dogs would almost completely disappear, but it is quite impossible for an Agent to do this, as it takes up so much time, which he has not got. I have applied to the Department to employ a special constable or two Indians who have offered to do this work, and they to be compensated by taking fifty per cent of the amount collected. Personally I do not think this latter scheme would work very long, as no Indians would keep two dogs and would just tell the officer to go ahead and kill them.

What Mr. Taylor says about the sheep herd of this district being practically obliterated is quite true, but I do not think that the Indian dogs are the cause of even half the killing, and if the Provincial Government, the Municipality of North Cowichan, and the Indian Department would join forces and make a systematic effort to do away with sheep-killers, that it could be done, and thus bring the killing down to a minimum.

I am quite in accord with Mr. Taylor in regard to certain dogs such as German Police dogs and Alsations being entirely done away with, except when kept on a chain when not in charge of some person. I have found in every instance where an Indian has this class of dogs, that it has been the principal culprit in leading other dogs astray, and there certainly is no necessity for an Indian to keep this class of dog, especially as he is a big eater, and an Indian never feeds them properly, with the result that you find they are always in poor condition and have to hunt for their food, and therefor take this method of sheep and chicken killing to get their food.

INDIAN COMMISSIONER
NOV 9 1938
VANCOUVER, B. C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

If I may suggest, that if this matter be worked jointly , then I think provisions should be made to place the Indians on the same footing as the Whites, in respect to compensation in the loss of sheep by dogs, as I am quite qure that in many cases Indians sheep have been killed by White dogs.

Yours obediently,

H. Graham.

(H. Graham)
Indian Agent.

D. M. MacKay, Esq.,
Indian Commissioner for B. C.
P. O. Box 70,
VANCOUVER, B. C.

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CANADA

624-A-4

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INDIAN AGENT

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Yours obediently,

H. Graham

(H. Graham)
Indian Agent.

D. M. MacKay, Esq.,
Indian Commissioner for B. C.
P. O. Box 70,
VANCOUVER, B. C.

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144/6554.

4th Nov.,1938.

Dear Sir:-

You will recall that in discussing certain matters with you a few days ago, I referred to correspondence from the Department regarding control of Indian dogs. In this connection, I am forwarding, for your information and attention, a copy of a letter addressed by Mr. J. S. Taylor, M.P. to the Honourable the Minister of Mines and Resources. I should like you to study carefully Mr. Taylor's letter, and let me have your views on the points raised by him.

I may be wrong but I believe we could control dogs under the regulations already promulgated by the Department, provided the Agent were authorized to employ a special constable from time to time as necessity arose to visit the Reserves to check up on all dogs and destroy those not registered. Advantage might accrue to us by co-operation with the Province in the matter, as suggested by Mr. Taylor, provided the Indians were placed on the same footing as White men with respect to compensation for loss of sheep by dogs under Provincial Statute.

I should appreciate an early reply.

Yours faithfully,

D. M. MacKay.
Indian Commissioner for B.C.

DM/HN

H. Graham, Esq.,
Indian Agent,
DUNCAN, B.C.

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To be taken up notice
in Victoria.

See. W. Munroe.
" M. Graham.

INDIAN AFFAIRS
AFFAIRES INDIENNES

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ADDRESS REPLY TO THE
SECRETARY, INDIAN
AFFAIRS BRANCH

CANADA

DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE 29-152

OTTAWA, October 13, 1938.

Dear Sir:

Enclosed herewith for your information is copy of a letter addressed to the Minister by Mr. J. S. Taylor, M.P., dated September 26, and copy of one which the latter addressed to the Minister of Agriculture, in connection with sheep-killing dogs.

I would ask you to submit a report on the above-mentioned enclosures, in which a suggestion is made that some co-ordination might develop between the Departments concerned in this matter.

A letter has also been sent to the Department of Agriculture, Ottawa, advising them of our interest in the matter.

Yours very truly,

T. R. L. MacInnes,
Secretary.

Major D. M. MacKay,
Indian Commissioner,
P. O. Box 70,
Vancouver, B. C.

Enclosures.

INDIAN COMMISSIONER
OCT 19 1938
VANCOUVER, B. C.

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COPY

HOUSE OF COMMONS

CANADA

P.O.Box 66,
Vancouver, B.C.,
Sept. 26th, 1938.

The Honourable Minister of Mines & Resources,
Ottawa,
Canada.

Honoured and Dear Sir:

Re: SHEEP-KILLING DOGS

I have today addressed a letter to the Honourable Minister of Agriculture and desire you to give consideration to its contents. I enclose an impressed copy.

As your Department has already done a good deal to control the menace as it affects the Indians, the purpose of my letter is to suggest that some co-ordination might develop between the Departments interested - the Department of Agriculture, the Department of Mines and Resources, and Provincial offices. Such co-ordination would produce results without circumlocution and would, I think, prove quite effective right away.

Commending the whole to your careful consideration.

Yours very truly,

"JAS. S. TAYLOR"

J. S. Taylor, M.P.
Nanaimo

JST/EDK

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COPY

HOUSE OF COMMONS

CANADA

P.O. Box 66,
Vancouver, B.C.
Sept. 26th, 1938.

The Honourable Minister of Agriculture,
Ottawa,
Canada.

Honoured and Dear Sir:

Re: SHEEP-KILLING DOGS

I have had several communications from the neighbourhood of Duncan, Vancouver Island, B.C., and on one occasion I wrote to the Indian Department to draw attention to the ravages committed by Indian dogs amongst the sheep population of the Duncan District.

On a recent visit to Duncan I met Admiral Nugent of "Fosswell", Duncan, who gave me much information concerning the difficulties that farmers are experiencing.

At one time there was approximately a population of 3,000 sheep - today this does not exceed 300 - and a considerable decrease developed in 1938 on account of the ravages of dogs. The Admiral knew of six people who had given up farming sheep on account of dogs.

The trouble is apparently not confined entirely to the dogs of Indians, but there is little doubt that the greatest blame must be laid against these. The Indians themselves are suffering and lose many sheep. One indian of whom I heard had through this year lost one-half his sheep and many chickens, and he has no redress. Among the whites young Tisdale, son of the Reeve of the Municipality of Cowichan, bought fourteen ewes in lamb from Admiral Nugent, and within ten days suffered by having five killed and three worried. He obtained only eight lambs and has since given up sheep as a consequence.

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It would seem that the attention of the Indian Department has been drawn to this matter, not only by myself but by farmers and by the Municipality of Cowichan, and an arrangement has been come to by which Indians are to be allowed one dog each, which dog must be tagged, the tags being supplied, free, while if more dogs are required by an Indian a license of $1.00 must be paid for each additional dog.

Trouble undoubtedly will develop through overlapping of interests departmentally, and this is the main object of my letter. Firstly I would urge you, Honoured Sir, to take the whole question of the destruction of sheep by dogs into earnest consideration. I am informed that Mr. MacMillan of the Department of Agriculture, Ontario, has been able to secure certain restrictions on sheep dogs in Ontario, and that either a very heavy license has been imposed or in some instances certain breeds of dogs are banned altogether. (I am not sure that this information is correct.)

Some constructive effort should be made to tackle this menace. Dogs once running to blood can never be trusted again, and although the cure is an extreme one it would appear that they should be ruthlessly wiped out. Instances have been quoted to me where owners of dogs have found them returning in the early morning with their mouths and breasts blood-bespattered. Would it not be possible to issue a regulation under which an owner could be fined if he did not report, on suspicion, his dog returning blood-covered.

Summing up, there seems to be the necessity for some departmental action to control this menace. Further, in view of the overlapping of departmental control would it not be possible to have a single officer appointed, responsible to each of the Departments, to act on his own initiative within certain limitations to effectually deal with the matter. A co-ordination of effort would be obtained in this way and I think it would be hopeless to assume that it could be obtained in any other.

German police dogs and the Alsation hound appear to be the real criminals among dogs. They hunt in pairs and if they do not have one of their own breed

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they attach to themselves a dog of another breed which quickly learns to murder and thus become a criminal like its fellow.

Relying on your earnest consideration.

Yours very truly,

"JAS. S. TAYLOR"

J. S. Taylor, M.P.
Nanaimo

JST/EDK

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(COPY)

Department of Indian Affairs
Canada

Office of Indian Agent

C-29-1. 710-692
Dec-6-37.
Stikine.

Telegraph Creek, B.C
January 3rd.
1938.

Sir,

I beg to acknowledge receipt of Circular Letter under the above reference, in regard to taxation of Indian Dogs upon Reserves etc.

On no Indian Reserves within the Stikine Agency have taxes on Indian dogs been enforced. At odd times several odd dogs have been shot, as useless.

As the Department understands, the Reserves of this northern Agency are only odd choice camp sites or fishing locations, and the Indians being nomadic, do not reside, as a rule on their Reserves.

Some few Indian Families reside in the Town of Telegraph Creek and that of Atlin. It has been the rule to allow these Indians to be taxed for their dogs. It has been considered unfair to tax the dogs of nomadic Indians living away in the far districts, although it is understood that the B. C. Provincial Authorities have the right to do so. During the visit of Inspection by Inspector Pragnell, summer of 1936, at Dease Lake he requested Inspector Van Dyk of the B. C. Game Department to collect dog taxes from Indians, it was thought that too many dogs were being used. This, Inspector Van Dyk stated was not possible at the present time, therefore the matter was laid in abeyance.

All dogs in the Cassiar are practically feed on Moose, which statement is not so bad as it sounds, for in Indian camps only the bones and scraps are fed the dogs, and many camps have starving dogs- shells are expensive.

However it is respectfully thought that Indians should pay taxes for dogs. They would keep less, and a better breed of dogs would eventually be obtained. The question as to how many a family should be allowed to keep, should be ruled upon by the Indian Agent. In parts of this Agency, light dogs have to be used only; in other parts, that have trails, or perhaps a wet district, heavy dogs are necessary. More light dogs are needed than heavy. Travelling family requirements are also a matter that governs the need of dogs.

The idea has been entertained of sending Indian trapping families by Plane to their far distant trap grounds, so that a full season would be gained, but even at that, some dogs would have to be used for living purposes in this northern district. But some By Law to regulate the question of Indian Dogs is very necessary.

I am,
Sir,
Your obedient servant.

(signed) Harper Reed,
Indian Agent.

The Secretary,
Indian Affairs Branch,
Dept Mines & Resources,
OTTAWA.

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DEPARTMENT OF MINES & RESOURCES
INDIAN AFFAIRS BRANCH

Bylaws for the Taxation, Control and Destruction of Dogs on Indian Reserves or parts thereof under the provisions of Paragraph "F" of Section 95, Chap. 98, R. S. C. 1927.

DOGS.

1. The head of each Indian family or Indian living alone shall have the right to keep one dog or bitch free from any tax under these regulations providing registration is made as hereinafter set out.

2. The head of each Indian family or Indian living alone, desiring to keep more than one dog over the age of six months shall apply to the Indian Agent or other Departmental officer or employee as designated by the Minister of Mines and Resources for permission so to do and may obtain a permit for such additional dog or dogs upon payment of a tax of one dollar for each additional dog and three dollars for each additional bitch. Such permit shall be for one year only and issue and renewal thereof shall be at the discretion of the Dog Registration Officer.

Registration.

3. For the purpose of these regulations the Indian Agent or other Departmental officer or employee designated by the Minister of Mines and Resources shall be the dog registration officer who shall keep a book for the registration of all dogs upon the reserve and such registration officer shall make an entry of each dog registered in accordance with these regulations. The registration shall show the name of dog, its age and description and name of owner. Where registration is made in accordance with section two of these regulations the tax required shall be collected at the time of registration. Upon registration the registration officer shall issue a registration tag free of charge

to the.....

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to the owner which shall be worn by the dog at all times. Any change of ownership of any registered dog shall be entered in the register.

4. Any dog found on the reserve not registered in accordance with the provisions of these regulations, or not bearing official tag, or, if registered and carrying the official tag such dog becomes a nuisance, may be destroyed by the registration officer or any person authorized by him who for such purposes may enter upon the reserve and premises where the dog may be and may destroy such dog.

5. No dog unregistered in accordance with these regulations shall be harboured or kept on a reserve by any Indian and any dog not registered in accordance with these regulations may be seized and destroyed by the registration officer.

6. Any Indian not registering his or her dog or dogs in accordance with these regulations shall be liable on summary conviction to a penalty of not more than $10.00 and in default of immediate payment of such penalty and the costs of prosecution such Indian may be imprisoned for a term of not more than ten days.

7. These by-laws or regulations shall come into effect on the 1st day of January, 1938, and shall only apply to such Indian Reserve or parts thereof as may be directed in writing by the Minister of Mines and Resources.

Dated at Ottawa this
6th day of December,
1937

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Vancouver, B.C., April 25,1938.

Dear Mr. Christianson:

I have to acknowledge yours of the 12th instant enclosing a copy of the proposed By-laws for the taxation and control and destruction of dogs on Indian Reserves, which by-laws when they do come into effect will, I understand, only cover such Reserves in an Agency as are considered necessary by the Indian Agent. You ask me whether I would like to make any recommendations as to the suitability of the enclosed by-laws for the Stikine Agency and for my information you enclosed copy of a letter on the subject from Mr. Harper Reed.

In making comment upon their suitability, despite the fact that Mr. Harper Reed would appear to agree that they are suitable, I have to say that I do not think they could be carried out. My reasons for coming to this conclusion are as follows: Firstly, the Reserves in this Agency are all very small and widely scattered over a large district, with poor and slow transportation. Secondly, these Reserves are really not places of residence by the Indians. They are only used by them occasionally in their wanderings and with the expection of a few small shacks around Telegraph Creek itself, there is no definite residence by the Indians on them. They are used principally only for camping places of convenience and in some cases for fishing purposes. Thirdly, even the Provincial Authorities, who would be dealing,naturally, with their own by-laws off the Reserves, which you can see are the majority, they, themselves, admitted to me personally that it was not possible to carry out. Fourthly, whilst these by-laws may be quite feasible and should be carried out on certain Reserves anyhow in the more southern parts of the Province, the dogs in the north really come under a different category. There they are, as you know, really used as a means of transportation, and it would be very difficult for anybody to say how many dogs they should or should not have. Fifthly, Mr. Harper Reed, although

M. Christianson, Esq.,
General Superintendent of Agencies,
Indian Affairs Branch,
Ottawa, Ont.

he ...

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he may not appreciate the point, has already got more work then he can probably carry out. He has no assistance, as he really should have, and I do not see how he could possibly keep any check upon Indians owning sledge dogs, when in so many cases he may only see the said family once in three years or more. If he did arrange what they should have in any one case, by the time he saw the same party again their ownership in the matter of dogs might be completely changed.

Yours very truly,

G. S. Pragnell
Inspector of Indian Agencies for B.C.

GSP/AC

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144/3368.

P. O. Box 70,
Vancouver, B.C.,
14th May, 1938.

Dear Sir:-

I am enclosing letter addressed to you by the Department at Ottawa, dated 12th April, regarding revised bylaws for taxation, control and destruction of dogs on Indian Reserves or parts thereof.

It is presumed that you have the copy of the report, referred to in the second paragraph of this letter, in your possession.

Yours faithfully,

D.M.MacKay.
Indian Commissioner for B.C.

AVH:HN

Col. G. S. Pragnell,
Inspector of Indian Agencies for B.C.,
P. O. Box 752,
KAMLOOPS, B.C.

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C O P Y

Ottawa, April 12, 1938.

Dear Sir:-

The Department is issuing a revised set of bylaws for the taxation, control and destruction of dogs on Indian Reserves or parts thereof under the provisions of Paragraph F, of Section 95, Chapter 98, R.S.C., 1927. Each Indian Agent has been requested to submit to the Department a list showing the reserves in his Agency on which bylaws were previously enforced.

I am enclosing for your information copy of a report that has been received from Mr. Harper Reed in reply to the above request, and, in view of this report, I would ask that if you wish to make any recommendations regarding the suitability of the enclosed bylaws for the Stikine Agency, you submit your views to the Department.

These bylaws should not be considered to be in effect as it is necessary first to have the Minister's approval of such action.

Yours very truly,

"M.Christianson"
For Secretary.

Lt. Col. G. S. P. Pragnell,
Inspector of Indian Agencies,
Kamloops, B. C.

Enclosures.

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144/2006.

P. O. Box 8,

Vancouver, B.C., February 2, 1938.

Dear Sir:

With reference to your letter of the 28th January, last, requesting supplies of dog tags, I am sorry that we have none of these tags. You should therefore apply direct to the Department at Ottawa for the same.

Yours faithfully,

For D. M. MacKay.
Indian Commissioner for B.C.

H/AC

H. Graham, Esq.,
Indian Agent,
Duncan, B.C.

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OFFICE OF THE
INDIAN AGENT

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE 757-Y-3

Duncan, B. C.

January 28th, 1938.

Your File No.114/1910

Dear Sir:-

I have yours of the 27th, instant advising that the new Bylaws for the Taxation, Control and Destruction of Dogs on Indian Reserves were now in force throughout Cowichan Agency.

In connection with these Regulations, it will be necessary to have a supply of tags, in accordance with paragraph 3 of the Regulations, and it is estimated that about four hundred will be required.

Would you kindly advise if I should make application direct to the Department at Ottawa for these.

Dept.

Yours obediently,

Kate Roberts

for H. Graham
Indian Agent.

D. M. MacKay, Esq.,
Indian Commissioner for B. C.
P. O. Box 8,
VANCOUVER, B. C.

INDIAN COMMISSIONER
JAN 29 1938
VANCOUVER

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144/1910.

P. O. Box 8,
Vancouver, B.C.,
27th Jan., 1938.

Dear Sir:-

You no doubt have a copy of the New Bylaws for the Taxation, Control and Destruction of Dogs on Indian Reserves.

These Bylaws are now in force throughout the Cowichan Agency and notices should be placed in conspicuous places on the Reserves, informing the Indians that all dogs must be kept under control and, if not provided for and placed in charge of a responsible person during the absence of the owner, will be destroyed.

Yours faithfully,

D. M. MacKay.
Indian Commissioner for B.C.

DM/HN

H. Graham, Esq.,
Indian Agent,
DUNCAN, B.C.

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ADDRESS REPLY TO THE
SECRETARY, INDIAN
AFFAIRS BRANCH

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE 29-152

OTTAWA, January 20, 1938.

Dear Major MacKay:

I enclose herewith copies of the new bylaws for the Taxation, Control and Destruction of Dogs on Indian Reserves or parts thereof.

As you are aware there has been a great deal of trouble caused by the killing of sheep by dogs owned by Indians of the Cowichan Agency. For this reason the Minister's approval has first been obtained for putting the bylaws into effect there. I enclose for your information a copy of this authority.

In connection with the matter, Mr. H. Graham has stated that "The majority of these animals will be left alone to care for themselves whilst the owners go away to the berry and hop-fields, and this is when a great majority of damage is done.

"Also some provision should be made so that no dog is allowed to be left without provision being made for proper care of it."

There would appear to be a similar difficulty in the Babine Agency and the Agent there informs us that:

"notices have been posted in conspicuous places on some of the reserves informing the Indians that all dogs must be kept under control and, if not taken to the Coast Canneries during the fishing season, must be kept in charge of some responsible person; otherwise the dogs would be destroyed. This has had the desired effect, for there has been no trouble in this respect."

INDIAN COMMISSIONER
JAN 26 1938
VANCOUVER

It is suggested, therefore, that Mr. Graham should be instructed when putting the by-laws into effect in his Agency, he should also take some such action as has been found effective in the Babine Agency for the care of dogs during the absence of the Indians from the reserve.

Enclosures.

Yours very truly,

T. R. L. MacInnes,
for Secretary.

Major D. M. MacKay,
Indian Commissioner, Victoria, B. C.

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001259

(COPY)

NOTICE OF THE COMING INTO FORCE OF THE BYLAWS FOR THE TAXATION, CONTROL AND DESTRUCTION OF DOGS IN THE INDIAN RESERVES IN THE COWICHAN AGENCY IN THE PROVINCE OF BRITISH COLUMBIA.

Notice is hereby given that the bylaws for the taxation, control and destruction of dogs established pursuant to the authority of Section 95, Subsection (f) of the Indian Act, being Chapter 98, Revised Statutes of Canada, 1927, copy of which said bylaws is attached hereto, shall from and after the date hereof be in full force and effect throughout all the Indian Reserves in the Cowichan Agency in the Province of British Columbia.

Dated at Ottawa this 7th day of January, A.D. 1938.

(signed) T. A. CRERAR

Minister of Mines and Resources.

INDIAN CONTROLLER
JAN 8th 1938

INDIAN AFFAIRS
AFFAIRES INDIENNES

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(COPY)

NOTICE OF THE COMING INTO FORCE OF THE BYLAWS FOR THE TAXATION, CONTROL AND DESTRUCTION OF DOGS IN THE INDIAN RESERVES IN THE COWICHAN AGENCY IN THE PROVINCE OF BRITISH COLUMBIA.

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Dated at Ottawa this 7th day of January, A.D. 1938.

(signed) T. A. CRERAR

Minister of Mines and Resources.

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DEPARTMENT OF MINES & RESOURCES
INDIAN AFFAIRS BRANCH

Bylaws for the Taxation, Control and Destruction of Dogs on Indian Reserves or parts thereof under the provisions of Paragraph "F" of Section 95, Chap. 98, R. S. C. 1927.

DOGS.

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2. The head of each Indian family or Indian living alone, desiring to keep more than one dog over the age of six months shall apply to the Indian Agent or other Departmental officer or employee as designated by the Minister of Mines and Resources for permission so to do and may obtain a permit for such additional dog or dogs upon payment of a tax of one dollar for each additional dog and three dollars for each additional bitch. Such permit shall be for one year only and issue and renewal thereof shall be at the discretion of the Dog Registration Officer.

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to the.....

INDIAN COMMISSIONER
JAN 20 1938
VANCOUVER, B. C.

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to the owner which shall be worn by the dog at all times. Any change of ownership of any registered dog shall be entered in the register.

4. Any dog found on the reserve not registered in accordance with the provisions of these regulations, or not bearing official tag, or, if registered and carrying the official tag such dog becomes a nuisance, may be destroyed by the registration officer or any person authorized by him who for such purposes may enter upon the reserve and premises where the dog may be and may destroy such dog.

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6. Any Indian not registering his or her dog or dogs in accordance with these regulations shall be liable on summary conviction to a penalty of not more than $10.00 and in default of immediate payment of such penalty and the costs of prosecution such Indian may be imprisoned for a term of not more than ten days.

7. These by-laws or regulations shall come into effect on the 1st day of January, 1938, and shall only apply to such Indian Reserve or parts thereof as may be directed in writing by the Minister of Mines and Resources.

Dated at Ottawa this
6th day of December,
1937

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

C[illegible]-1. 710-692
Dec-6-37.

OFFICE OF
INDIAN AGENT

Stikine.

Telegraph Creek. B.C.
January. 3 rd.
1938.

C O P Y.

Sir,

I beg to acknowledge receipt of Circular Letter under the above reference, in regard to Taxation of Indian Dogs upon Reserves etc.
On no Indian Reserves within the Stikine Agency have taxes on Indian dogs been enforced. At odd times several odd dogs have been shot, as useless.

As the Department understands, the Reserves of this northern Agency are only odd choice camp sites or fishing locations, and the Indians being nomadic, do not reside, as a rule on their Reserves.

Some few Indian Families reside in the Towns of Telegraph Creek and that of Atlin. It has been the rule to allow these Indians to be taxed for their dogs. It has been considered unfair to tax the dogs of nomadic Indians living away in the far districts, altho it is understood that the B.C. Provincial Authorities have the right to do so. During the visit of Inspection by Inspector Pragnell, summer of 1936, at Dease Lake he requested Inspector Van Dyk of the B.C. Game Department to collect dog taxes from Indians, it was thought that too many dogs were being used. This, Inspector Van Dyk stated was not possible at the present time, therefore the matter was laid in abeyance.

All dogs in the Cassiar are practically feed on Moose, which statement is not so bad as it sounds, for in Indian camps only the bones and scraps are fed the dogs, and many camps have starving dogs- shells are expensive.

However it is respectfully thought that indians should pay taxes for dogs. They would keep less, and a better breed of dogs would eventually be obtained. The question as to how many a family should be allowed to keep, should be ruled upon by the Indian Agent. In parts of this Agency, light dogs have to be usedonly; in other parts, that have trails, or perhaps a wet district, heavy dogs are necessary. More light dogs are needed than heavy. Travelling family requirements are also a matter that governs the need of dogs.

The idea has been entertained of sending Indian trapping families by Plane to their far distant trapgrounds, so that a full season would be gained, but even at that, some dogs would have to be used for living purposes in this northern district. But some By Law to regulate the question of Indian Dogs is very necessary.

I am.

Sir,

Your obedient servant.

Harper Reed

Harper Reed Indian Agent.

The Secretary.
Indian Affairs Branch.
Dept Mines & Resources.
OTTAWA.

Major D. M. MacKay.
Indian Commissioner for B.C.
VANCOUVER. B.C.

Copy submitted for your inspection. Sir.

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INDIAN AFFAIRS
JAN 20 1938
VANCOUVER, B.C.

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OFFICE OF THE
INDIAN AGENT

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE G-0-13

KAMLOOPS AGENCY

Kamloops, B.C., December 17,1937.

Dear Sir:-

With reference to your letter of the 6th inst., regarding the revision of a set of by-laws for the taxation, control and destruction of dogs on Indian Reserves,

In reply I beg to advise that to my knowledge no bylaws of this nature have ever been enforced on the Reserves of this Agency.

Last summer when Mr. D.M. MacKay, Indian Commissioner for B.C., was here, he informed me that he was preparing information for the Department in regard to the control of dogs on Reserves, where needed.

The bylaws now revised are possibly the outcome of the Commissioner's proposals and in view of the information gained in my discussion with him, I would like the Department to have these bylaws made effective on Kamloops Indian Reserve No. I., where, in the past, we have had the most trouble with dogs.

Yours faithfully,

W.J. Ferguson

(W.J. Ferguson)
Indian Agent.

The Secretary,
Indian Affairs Branch,
Dept. of Mines & Resources,
OTTAWA, Ont.

Copy to Indian Commissioner for B.C.

INDIAN AFFAIRS
DEC 30 1937
VANCOUVER, B. C.

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2021-00-00

For information of Commissioner MacKay

ADDRESS REPLY TO THE SECRETARY, INDIAN AFFAIRS BRANCH

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

OTTAWA

PLEASE QUOTE
FILE

December 6, 1937.

TO INDIAN AGENTS:

The department is about to issue a revised set of bylaws for the taxation, control and destruction of dogs on Indian Reserves or parts thereof under the provisions of Paragraph "F" of Section 95, Chap. 98, R.S.C., 1927.

I should be obliged if you would, at your earliest convenience, submit to the department a list showing the Reserves in your Agency on which the Dog Bylaws were previously enforced.

Yours very truly,

T R L MacInnes

T. R. L. MacInnes,
Secretary.

C 29-1

710-692.

INDIAN COMMISSIONER
DEC 13 1937
VANCOUVER, B. C.

144

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OFFICE OF THE
DEPUTY MINISTER

DEPARTMENT OF AGRICULTURE
PROVINCE OF
BRITISH COLUMBIA

VICTORIA

Oct. 15,
1 9 3 7.

Major D. M. MacKay,
Commissioner of Indian Affairs,
Vancouver, B. C.

Dear Major MacKay:

Enclosed are copies of letters which I have just sent to the Indian, Canute Lemo, and to the Indian Agent, Mr. H. Graham, of Duncan. I am sure you will understand how much I regret having to tell the Indian that he cannot qualify for compensation under the Sheep Protection Act.

Is it not possible that the Department of Indian Affairs and our own Provincial authorities could come together and work out some plan whereby sheep protection could be extended to include the animals owned by the Indians and also permit of Indians contributing to the dog tax fund in such a way that they might have a just claim upon the fund? I feel sorry that this Indian who, according to his own story, has lost so heavily. At the same time I quite understand the inability of Police officers and our Livestock Commissioner to go beyond Legislative authority in making any recommendation for the payment of compensation.

Yours very truly,

J. B. Munro,
Deputy Minister.

JBM/EH.

144

COMMISSIONER'S OFFICE
OCT 16 1937
VICTORIA, B. C.

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C O P Y

Oct. 15,
1 9 3 7.

H. Graham, Esq.,
Indian Agent,
Duncan, B. C.

Dear Mr. Graham:-

I have today written to Canute Lemo with respect to the decision that he cannot receive compensation from the Provincial Government for sheep losses which he sustained this year. It is with regret that this information has had to be given to him because no doubt his loss means a real hardship to him. However, in view of the Indian Act and of the limitations of the Sheep Protection Act, the Livestock Commissioner appears to have no alternative but to decline to recommend the payment of compensation.

I do not know whether in your position as an Indian Agent you may be able to make some recommendation whereby the Provincial and Federal Governments could co-operate further with a view to reducing the menace of Indian dogs and at the same time providing for Indians to receive the same benefits as other farmers. Under the present arrangement whereby the Indian is not subject to the dog tax regulations, nor to the Sheep Protection Act, he is in a very unfortunate position particularly when he sustains a loss such as that which has been reported to us by Canute Lemo.

I am sending a copy of this letter to Major D. M.MacKay, Commissioner of Indian Affairs, so that he will know of our inability to compensate the Indian whose case I discussed with him over the telephone sometime ago.

Yours very truly,

J. B. Munro,
Deputy Minister.

JBM/EH.

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C O P Y

Canute Lemo, Esq.,
C/o H. Graham,
Indian Agent,
Duncan, B. C.

Dear Sir:-

On his return to Victoria this week Dr. W. R. Gunn, Livestock Commissioner, has carefully gone into your application for compensation on sheep killed by unknown dogs during the present year. Dr. Gunn informs me that in view of all the evidence he has been able to get including your statement and the report of the B. C. Police officers, he is unable to recommend any compensation for your loss. It appears that the protection of sheep on an Indian Reserve is regulated by Section 95 (f) of the Indian Act and consequently our Sheep Protection Act does not apply to Indians. It would seem that your complaint should be made to the Indian Agent for his attention and I would suggest that on receipt of this letter you discuss the matter with Mr. Graham.

Yours very truly,

J. B. Munro,
Deputy Minister.

JBM/EH

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144/3/492.

P. O. Box 666,

Victoria, B.C., Sept. 24, 1937.

Dear Sir:

I beg to enclose herewith, for your information, copy of a report from Provincial Police with respect to destroying dogs on the Saanich (Tsartlip) Reserve.

I would draw your attention particularly to paragraphs 3, 4 and 5 of this report.

Yours faithfully,

Encl
AC

D. M. MacKay.
Indian Commissioner for B.C.

H. Graham, Esq.,
Indian Agent,
Duncan, B.C.

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144/3/491.

P. O. Box 666.

Victoria, B.C., Sept. 24, 1937.

Dear Sir: Re Sheep Protection Act.

I beg to acknowledge, with thanks, receipt of your letter of the 17th instant, enclosing copy of a report submitted by Constable Gauld of your Sidney Detachment in regard to destroying dogs on South Saanich Indian Reserve.

Yours faithfully,

D. M. MacKay.
Indian Commissioner for B.C.

AC

Col. J. H. McMullin,
Commissioner, B.C. Police,
Parliament Buildings,
Victoria, B.C.

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Address all communications to:
THE COMMISSIONER
British Columbia Provincial Police
(C.I.D.)
Victoria, B.C.

CRIMINAL INVESTIGATION DEPARTMENT
VICTORIA

Your File No.....

In reply quote File No.....

SUBJECT:
Sheep Protection
Act - South Saanich
Indian Reserve.

September 17th,
1 9 3 7

Major D.M. McKay,
Indian Commissioner for B.C.,
P.O. Box 666,
Victoria, B. C.

Dear Sir:

I am attaching hereto for your information copy of a report submitted by Constable Gauld, i/c Sidney Detachment, and would draw your attention to paragraph five of this report.

Yours truly,

J.H. McMullin,
Commissioner,
B. C. Police.

DP
Encl.

COMMISSIONER'S OFFICE
SEP 18 1937
VICTORIA, B.C.

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DIVISION: "A"

DISTRICT: Victoria,

DETACHMENT: Sidney.

FILE No.

DATE: 14-9-37

PR or PCR.

Unorganized Territory,
North Saanich District.

Nil.

R E P O R T.

Re:- SHEEP PROTECTION ACT.- South Saanich Indian Reserve.

1. At 9.A.M. Saturday 11th, September, 1937. The Rev Wm Lemmens, Catholic Rectory, South Saanich, reported that a number of dogs were running at large on above reserve, having been left behind when the Indians went Hop Picking, about two weeks ago, and that this dogs had killed a sheep.

H'QRS. REF.

2. Visited South Saanich Indian Reserve, which is known by the Indians as TARTLIP Indian Reserve. In company with Indian Chief Jimmy Jim and Joe Bartleman, I examined a Ewe which was lying dead on the Reservation beach, in a torn condition, front right leg missing, the animal had evidently been killed by dogs a day previous, a pack of about six dogs was seen chasing a sheep in the direction of the waterfront on the evening of Sept 9th, The Sheep in question is a part Shropshire, Black faced Ewe, about two years old, and owned by J.Roberts. Brentwood Store, who valued same at $6.00.

DIV'L REF.

3. Checked over the Reserve and located a pack of dogs of various breeds, shot one large police dog which I was informed was the leader, the others took to cover.

DIST. REF.

4. Monday 13th, Sept, 1937, by previous arrangement met Joseph.W. Jones, Game Warden, Victoria District, at 8.A.M. on South Saanich Indian Reserve, and destroyed four dogs running at large, which the Indians stated were implicated in killing Mr Roberts Ewe.

DET. REF.

5. Joe Bartleman, a resident on the Reservation gave valuable assistance in this matter, also buried the dogs, which was considerable hard work, I am informed that the disposal of dogs killed by the Police was rather a burning question, recently at East Saanich Reserve. I would like for that reason that the Indian Agent compensate Bartleman for his assistance in this clean-up.

Geo Gauld

To the N.C.O.i/c
Victoria District,
B.C.P. Police,
Victoria. B.C.

Geo Gauld, Constable i/c
Sidney Detachment,
B.C.P. Police.

FORWARDED: O.C."A" Divn., B.C.Police, Victoria, B.C.
16-9-37

Perhaps Headquarters could notify the Dept. of Agriculture in connection with Paragraph 2 of Constable Gauld's report, concerning the killing of Mr.Roberts' sheep, and also bring the contents of Paragraph 5 to the attention of the Indian Department.

RH/PHB.

(R. Harvey) Sergeant
Victoria District.

RECEIVED C.I.B. HQRS. SEP 16 1937 B.C. POLICE VICTORIA, B.C.

FORWARDED COMMISSIONER SEP 16 1937

R. Owens
Inspr. Commdg. "A" Divn.

C.P. 19—100M-636-9170

This report should show whether its subject-matter relates to organized or unorganized territory. If organized, clearly state the particular Municipality concerned. Any report rendered under the "Government Liquor Act" should state the amount of expenses incurred in connection therewith.

COMMISSIONER'S OFFICE SEP 18 1937 VICTORIA, B.C.

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DOGS

By-laws for the taxation, control and destruction of Dogs and for the protection of Sheep, pursuant to Section 95, Sub-Sec. F, of Chapter 98 R.S.C. 1927 (The Indian Act.)

(1) No Indian shall own more than one dog without a permit in writing from the Indian Agent for each dog so owned in excess of one, which permit shall be for one year only and issue and renewal thereof shall be at the discretion of said Agent. The fee for such permit shall be one dollar for each male dog and three dollars for each bitch in addition to all registration fees:

(2) Every dog (male or female) that is owned by an Indian shall be registered in the manner following: Subject to the preceding paragraph numbered one, The Chief of the band or some person designated by the Indian Agent shall register each such dog by name, age and description and name of owner and shall collect from the respective owner the sum of one dollar ($1.00) for each male dog owned by him and two dollars ($2.00) for each bitch. All registration and transfer fees shall be accounted for to the Department and all registrations and transfers shall be reported at such intervals as the Agent may require:

(3) Each dog so registered shall wear at all times a collar bearing thereon an official registration tag and number supplied by the Indian Agent. Such registration shall be for the lifetime of the dog registered. For registration of a change of ownership a fee of 10 cents shall be charged:

(4) .....

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144/49802.

July 24, 1937.

Dear Mr. MacInnes:

I beg to refer to your 29-152 of the 4th ultimo and previous correspondence with regard to the taxation, control and destruction of Indian dogs.

You will recall that we discussed this matter during the conference in Ottawa in April, last. Since my return from the conference, I have given much careful thought to the subject and, as a result, have drawn up certain regulations which are now forwarded herewith for Departmental consideration. It will be noted that some of the sections of the By-laws of 1918 are included as part of the suggested regulations but these, pertain mainly, to the adjustment of claims.

I may say that regulations for the control and destruction of dogs are not only desirable from the point of view of protection for sheep and cattle but are considered important and necessary from the general health standpoint of the Indians.

I am satisfied that it would be in the best interests of the Indians themselves, if all unowned and unclaimed dogs on the reserves were destroyed. They are rarely, if ever, fed and must get their food somehow, and those dogs usually develop into what is commonly termed Killer dogs. I feel that if the unowned dogs were destroyed and the Indians encouraged to cut down their dogs to a minimum and have one good dog well cared for rather than several half starved curs, they would be much better off and many of the difficulties with white settlers would be overcome.

Under Section (2) the registration fee or tax is $1.00 for each male dog and $2.00 for each female dog. This one payment covers the lifetime of the animal so registered. Where more than one dog is owned and section (1) is applied, a permit must be obtained and, a fee in excess of the registration fee provided in Section (2), must be paid annually.

Section 13, provides for wide exemptions as, of course, conditions vary greatly throughout the Agencies of this province.

These by-laws have not been placed before the Agents

The Secretary,
Indian Affairs Branch,
Department of Mines and Resources,
Ottawa, Ont.

nor ...

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nor have they been consulted in the preparation thereof, but should the Department wish me to do so, I would be pleased to send a copy to each Agent for his information and whatever comments he wishes to offer.

I trust the suggestions offered may be of some assistance to the Department in the preparation of regulations which, when applied, will be helpful in remedying the existing unsatisfactory conditions with respect to Indian dogs.

Yours faithfully,

Encl
DM/AC

D. M. MacKay.
Indian Commissioner for B.C.

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(2) Every dog (male or female) that is owned by an Indian shall be registered in the manner following: Subject to the preceding paragraph numbered one, The Chief of the band or some person designated by the Indian Agent shall register each such dog by name, age and description and name of owner and shall collect from the respective owner the sum of one dollar ($1.00) for each male dog owned by him and two dollars ($2.00) for each bitch. All registration and transfer fees shall be accounted for to the Department and all registrations and transfers shall be reported at such intervals as the Agent may require:

(3) Each dog so registered shall wear at all times a collar bearing thereon an official registration tag and number supplied by the Indian Agent. Such registration shall be for the lifetime of the dog registered. For registration of a change of ownership a fee of 10 cents shall be charged:

(4) .....

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(4) If there be any difficulty or delay in registration the owner of the dog may obtain the tag and registration through the Indian Agent or Collector:

(5) Any dog owned by any Indian and found, whether on or off the reserve, not so registered or not bearing said official tag issued in respect of such dog or a duplicate thereof granted by the Collector or Indian Agent, may be destroyed by the Indian Agent or any person authorized by him who, for such purpose may enter on the Reserve and the premises whereon the dog is thereon and shall report in writing to the Indian Agent as may be directed by him

(6) The Agent shall each year, by such date as the Commissioner shall from time to time determine, appoint and instruct a Collector to visit each band and inspect the dogs and registration thereof. Such Collector shall be paid a per diem allowance at a rate fixed by the Department. Each such Collector shall have authority to enter all premises whereon any dog is harboured or is believed to be and to destroy any dogs not registered or not bearing said official tag:

(7) Any dog that has worried, wounded, killed, or pursued any sheep, hogs, cattle or other animals may be destroyed by order of the Indian Agent or of any Justice of the Peace.

(8) It shall be lawful for any person to kill any dog in the act of pursuing, worrying or killing any sheep, hogs, cattle or other animals elsewhere than on the Reserve.

(9) No dog not owned by an Indian shall be harboured by any Indian or on any Reserve and any dog not owned by an Indian found on a Reserve may be seized or destroyed by the tax collector or other person authorized by the Indian Agent.

(10) .....

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(10) In case the parties to an action for the recovery of damages for injury done to sheep, belong to a band which has a capital account and draws annuity the amount or any proportion of the judgment may be paid out of the interest account of the band, and deducted from the share or shares of the annuity and interest money of the party liable until the amount is fully repaid to interest account.

(11) Where the owner of any dog killing, injuring, terrifying or worrying sheep is not known, upon application and proof of loss to the satisfaction of the council of the band by the aggrieved party, the council may by resolution recommend to the Superintendent General that a sum not exceeding one-third of the mutton value of the sheep so killed be paid to such aggrieved party from the interest money of the band, provided that such claim is made in writing to the Chief of the band or Indian Agent within ten days after such loss is discovered and the evidence in support of the claim is produced at the first regular meeting of the council after the said notice is given unless the council extends the time for such proof.

(12) These regulations wherever applied by direction of the Superintendent General shall prevail over any rule or regulations respecting dogs, made by any band.

(13) The Superintendent General may in writing from time to time exempt any Reserve or Agency or any part thereof from the whole or from any clause, section or part in his discretion of the foregoing by-laws or from any provision or provisions thereof for such period as he shall see fit or until his further order.

(14) These by-laws subject to the last preceding section numbered (13) shall come into effect on the 1st day of January 1938.

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144/49802.

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The Secretary,
Indian Affairs Branch,
Department of Mines and Resources,
Ottawa, Ont.

nor ...

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Yours faithfully,

Encl
DM/AC

D. M. MacKay.
Indian Commissioner for B.C.

8621-00

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BOOK

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(4) .....

8621-00
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(10) In case the parties to an action for the recovery of damages for injury done to sheep, belong to a band which has a capital account and draws annuity the amount or any proportion of the judgment may be paid out of the interest account of the band, and deducted from the share or shares of the annuity and interest money of the party liable until the amount is fully repaid to interest account.

(11) Where the owner of any dog killing, injuring, terrifying or worrying sheep is not known, upon application and proof of loss to the satisfaction of the council of the band by the aggrieved party, the council may by resolution recommend to the Superintendent General that a sum not exceeding one-third of the mutton value of the sheep so killed be paid to such aggrieved party from the interest money of the band, provided that such claim is made in writing to the Chief of the band or Indian Agent within ten days after such loss is discovered and the evidence in support of the claim is produced at the first regular meeting of the council after the said notice is given unless the council extends the time for such proof.

(12) These regulations wherever applied by direction of the Superintendent General shall prevail over any rule or regulations respecting dogs, made by any band.

(13) The Superintendent General may in writing from time to time exempt any Reserve or Agency or any part thereof from the whole or from any clause, section or part in his discretion of the foregoing by-laws or from any provision or provisions thereof for such period as he shall see fit or until his further order.

(14) These by-laws subject to the last preceding section numbered (13) shall come into effect on the 1st day of January 1930.

I 8 E 1 8 0

RG 10, C-II-2, vol. 11298

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AFFAIRES INDIENNES

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Archives nationales du Canada

2 0 2 1 - 0 0 0

DEPARTMENT OF AGRICULTURE

PROVINCE OF BRITISH COLUMBIA

VICTORIA

June 21, 1937.

Major G.M. McKay,
Commissioner of Indian Affairs for B.C.,
1220 Government St.,
Victoria, B. C.

Dear Major McKay:

Further to our telephone conversation re trouble with Indian dogs killing sheep, more particularly in the Cape Mudge Indian village, I am attaching for your confidential consideration copy of Constable M.N. MacAlpine's report relative to the killing of sheep belonging to Mr. Arthur Joyce of Cape Mudge.

I am very pleased indeed to learn from you that you had in mind preparing some form of regulation endeavoring to control the activities of Indian dogs. In the outset I wish to say that I do not take seriously all these generalized complaints relative to Indian dogs killing sheep. There are plenty of half starved cur dogs owned by white people that will kill sheep just as readily as will Indian dogs. Nevertheless, we seem to have a great deal of trouble from dogs killing sheep adjacent to certain Indian reserves. The north end of this island around Nanaimo and Campbell River seem to be particularly bad spots. On the contrary, we have had very little complaint from the Duncan district up until this last winter, and at that I question very much whether it is Indian dogs that are doing the killing in that part of the country. To be fair, I am inclined to think that it is not Indian dogs at all.

If I might be permitted to make a few suggestions in the hopes that it will help to clean up this matter, I think first that all unowned dogs about the reserve should be destroyed. They are rarely if ever fed and must get food somehow and they form the basis for a band of killers. Then, tax males reasonably and as you suggest a lifetime tag should be good enough. With females put a good heavy tax on them and where a second one is kept a very heavy tax. As you no doubt are

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away, it is in the spring time when females are in season that killing seems to be so prevalent and it is at that time when dogs congregate that these animals teach a number of other perfectly decent dogs to become killers.

To return again to the Cape Mudge report I feel that if the unowned dogs are destroyed and the Indians encouraged to cut down their dogs to a minimum and have one good dog well cared for rather than several half starved curs they will be much better off and our troubles will be reduced. We have sections of the country today where sheep simply cannot be raised and farmers are compelled to follow other agricultural practices that are not as profitable as sheep raising would be.

Yours very truly,

Wallace R. Gunn

W.R. Gunn
Live Stock Commissioner.

WRG:ES

INDIAN AFFAIRS
DEPARTMENT
VICTORIA, B.C.
JUN 23 1937

INDIAN AFFAIRS
AFFAIRES INDIENNES
RG 10, C-II-2, vol. 11298

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E 0 E 1 0 0 3

Copy

Date 13/5/37.

Unorganized Territory.

R E P O R T

Re: JOYCE, Arthur. Complaint of Sheep killed.

1. I beg to report that on April 22nd, 1937 I received a complaint from one Arthur Joyce of Cape Mudge that he had had some sheep killed and that on April 20th, 1937 he had shot at three dogs which he said he identified as dogs from the Indian Reserve at Cape Mudge Village. He had heard that an Indian Dog had come home with a broken leg.

2. On May 11th, 1937 while on Quadra Island, I visited Mr. Joyce and viewed 4 Grade Ewes and 7 Grade Lambs which had without doubt been killed by dogs. They had all been badly torn and bitten.

3. I respectfully draw your attention to a former complaint from the same source, reports dated 24/10/36, 4/11/36, and 18/11/36. It appears that the Indians at Cape Mudge Village make no effort to control their dogs, and by the condition of the dogs they are seldom fed.

4. I respectfully suggest that the Indian Dept. be interviewed with a view to the Indians paying their dog licences and keeping their dogs under control, or with eliminating the animals.

5. Mr. Joyce said that the Indians at Cape Mudge were suspected of retaliating by killing the settler's stock after any of their dogs were destroyed, there is no evidence to prove this statement.

MacAlpine, M.N. Cst. #533,
i/c Campbell River Detachment.

To: The N.C.O. i/c,
B. C. P. Police,
Courtenay District.

To: Commissioner,
B.C. Police, CIB.,
Victoria, B.C.
FORWARDED: 17-5-37.

Suggest that this report be called to the attention of the Indian Commissioner for B.C., so that steps may be taken to regulate the dogs from Indian Reserves in accordance with Sec. 95 Clause (f) of the Indian Act.

R. Owens, Inspector,
Commandg. "A" Divn.

R 8 1 0 0
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005-1-00

ADDRESS REPLY TO THE
SECRETARY, INDIAN
AFFAIRS BRANCH

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE 29-152

OTTAWA June 4,1937.

Dear Sir:-

I have to refer to our conversations when you were in Ottawa with regard to the protection of sheep in the Cowichan district, and am enclosing copy of a letter that has been received from Indian Agent Graham dated May 26, in connection with this matter.

Will you be good enough to let the department have your recommendations with regard thereto.

Yours very truly,

T.R.L.MacInnes.

Secretary.

Major D.M.MacKay,
Indian Commissioner,
Victoria,B.C.

COMMISSIONER'S OFFICE
JUN 10 1937
VICTORIA, B.C.

INDIAN AFFAIRS
AFFAIRES INDIENNES

RG 10, C-11-2, vol. 11298

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COPY

Department of Indian Affairs
Canada

Office of
Indian Agent.

Cowichan Agency,

Duncan, B. C. May 26th, 1937.

172-X-3

Your File, 21-152.

Sir:-

Having further reference to previous correspondence in connection with By Laws for the taxation, control and destruction of Indian dogs,

Your last letter of March 15th, I replied to on the 20th, but still we are no further ahead, and there is no end of trouble throughout the Agency on account of the great number of unregistered Indian dogs.

Only recently a farmer at Saanich lost over 30 sheep and he traced the killers to the East Saanich Indian Reserve where the Provincial police killed 14 dogs, but this did not clean up this reserve by any manner of means.

I have been waited up by the different Municipal Authorities and White farmers, asking me to do something to eliminate this nuisance.

In the first place I would certainly like to have these Regulations brought in to force so that a Magistrate could deal with cases that would naturally come under the Indian section.

As I reported in a previous letter, I was certain that it would be impossible to get an Indian who would be willing to undertake this work, and the City of Duncan and the Municipality of North Cowichan are very determined that something should be done. This question came up at the Municipal Council meeting held yesterday, and they have now made the suggestion that their Special Constable Mr. J. A. Flett, be empowered to act on behalf of the Indian Department in enforcing the Regulations, and that he be reimbursed by taking half of his collections. I know that it only calls for 25% but as distances and expense in collecting would be considerable, it is estimated that a man could not make wages for less than 50%, which I would like to recommend be paid.

I would be very much obliged if the Department would give this matter their very earliest attention, as the Indians will be leaving very shortly for the berry fields, and dogs will be left to care for them selves.

Your obedient servant,

"H. Graham"

(H. Graham)
Indian Agent.

The Secretary,
Indian Affairs Branch,
Department of Mines & Resources,
OTTAWA.

D.I.A. VICTORIA
JUN 10 1937
REGISTRY OFFICE

0 0 1 2 0 5

RG 10, C-II-2, vol. 11298

INDIAN AFFAIRS
AFFAIRES INDIENNES

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Address all communications to:
THE COMMISSIONER
British Columbia Provincial Police
(C.I.D.)
Victoria, B.C.

CRIMINAL INVESTIGATION DEPARTMENT
VICTORIA

Your File No.....

In reply quote File No.....

SUBJECT:

John Brown -
Complaint of
Sheep Killed
by Dogs.

May 31st,
1 9 3 7.

Major D.M. McKay,
Indian Commissioner for B.C.,
P.O. Box 666,
Victoria, B. C.

Dear Sir:

For your information I am attaching copy of a report submitted by our Duncan District Headquarters.

Yours truly,

J.H.McMullin,
Commissioner,
B. C. Police.

DN
Encl.

COMMISSIONER'S OFFICE
JUN 3 1937
VICTORIA, B. C.

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INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

DIVISION: "A"

DISTRICT: Duncan.

DETACHMENT: Dist:Hdqtrs.

FILE No.

DATE: 26-5-37.

PR or PCR.

NIL.

UNORGANIZED TERRITORY.

R E P O R T.

Re: BROWN, John: - Complaint of sheep killing by dogs.

I. Wednesday, 26th.May.1937. at 9-am. following a report received from the above named farmer at Fairbridge School, the undersigned attended and viewed the carcasses of eight sheep that had been ravaged by dogs,apparently during the night of the 25th.-26th.May.1937.

2. Mr.Brown when interviewed stated that no person had seen the dogs at work, they had been heard,but hadegone before he arrived on the scene; they were undoubtedly Indian Reserve dogs, the same trouble recurring each year in that area.

H'QRS. REF.

3. Most of the residents in that district have their dogs licensed, and their is no known dog that would chase sheep in the vicinity, other than dogs from the Reserve.

DIV'L REF.

4. The sheep that were killed were undoubtedly mauled by dogs, and payment of compensation is recommended in this instance. Mr.Brown is writing direct to the Department of Agriculture and making application for the payment of compensation under the Sheep Protection Act.

DIST. REF.

5. Copy of this report for the Department of Agriculture.

DET. REF.

Concluded:

D. Morris

(D.Morris). Const.#513.
Dist:Hdqtrs.Duncan.BCPP.

To:The N.C.O.i-c.
B.C.Police.
Duncan.BC.

FORWARDED TO
O. C. "A" DIVISION
MAY 26 1937
N. C. O.
I./C. DUNCAN DISTRICT.

To: Commissioner,
B.C. Police, CIB.,
Victoria, B.C.

FORWARDED:
28-5-37

Perhaps you would call this to the attention of the Indian Department. The taxation of dogs and protection of sheep on reserves is provided for in Section 95 (f) of the Indian Act.

R. Owens

(R. Owens) Inspector,
Commandg. "A" Divn.

COMMISSIONER'S OFFICE
JUN 1 1937
VICTORIA, B. C.

RECEIVED
C.I.B. HQRS.
MAY 29 1937
B. C. POLICE
VICTORIA, B. C.

★ B.C.P. 19—100M-1135-6140

This report should show whether its subject-matter relates to organized or unorganized territory. If organized, clearly state the particular Municipality concerned. Any report rendered under the "Government Liquor Act" should state the amount of expenses incurred in connection therewith.

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AFFAIRES INDIENNES
National Archives of Canada
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Lee Indian Rel. Sec 95 Claim (F)

INDIAN AFFAIRS
AFFAIRES INDIENNES

RG 10, C-II-2, vol. 11298

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D-1-D-D

Address all communications to:
THE COMMISSIONER
British Columbia Provincial Police
(C.I.D.)
Victoria, B.C.

CRIMINAL INVESTIGATION DEPARTMENT
VICTORIA

Your File No.

In reply quote File No.

SUBJECT:

Arthur Joyce -
Complaint of
Sheep Killed.

May 18th,
1 9 3 7.

Major D.M. McKay,
Indian Commissioner for B.C.,
P.O. Box 666,
Victoria, B. C.

Dear Sir:

For your information I am attaching copies of our reports in connection with the complaint of Mr. Joyce that his sheep were being killed by dogs belonging to Indians.

Yours truly,

J.H.McMullin,
Commissioner,
B. C. Police.

TWSP/DN
Encl.

COMMISSIONER'S OFFICE
MAY 18 1937
VICTORIA, B.C.

INDIAN AFFAIRS
AFFAIRES INDIENNES
RG 10, C-II-2, vol. 11298
National Archives of Canada
Archives nationales du Canada

DIVISION: "A"

DISTRICT: Courtenay

DETACHMENT: Campbell River

FILE No.

DATE: 24/10/36.

PR or PCR.

Nil.

Unorganized Territory.

R E P O R T

Re: JOYCE, Arthur. Complaint of Sheep killed.

I beg to report that on October 19th, 1936, Arthur Joyce residing at Cape Mudge reported to this office that he had had several sheep killed and that he suspected dogs were doing the damage.

On Tuesday, October 20th, 1936 I proceeded to Cape Mudge in the M/L'KAMS' and found that eight sheep had been killed outright and two were so badly injured that they had to be killed.

Description of the sheep killed - 3 Horned Dorsets and 7 Grade Ewes.

H'QRS. REF.

A patrol was made of the area and tracks were found at all the kills that would indicate that two dogs had been implicated, owners of known dogs in the vicinity were visited but none gave any indication that they had been killing sheep, however the owners advised that they would keep their dogs on leash to look for sign of wool in the stool. It is my opinion that

DIV'L REF.

stray dogs are running on the Island having been left behind by the Indians when the fishing season closed.

DIST. REF.

Owners of sheep at Cape Mudge are now gathering their sheep into fields for protection and also with the hope that the dogs will appear in the open and be identified or killed.

Investigation is continuing.

DET. REF.

M.N. Macalpine, Constable,
Campbell River Detachment.

To: The N. C. O. i/c,
B. C. P. Police,
Courtenay District.

FORWARDED
To the O. C. "A" Division
OCT 26 1936
Const. F. Boyt
for N. C. O. i/c. District

RECEIVED
C. I. B. HQRS.
OCT 28 1936
B. C. POLICE
VICTORIA, B. C.

FORWARDED TO
COMMISSIONER
OCT 27 1936
Inspr. Commdg. "A" Divn.

COMMISSIONER'S OFFICE
MAY 18 1937
VICTORIA, B.C.

★ B.C.P. 19—100M-1135-6140

This report should show whether its subject-matter relates to organized or unorganized territory. If organized, clearly state the particular Municipality concerned. Any report rendered under the "Government Liquor Act" should state the amount of expenses incurred in connection therewith.

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AFFAIRES INDIENNES
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DIVISION: "A"

DISTRICT: Courtenay

DETACHMENT: Campbell River

FILE No.

DATE: 4/11/36.

PR or PCR.

Unorganized Territory.

R E P O R T

Campbell River 24/10/36.

Re: JOYCE, Arthur. Complaint of Sheep killed.

Further to my m/m report, I beg to advise that on Oct. 28th Mr. Joyce complained that he had found more sheep killed.

On Oct. 29th, 1936 I proceeded to Cape Mudge and made a thorough patrol of the district and located two grade ewes that had been killed. These were torn and bitten as had the previous ten sheep mentioned in my previous report. Tracks of two dogs were seen.

Information was obtained from two residents that they had seen two dogs in the morning of the 29th near the spot of one of the kills but they were unable to catch same.

H'QRS. REF.

Armed with the descriptions of the two dogs I proceeded to the Cape Mudge Indian Village and there located a dog owned by one Jimmy Wallace (Indian) that answered the description of one of the animals seen near the kill. The other dog I was unable to locate. Wallace was away in Vancouver and no one there would take the responsibility of keeping the dog in check.

DIV'L REF.

On October 30th at Campbell River I interviewed M.S. Todd, Esq., Indian Agent for this district and told him of the circumstances, he promised co-operation by having many of the village dogs destroyed and having the balance licenced.

DIST. REF.

Investigation is continuing.

M.N. MacAlpine, Constable,
Campbell River Detachment.

DET. REF.

To: The N. C. O. i/c,
B. C. P. Police,
Courtenay District.

FORWARDED
To the O. C. "A" Division
NOV 6 1936
N. C. O. i/c. District

FORWARDED TO
COMMISSIONER
NOV 9 1936
Inspr. Commdg. "A" Divn.

RECEIVED
C. I. B. HQRS.
NOV 10 1936
B. C. POLICE
VICTORIA, B. C.

★ B.C.P. 19—100M-1135-6140

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21-E-8-B

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INDIAN AFFAIRS
AFFAIRES INDIENNES

National Archives of Canada
Archives nationales du Canada

DIVISION: "A"

DISTRICT: Courtenay

DETACHMENT: Campbell River

FILE No.

DATE: 18/11/36.

PR or PCR.

Unorganized Territory.

REPORT

Campbell River 24/10/36 4/11/36

Re: JOYCE, Arthur. Complaint of Sheep killed.

Further to my m/m reports, I beg to advise that I proceeded to Cape Mudge on November 12th, 1936 and viewed 12 more sheep in addition to those already reported. They had all been killed by being torn and bitten. These twelve sheep were grade ewes.

Since that time Mr. Joyce and residents of the area have hunted and destroyed 3 dogs who were found running loose in a pack in the Cape Mudge area. These three dogs evidently came from the Indian Reserve at Cape Mudge.

Mr. Joyce in rounding up his flocks found that he is short approximately 60 sheep but only those reported have been found.

H'QRS. REF.

Since the killing of these 3 dogs no further complaint has been reported and it is opinioned that no other dogs are running and the slaughter of sheep is concluded.

DIV'L REF.

M.N. MacAlpine, Constable,
Campbell River Detachment.

To: The N. C. O. i/c,
B. C. P. Police,
Courtenay District.

DIST. REF.

FORWARDED
To the O. C. "A" Division
NOV 19 1936
N. C. O. i/c. District

DET. REF.

FORWARDED TO COMMISSIONER
NOV 21 1936
Inspr. Commdg. "A" Divn.

RECEIVED
C.I.B. HQRS.
NOV 23 1936
B. C. POLICE
VICTORIA, B. C.

★ B.C.P. 19—100M-1185-6140

This report should show whether its subject-matter relates to organized or unorganized territory. If organized, clearly state the particular Municipality concerned. Any report rendered under the "Government Liquor Act" should state the amount of expenses incurred in connection therewith.

E-1-2-1-0-3

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DIVISION: "A"

DISTRICT: Courtenay

DETACHMENT: Campbell River

FILE No.

DATE: 13/5/37.

PR or PCR.

Unorganized Territory.

R E P O R T

Nil.

Re: JOYCE, Arthur. Complaint of Sheep killed.

1. I beg to report that on April 22nd, 1937 I received a complaint from one Arthur Joyce of Cape Mudge that he had had some sheep killed and that on April 20th, 1937 he had shot at three dogs which he said he identified as dogs from the Indian Reserve at Cape Mudge Village. He had heard that an Indian Dog had come home with a broken leg.

2. On May 11th, 1937 while on Quadra Island, I visited Mr. Joyce and viewed 4 Grade Ewes and 7 Grade Lambs which had without doubt been killed by dogs. They had all been badly torn and bitten.

H'QRS. REF.

3. I respectfully draw your attention to a former complaint from the same source, reports dated 24/10/36, 4/11/36, and 18/11/36. It appears that the Indians at Cape Mudge Village make no effort to control their dogs, and by the condition of the dogs they are seldom fed.

DIV'L REF.

4. I respectfully suggest that the Indian Dept. be interviewed with a view to the Indians paying their dog licences and keeping their dogs under control, or with eliminating the animals.

DIST. REF.

5. Mr. Joyce said that the Indians at Cape Mudge were suspected of retaliating by killing the settler's stock after any of their dogs were destroyed, there is no evidence to prove this statement.

DET. REF.

W. H. MacAlpine

MacAlpine, M.N. Cst. #533,
i/c Campbell River Detachment.

To: The N. C. O. i/c,
B. C. P. Police,
Courtenay District.

FORWARDED
To the O. C. "A" Division
MAY 15 1937
N. C. O. i/c. District

To: Commissioner,
B.C. Police, CIB.,
Victoria, B.C.
FORWARDED:
17-5-37

Suggest that this report be called to the attention of the Indian Commissioner for B.C., so that steps may be taken to regulate the dogs from Indian Reserves in accordance with Sec. 95 Clause (f) of the Indian Act.

R. Owens

(R. Owens) Inspector,
Commandg. "A" Divn.

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C.I.B. HQRS.
MAY 18 1937
B. C. POLICE
VICTORIA, B. C.

★B.C.P. 19—100M-1236-3883

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Look up Indian Act
re matter

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

1856/37/C.

West Coast Agency,
Port Alberni, B.C.,
May 17, 1937.

Sir:

I have the honour to attach hereto a complaint received from George A.S. Smith of Estevan, B.C., in which he reports having lost a number of sheep to the value of $235.00

Upon receipt of his complaint, I had the Provincial Police investigate, and attach also their report on the matter.

May I request, please, that you will advise me as to the responsibility of the Department, or otherwise.

It is admitted that one of the dogs was owned by an Indian, and the same dog has since been destroyed.

Your obedient servant,

P. B. Ashbridge,
Indian Agent.

PBA/AM.

D. M. MacKay, Esq.,
Indian Commissioner for B.C.,
Department of Indian Affairs,
Victoria, B.C.

COMMISSIONER'S OFFICE
MAY 18 1937
VICTORIA, B. C.

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AFFAIRES INDIENNES

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Archives nationales du Canada

D 80-1-2 L-1

ESTEVAN POINT,P.O.,
VAN.ILSE.B.C.
MAY 6/37.

P.B.ASHBRIDGE ESQ.,
INDIAN AGENT,
PORT ALBERNI,B.C.

DEAR SIR:-

WITH REFERENCE TO OUR EXCHANGE OF TELEGRAMS OF MARCH 28TH. AND 29TH.,I REGRET THAT YOU WERE UNABLE TO ARRANGE A PERSONAL INTERVIEW AT HESQUIAT ON THE 27TH. ULTINO,AS YOU MUST REALIZE THE LOSS INCURRED WAS A SERIOUS ONE AND DIRECTLY CONCERNS YOUR DEPARTMENT.

DURING THE NIGHT OF MARCH 21TH. AND THE DAY FOLLOWING,THREE HESQUIAT INDIAN DOGS DESTROYED EIGHT EWES,ONE RAM,EIGHT LAMBS AND TWO GOATS,THIS LOSS IS VALUED AT $235 MINIMUN ESTIMATE,THE SEASON IS NOT COMPLETE AS YET,IFAILED TO MATERIALIZE ON THE WOOL AND FULL GROWTH OF THE LAMBS,I MIGHT ADD,THERE ARE TWO EWES AND TWO LAMBS LEFT,ONE OF EACH ARE IN BAD CONDITION FROM DOG WOUNDS.

THE POLICE HAVE INVESTIGATED THE CASE BY MY REQUEST,THEY HAVE ADVISED I TAKE THE MATTER UP WITH YOU AND WILL DELIVER YOU A FULL REPORT ON THEIR FINDINGS,THERE IS NO DOUBT OF PROOF REGARDING THE DOGS,I SHOT ONE IN THE ACT OF DESTROYING THE SHEEP,THE OTHER TWO GOT AWAY,JULES BENEDICT SHOT HIS POLICE DOG,THE OTHER PARTLY GROWN IS STILL AT LARGE AT HESQUIAT AND COMES OF A LITTER IN WHICH THEIR IS CLOSE SIMULARITY,NO ACTION COULD BE TAKEN ON THIS AT PRESENT.

I AM ADVISED TO TAKE UP THE MATTER WITH YOU,ISHOULD BE PLEASED TO HAVE YOUR REPLY BY RETURN MAIL AND DESIRE PARTICULARLY TO KNOW THE FOLLOWING. WILL THE INDIAN DEPARTMENT TAKE ACTION TOWARDS REIMBURSEMENT OF ABOVE LOSS AND TO WHAT EXTENT. IF IN YOUR OPINION THIS IS NOT POSSIBLE WHAT ARE YOUR VIEWS ON THE MATTER.

I AM A SETTLER IN THIS COMMUNITY,PART OF MY LIVELIHOOD DEPENDS ON THE PROCEEDS FROM SHEEP RAISING,THE LOSS IS FELT VERY KEENLY AND I INTEND TO PRESS FOR A SETTLEMENT NATURALLY I SHALL APPRECIATE YOUR CO-OPERATION AND ADVISE,THANKING YOU I AM,

YOURS TRULY,

George a. S. Smith.

GEORGE A.S.SMITH.

RG 10, C-II-2, vol. 11298

INDIAN AFFAIRS
AFFAIRES INDIENNES

National Archives of Canada
Archives nationales du Canada

DIVISION: "A"

DISTRICT: West Coast.

DETACHMENT: P.M.L./ 7.

FILE No.

DATE: 10 -5- 37.

PR or PCR.

UNORGANIZED TERRITORY.

Nil.

R E P O R T .

Re. SMITH, George - Complaint of - sheep killed by dogs.

On April 23rd, 1937 a message was received from George Smith of Estevan Point, B.C. that a number of his sheep had been killed by dogs, on the 26th I proceeded to Estevan Point and interviewed Mr Smith regarding this matter. Mr Smith stated that about 6.00 p.m. on April 21st when he was returning home from work he saw three dogs chasing and worrying his sheep, on examination he found that eight ewes, one Ram, two goats and two lambs had been killed. He recognized one of these dogs as belonging to Jules Benedict an Indian from Hesquiat. This was a large Alsatian dog, the other two he did not recognize but they were undoubtedly dogs from the Indian Reserve at Hesquiat.

H'QRS. REF.

I interviewed Jules Benedict regarding his dog and he informed me that he had destroyed it as soon as he was told that it had been killing sheep, this was verified from other Indians on the Reserve, Benedict stated that he had owned the dog for a short time only and that it had been in the habit of going away with other dogs from the Reserve. The owners of the other two dogs could not be ascertained. The Indians on this Reserve were warned about allowing their dogs to roam at large off the Reserve.

DIV'L REF.

Mr Smith is taking this matter up with Mr Ashbridge, Indian Agent at Port Alberni with a view to having the damage adjusted. Mr Smith estimated the damage in the neighbourhood of $250.00.

DIST. REF.

Number of carcasses inspected by me as follows:-
3 Ewes, 1 Ram, 2 Goats & 2 lambs. Mr Smith also said there were 6 lambs, which as he hadn't been able to locate.

DET. REF.

Copy of this report Direct to the Indian Agent, Port Alberni, BC.

Concluded.

George Irvine
George Irvine,
Constable, # 389,
i/c P.M.L./ 7.

To: The N.C.O i/c,
West Coast District,
B.C.Provincial Police,
Port Alberni, B.C.

COMMISSIONER'S OFFICE
MAY 18 1937
VICTORIA, B. C.

★ B.C.P. 19—100M-336-8046

This report should show whether its subject-matter relates to organized or unorganized territory. If organized, clearly state the particular Municipality concerned. Any report rendered under the "Government Liquor Act" should state the amount of expenses incurred in connection therewith.

81-82-083
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ADDRESS REPLY TO THE
SECRETARY, INDIAN
AFFAIRS BRANCH

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE 29-152

OTTAWA May 10,1937.

Dear Sir:-

I have to refer to our conversations when you were in Ottawa with regard to the protection of sheep in the Cowichan district.

When you have had an opportunity of giving this matter further consideration, I shall be obliged if you will submit a report and recommendation as to what action should be taken.

Yours very truly,

T.R.L.MacInnes.
Secretary.

Major D.M.MacKay,
Indian Commissioner,
Victoria,B.C.

COMMISSIONER'S OFFICE
MAY 17 1937
VICTORIA, B. C.

144

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29-152

MINES & RESOURCES
DEPARTMENT OF ~~INDIAN AFFAIRS~~

CANADA

Indian Affairs Branch

Ottawa, April 3, 1937.

Dear Sir,

I am enclosing herewith for your information copy of a letter that has been received from Mr. J. S. Taylor, M.P., of Nanaimo, B.C., regarding the protection of sheep in the Cowichan District, together with report received from Indian Agent Graham in connection with this matter.

Yours very truly,

T. R. L. MacInnes,
Secretary.

D. M. MacKay, Esq.,
Indian Commissioner,
Victoria, B. C.

Enclosures.

COMMISSIONER'S OFFICE
VICTORIA, B. C.
APR 7 1937

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COPY

HOUSE OF COMMONS

CANADA

Ottawa, March 24, 1937.

Hon. T. A. Crerar,
Minister of Mines and Resources,
Ottawa.

Honoured and Dear Sir,

I thank you for your letter of 20th instant dealing with the very serious matter of the protection of sheep in the Cowichan District.

You say that you have by-laws that are adequate. While reading your letter I wondered if any value would attach to the following idea: That Licenses be issued to Indians to keep dogs.. That these Licenses be not charged for, or if charged for, be at a very nominal cost - ten cents or a Quarter: That if any dog takes to nuisance habits the animal shall be taken away and destroyed and the owner prevented from having another dog for a certain punitive period. The enforcement of these regulations should be laid upon some individual of Authority among the Indians themselves.

I give the suggestion for what it is worth, and because you are continually considering matters affecting the Indians it may really have very little value.

Yours very truly,

(signed) J. S. Taylor,

(J. S. Taylor, M.P.
Nanaimo.)

DEPARTMENT OF MINES
VICTORIA, B. C.
APR 7 1937

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29-152

COPY

Office of
Indian Agent

Cowichan Agency

Duncan, B. C.

March 20th, 1937.

686-W-3

Your No.21-152

Sir:-

Replying to yours of the March 15th, re. killing of sheep by stray Indian dogs, I may say that I have done my best to try and locate the owners of these dogs, as has done the Indians who are losing their sheep.

Canute, whom I wrote you about recently has just come in and reported having lost another 20 sheep, which makes 34 that he has lost now this Spring, and left him with only five. He has shot 13 dogs up to date, so you can see the great necessity of having the dogs on Cowichan reserves destroyed.

The Indians when charged with having dogs that chase sheep immediately deny that they are theirs, so something drastic must be done as not only Indians but White people are suffering as well.

When giving relief every Indian denies owning any of these dogs, so you will see that we are trying to check up with them in every way.

Your obedient servant,

(signed) H. Graham

(H. Graham)
Indian Agent.

The Secretary,
Indian Affairs Branch,
Department of Mines and Resources,
OTTAWA.

COMMISSIONER'S OFFICE
APR 7 1937
VICTORIA, B. C.

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ATTORNEY-GENERAL

PROVINCE OF BRITISH COLUMBIA

VICTORIA

IN YOUR REPLY REFER TO FILE... S.230.1/36.

September 16th, 1936.

C.C. Perry, Esq.,
Asst. Indian Commissioner for B.C.,
Post Office Box 666,
Victoria, B.C.

Sir:--

Your File No.144/46184.

I beg to acknowledge receipt of your letter of September 14th, enclosing copy of a letter received from the Indian Agent, Telegraph Creek, regarding the destruction of dogs in the Stikine Indian Agency.

As requested by you, I am today forwarding Mr. Reed a copy of the "Sheep Protection Act" for this Province.

I have the honour to be,

Sir,

Your obedient servant,

W.B. Colwin

Ass't Departmental Solicitor.

COMMISSIONER'S OFFICE
SEP 17 1936
VICTORIA, B. C.

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RG 10, C-11-2, vol. 11298

INDIAN AFFAIRS
AFFAIRES INDIENNES

National Archives of Canada
Archives nationales du Canada

144/46184.

14th September, 1936.

Dear Sir:-

I am enclosing herewith copy of a letter dated the 26th ultimo from Mr. Harper Reed, Indian Agent, Telegraph Creek, B. C., regarding the destruction of dogs in the Stikine Indian Agency.

In this connection, it will be appreciated if you will send to Mr. Reed a copy of the Provincial Act relating to sheep and dogs in British Columbia.

Your obedient servant,

HNCL

C. C. Perry.
Asst. Indian Commissioner for B. C.

P:HN

The Honourable the
Attorney-General,
Province of British Columbia,
Parliament Bldgs.,
VICTORIA, B.C.

RG 10, C-II-2, vol. 11298
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

144/46185.

14th September, 1936.

Dear Sir:-

I beg to acknowledge receipt of your letter of the 26th ultimo, regarding destruction of dogs in the Stikine Agency.

In this connection would say that I have requested the Attorney-General's Department to send you a copy of the Provincial Act relating to sheep and dogs in British Columbia.

Your obedient servant,

C. C. Perry.
Asst. Indian Commissioner for B. C.

P:HN

Harper Reed, Esq.,
Indian Agent,
TELEGRAPH CREEK, B.C.

RG 10, C-II-2, vol. 11298
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National Archives of Canada
Archives nationales du Canada

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Department of Indian Affairs

Canada

Office of
Indian Agent

Telegraph Creek, B. C.
August 26th, 1936.

Sir,

In company of Inspector Pragnell, at Dease Lake this summer, Mr. Van Dyk of the Game Department was asked to see that some of the Indians were taxed for their Dogs. It was thought the best way of obtaining a decrease in their numbers.

Mr Van Dyk stated that he could not do it under the Sheep Act. It is required to know if the Sheep Act can be operated in this unorganized district - as there are no sheep here. More over in the Finlay District it was found that some men were not taxed for their dogs, but the Taxes are accepted here - which seems rather incorrect.

Here again is shown the need for a R.C.M.P. attached to this Office, for it would then be possible to do away with the odd dog or so - off hand - as was done by Inspector Wunsch upon his last visit to these points.

I am,

Sir,
Your obedient servant.

"Harper Reed."
Indian Agent.

Chas. C. Perry, Esq.
The Asst Indian Commissioner
for B. C.
Victoria, B.C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Stikine.

Telegraph Creek. B.C.
August 26 th 1936.

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I am.

Sir,

Your obedient servant.

Harper Reed

Harper Reed.
Indian Agent.

Chas. C. Perry. Esq.
The Asst Indian Commissioner
for B.C.
VICTORIA. B.C.

COMMISSIONER'S OFFICE
SEP 3 1936
VICTORIA, B. C.

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144/44572.

May 27, 1936.

Dear Sir:

I beg to acknowledge receipt of Departmental letter of the 19th instant, No.29-152, enclosing one received from Mr. H. Graham, Indian Agent, Cowichan Agency, B.C., with reference to the killing of sheep by Indian dogs.

In reply I beg to say the matter is receiving local attention by the police and I think there will be fewer, if any more complaints.

Your obedient servant,

C. C. Perry.
Asst. Indian Commissioner for B.C.

P/AC

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

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0221-00

ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS
OTTAWA

IN YOUR REPLY REFER TO
No. 29-152

ALSO TO THE DATE OF THIS LETTER

PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS
CANADA

May 19,1936.

Sir:-

I am enclosing herewith for such action as you deem advisable, a letter that has been received from Indian Agent Graham of Duncan,B.C., with reference to the killing of sheep by Indian dogs.

Your obedient servant,

A. F. MacKenzie.

A.F.MacKenzie.
Secretary.

C.C.Perry,Esq.,
Asst.Indian Commissioner,
Victoria,B.C.

Ask for the hunter & Warn him not to kill the police dogs. Tell him the law is changed.

COMMISSIONER'S OFFICE
MAY 26 1936
VICTORIA, B. C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

29-152

Refer to Mr Perry
for such action he deems
advisable
Mr Mac

Duncan, B. C.

May 5th, 1936.

497-U-3

Your No.29-152

Sir:-

On the 15th, of May last I wrote to the Department in reference to Indian dogs killing sheep and the Department replied on May 28th, notifying me that the By Laws for taxation, control and destruction of dogs was declared by the Department to be in effect, as provided under Section 95 of the Indian Act.

At that time I could not get any one to act as Collector, so did not do anything further in the matter.

Recently again there has been a great many sheep destroyed by Indian dogs and I have been waited upon by Provincial Authorities, the Mayor of the City of Duncan, and the Reeve of the Municipality begging me to do something in the matter.

I immediately got busy and appointed an Indian to act as collector, but he has no means of travelling around , so I asked for a Provincial Constable to go with him, as the Indians are so often willing to have their dogs destroyed, but will not do it themselves, and if we have some one there at the time, these dogs can be got rid of.

I informed Assistant Commissioner Mr. Perry what I was doing, and he advised me before taking any action to inform the Department of what I proposed doing, and ask for their permission.

I know the difficulty that I am going to be up against is that the Indians are not going to have a cent of money to pay the tax, and we have no means of impounding a dog; yet these Indians will go over to the berry fields and leave their dogs without any one to care and feed them, and naturally they have to find feed some where, and take to chasing sheep.

I would be obliged if the Department will give this matter their earliest consideration as we are now ready to send a man out.

COMMISSIONER'S OFFICE
MAY 26 1936
VICTORIA, B. C.

Your obedient servant,

H. Graham

(H. Graham)
Indian Agent.

The Secretary,
Department of Indian Affairs
OTTAWA.

DEEI 00
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National Archives of Canada
Archives nationales du Canada

144/44232.

May 4, 1936.

Dear Sir:

I beg to acknowledge receipt of your letter of the 1st instant, enclosing report of Inspector R. Owens with regard to the Sheep Protection Act. In reply I beg to say we shall be glad to co-operate in every way possible.

Your obedient servant,

C. C. Perry.
Asst. Indian Commissioner for B.C.

AC

Col. J. H. McMullin,
Commissioner, B.C. Police,
Parliament Buildings,
Victoria, B.C.

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Address all communications to:
THE COMMISSIONER
British Columbia Provincial Police
(C.I.D.)
Victoria, B.C.

CRIMINAL INVESTIGATION DEPARTMENT
VICTORIA

Your File No.....

In reply quote File No.....

SUBJECT:

Sheep Protection
Act - Duncan Area.

May 1st,
1 9 3 6

C.C. Perry, Esq.,
Ass't Indian Commissioner for B.C.,
P.O. Box 666,
Victoria, B. C.

Dear Sir:

A copy of a report submitted by Inspector Owens regarding the marginally noted matter is enclosed for your information.

Yours truly,

J.H.McMullin,
Commissioner,
B. C. Police.

RP/DN
Encl.

COMMISSIONER'S OFFICE
MAY 2 1936
VICTORIA, B. C.

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DIVISION: "A"
Divnl. Hqrs.
DISTRICT: Victoria, B.C.
DETACHMENT:

FILE No.

DATE: 27-4-36

PR or PCR.

COMMISSIONER'S OFFICE
MAY 2 1936
VICTORIA, B. C.

R E P O R T.

SHEEP PROTECTION ACT: DUNCAN AREA.

Under date of the 25th instant, Mr. H.G.E. Savage, M.L.A., writes me as follows:

" For some weeks there has been an epidemic of dogs killing sheep here. Flocks at Fairbridge and Hillcrest have sustained serious losses among other places.

ReeveTisdall, North Cowichan, yesterday phoned me with a suggestion that unemployed be made special police and allowed to kill dogs. I think that plan has its dangers.

The situation is serious. Previously this has been a matter which the police or game departments have attended to. That is why I address you.

H'QRS. REF. If, as I gather, the local police detachment is not strong enough to handle the situation, could not more men be temporarily assigned here to clean up matters?

DIV'L REF. Apart from other considerations, this lack of control of the situation will gain wide publicity in England through Fairbridge. A prairie farmer is starting a sheep industry at Hillcrest on logged off lands. Other sheep farmers, long established, are suffering losses.

DIST. REF. I would be glad if you could spare time to look into the situation, which I know is involved and difficult, with a view to the district as a whole gaining relief."

DET. REF. Following my conversation with you this morning I proceeded to Duncan and North Cowichan. I saw Reeve Tisdall and he was in favour of putting on a special constable to destroy the dogs, the expense to be borne by the municipality. I explained that there was a danger of special constables overstepping their authority and it would be better if the matter were first taken up with the Indian Commissioner for B.C., as the majority of the dogs were from the Indian Reserves at Cowichan and Koksilah. This was agreed upon.

During the last month sheep destruction has been very serious and some 90 have been reported lost in this area. The general belief is that the Reserve dogs are responsible and, as the whole of Vancouver Island is now a Sheep Protection area I would be glad if you would call the matter to the attention of the Indian Commissioner for B.C., with a view to having Sub-section "f" of Section 95 of the "Indian Act" generally applied. I discussed this with Indian Agent Graham and he informed me that he had instructed our officers to shoot any stray dogs and he would also take the matter up with Mr. Perry. Regarding our own "Sheep Protection Act" I think if Sec. 12 was amended by ~~read-"at-an-~~ leaving out the words "between sunset and sunrise" it would improve matters.

Game Warden Marshall informed me that he had already destroyed eight dogs - 4 of them in the last month and our officers have been instructed to do everything possible to remedy the situation.

I saw Mr. Ancell, the Municipal Clerk, and he told me they were willing to employ and pay an ex R.C.M.P. man

★ B.C.P. 19—100M-435-3900

This report should show whether its subject-matter relates to organized or unorganized territory. If organized, clearly state the particular Municipality concerned. Any report rendered under the "Government Liquor Act" should state the amount of expenses incurred in connection therewith.

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Archives nationales du Canada

DIVISION:

DISTRICT:

DETACHMENT:

FILE No.

DATE: 27-4-36

PR or PCR.

SHEEP PROTECTION ACT. DUNCAN AREA.

man
for a month or so to exterminate some of these dogs. I explained to him that there was always the danger of complications from "special" appointments. They already have one Special Constable - Mr. Flett, who is doing this work.

The destruction has been particularly heavy during the last month but our officers are handling the situation well. It will ease down shortly, especially at the rate which the dogs are being destroyed, and with the assistance of the Indian Department as above outlined I think we may look for improvement.

H'QRS. REF.

Mr. Savage was leaving town and I spoke to him over the telephone. He agreed that the co-operation of the Indian Department and an amendment to Sec. 12 of the "Sheep Protection Act" would meet the situation. He was not in favour of the employment of special constables.

DIV'L REF.

The North Cowichan area will be kept under close observation with a view to improving conditions.

DIST. REF.

(R. Owens) Inspector,
Commandg. "A" Divn.

DET. REF.

To: Commissioner,
B.C. Police, CIB.,
Victoria, B.C.

FORWARDED
APR 28 1936
TO
Supervisor of Law Enforcement

★ B.C.P. 19—100M-435-3900

This report should show whether its subject-matter relates to organized or unorganized territory. If organized, clearly state the particular Municipality concerned. Any report rendered under the "Government Liquor Act" should state the amount of expenses incurred in connection therewith.

RECEIVED
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144/44180.

April 29, 1936.

Dear Sir:

I beg to acknowledge receipt of your letter of the 28th instant, No.432/U/3, re killing of sheep by Indian dogs.

I would advise you to give the Department the facts, the names of the bands affected, and request the official approval of the Superintendent General under Section 95 of the Indian Act.

I do not think the Provincial Police could legally act under the Section 95 without such approval and authority by direction.

Your obedient servant,

C. C. Perry.
Asst. Indian Commissioner for B.C.

P/AC

H. Graham, Esq.,
Indian Agent,
Duncan, B.C.

RG 10, C-II-2, vol. 11298
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

144/44180.

April 29, 1936.

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I do not think the Provincial Police could legally act under the Section 95 without such approval and authority by direction.

Your obedient servant,

C. C. Perry.
Asst. Indian Commissioner for B.C.

P/AC

H. Graham, Esq.,
Indian Agent,
Duncan, B.C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

432/U/3

Duncan. B.C.

Apl. 28th. 1936

Dear Sir.

You may possibly have heard from Col.McMullin in regard to taking some action, in regard to the killing of sheep by Indian dogs.

I had a long talk to Inspector Owen yesterday on the subject, and I informed him that I would do all in my power to try and get rid of the offenders.

For the last three weeks I have had men out destroying stray dogs, but can get no co-operation from the owners, so have descided to bring section 95 of the Indian Act, into force.

I have appointed a member of the Band to act as Collector, and am asking the Provincial Police to send a man with him, as the very presence of a Policeman has a moral effect, and besides, a great many dogs will have to be destroyed.

To carry this out properly the Provincial Police will have to co-operate.

Yours truly.

H. Graham.

(H.Graham)
Indian Agent.

COMMISSIONER'S OFFICE
APR 29 1936
VICTORIA, B. C.

C. C. Perry Esq.
Asst. Indian Commissioner.
Victoria. B.C.

INDIAN AFFAIRS
AFFAIRES INDIENNES

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12th Cy

For file

~~112/12~~/43210.

February 24, 1936.

Dear Sir:

With further reference to your letter of the 12th instant, regarding the number of dogs owned by Indians in the Stikine Agency, and my reply thereto of the 14th, I now beg to enclose herewith copy of letter of the 20th instant received from Col. C.S. Pragnell, Inspector of Indian Agencies for B.C., in this connection, which will be self-explanatory.

Your obedient servant,

C. C. Perry.
Asst. Indian Commissioner for B.C.

Encl
AC

Robt. Gunn, Esq.,
Deputy Minister of Mines,
Department of Mines,
Parliament Buildings,
Victoria, B.C.

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(C o py)

DEPARTMENT OF INDIAN AFFAIRS

Office of
Inspector of Indian Agencies
British Columbia

P. O. Box 752
Kamloops, B.C.

St-G-2369

February 20, 1936.

Dear Mr. Perry:-

I am in receipt of your 112-12-43110 of the 14th instant, in which you enclose for my attention copy of letter from Robert Dunn, Deputy Minister of Mines, Victoria, regarding dogs owned by Indians in the Stikine Agency.

Is far as I am concerned, I think it would be a great mistake to interfere with the dog question either of whites or Indians in that big area. Dr. T. Mandy's argument is falsely founded to begin with when he argues that the dogs owned by white men and Indians are in the ratio of at least one to four. This may be quite true as regards population of whites and Indians, but it must be remembered that a large part of that population of whites quoted do not use dogs for transportation purposes. It must be remembered that a number of these white people are scattered around the various small towns, store-keepers, clerks, etc., who do not have to travel over the Stikine to earn a living. The probability is that, taking white men and Indians who have to hunt and trap during the winter time, they own about the same number of dogs. It takes so many to make their dog teams and there are always a few odd ones training or breeding in addition.

I do not agree with Mr. Harper Reed either in that a depletion of game is due to either white or Indian dogs separately. There is no doubt that, taken together, there must be some effect on the game situation because of the influx of white men into the Stikine, mining, trapping or otherwise, which means that extra number of white dogs added to the Indians ones. Personally I think, if there is depletion of game, it is much more likely from game being shot for food purposes for the extra number of inhabitants of the area beyond that which the game can normally sustain. The quotation "that the main feature of Indian Reserves and encampments is dogs" is probably right, but if the white villages and encampments consisted of nomadic people who lived by hunting and trapping, there would be just the same proportion.

For any poor Provincial servant to have to try to keep tab on all the dogs over five owned by each working individual would naturally cause friction all round. It would probably mean that only those actually coming into, or approaching the village centre could be got at.

As I said before, therefore, I strongly recommend no action.

Yours truly,

GSP/S.

"G. S. Pragnell"
Inspector of Indian Agencies.

Chas. C. Perry, Esq.,
Asst. Commissioner for B.C.,
Victoria, B.C.

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RG 10, C-II-2, vol. 11298

INDIAN AFFAIRS
AFFAIRES INDIENNES

National Archives of Canada
Archives nationales du Canada

copy for file

112/12/43095.

14th February, 1936.

Dear Sir:-

I desire to acknowledge receipt of your letter of the 12th instant, regarding the number of dogs owned by Indians in the Stikine Indian Agency.

In reply would say that a copy of your letter is being forwarded to Col. C. S. Pragnell, Inspector of Indian Agencies, at Kamloops, B. C.

Your obedient servant,

C. C. Perry.
Asst. Indian Commissioner for B. C.

P:HN

Robt. Dunn, Esq.,
Deputy Minister of Mines,
Department of Mines,
Parliament Bldgs.,
VICTORIA, B.C.

RG 10, C-II-2, vol. 11298
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

112/12/43110.

14th February, 1936.

Dear Sir:-

I am enclosing herewith, for your attention, copy of a letter dated the 12th instant from Mr. Robert Dunn, Deputy Minister of Mines, Victoria, regarding number of dogs owned by Indians in the Stikine Agency.

Your obedient servant,

C. C. Perry.
Asst. Indian Commissioner for B. C.

P:HN

Col. G. S. Pragnell,
Inspector of Indian Agencies,
P. O. Box 752,
KAMLOOPS, B.C.

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THE GOVERNMENT OF THE PROVINCE
OF BRITISH COLUMBIA
OFFICE OF THE DEPUTY MINISTER
VICTORIA

February 12th, 1936.

C. Perry, Esq.,
Assistant Indian Agent,
Box 666,
VICTORIA, B.C.

Sir:

For your information, I beg to quote from a letter received from Dr. J. T. Mandy, Resident Mining Engineer, Prince Rupert, B. C., viz:-

> "In connection with the dog question, and a reputed excessive number owned and sustained by white men, only two such instances are known to me. These were the cases of E. W. Faulkner and Percy Peacock, both in the Little Muddy area, who at one time owned about 40 dogs between them. These instances were, however, drastically corrected by Constable Boys so that Faulkner now owns 7 dogs and Peacock 6. In contrast, the main feature of Indian Reserves and encampments is dogs. They appear to be everywhere. On one occasion in the McDame area one Indian passed me on the trail with 18 dogs. It can be safely taken that Indian families generally own anywhere from 12 to 25 dogs. I am also reliably informed that dogs owned by white men and Indians are in the ratio of at least 1:4. If Mr. Harper Reed's argument that the sustenance of dogs is resultant in the depletion of game in the Stikine, Dease and Liard areas, such depletion (if actual) could be more probably placed to the score of Indian dogs. As remedial in the dog question I would suggest that a law be introduced whereby for each dog in excess of 5 to the working individual, a license fee of $25 be charged, and that this be made applicable to both whites and Indians."

I have the honour to be,
Sir,
Your obedient servant,

"Robt. Dunn."
Deputy Minister of Mines.

MF

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Copy for 144

112/12/43096. 14th February, 1936.

Dear Sir:-

I wish to acknowledge receipt of your letter of the 12th instant, with enclosure, regarding trapping in the Stikine Indian Agency by Indians.

A copy of your communication is being forwarded to Col. G. S. Pregnell, Inspector of Indian Agencies, Kamloops, B. C.

Your obedient servant,

C. C. Perry.
Asst. Indian Commissioner for B. C.

P:HN

Robt. Dunn, Esq.,
Deputy Minister of Mines,
Parliament Bldgs.,
VICTORIA, B.C.

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INDIAN AFFAIRS
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National Archives of Canada
Archives nationales du Canada

112/12/43111.

14th February, 1936.

Dear Sir:-

For your attention, I am transmitting herewith copy of a letter dated the 12th instant from Mr. Robert Dunn, Deputy Minister, Provincial Department of Mines, Victoria, regarding trapping in the Stikine Agency by Indians.

Your obedient servant,

C. C. Perry.
Asst. Indian Commissioner for B. C.

HN

Col. G. S. Pragnell,
Inspector of Indian Agencies,
P. O. Box 752,
KAMLOOPS, B.C.

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T[illegible] GOVERNMENT OF THE PROVINCE
OF BRITISH COLUMBIA

Office of the Deputy Minister
Victoria

February 12th, 1936.

C. Perry, Esq.,
Assistant Indian Agent,
Box 666,
Victoria, B. C.

Sir:

Your attention is drawn to the representations of Dr. J. T. Mandy, Resident Mining Engineer, Prince Rupert, with reference to the attitude of Mr. Harper Reed, Indian Agent at Telegraph Creek, with respect to permitting free miners under the British Columbia Mining Laws to work on Indian Reserves.

It is submitted that if Dr. Mandy's assertions are well founded, the Indian Agent certainly is not acting within the spirit of the Regulations governing the entry and the recovery of precious minerals on Indian land. It would seem that this whole matter is one which warrants careful investigation, and this Department would very much appreciate any action you may be able to take, directed towards the establishment of more satisfactory conditions.

I have the honour to be,
Sir,
Your obedient servant,

"Robt.Dunn."
Deputy Minister of Mines.

MF

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Extracts from letter of Dr. J.T. Mandy,
Resident Mining Engineer, Prince Rupert,
dated January 17th, 1936.

"The only possible present medium of winter subsistence for prospectors in the Stikine, Dease and Liard areas is by means of trapping. Due to the cumulative effect of a condition attributable to the policy of the present Indian Agent, Mr. Harper Reed, many prospectors at present in these sections are prohibited from engaging in trapping. I also understand from the Game Department Office in Prince Rupert that no vacant trapping areas are available to new prospectors who may be desirous of entering these areas".

"This unfortunate condition is due, to the tying-up by Mr. Harper Reed of very extensive sections in these areas through registered trap-lines in the names of numerous Indian individuals, families and bands. Numerous sections have also been withdrawn from development through the formation of Indian Reserves scattered throughout these areas."

"In considering this matter it is acknowledged that the Indians of the area certainly require adequate and fitting consideration. It would seem, however, that the extent of the areas allotted to Indians is out of all proportion to the requirements of the Indians concerned, both in regard to the number of individuals and the exigency of their mode of living".

"Figures taken from the 1934 Indian Report show the total number of Indians in the Stikine Agency as 852. As affecting the Department of Mines' interests in Northern British Columbia, however, from this number should be deducted 135 Teslin Lake, Yukon, Indians and 91 given under the heading of McDame and Liard Nomads who are probably mainly of Yukon origin. I am convinced that investigation will reveal instances of possibly quite appreciable areas registered as Indian trap-lines totally unutilized as trapping-grounds. In this respect the following instances have been drawn to my attention:"

> "Case of Naas Tommy (Iskut Section) with an adjacent trap-line held by his wife, Mary Coulahan, an aged and decrepit woman. I understand that neither she nor her husband have ever trapped the section registered in her name".
>
> "Case of David Stoak. Registered for a very extensive trapping territory (about 220 miles in extent) bordering the Stikine. Stoak is a lame Indian, working sometimes for R. Hyland at Telegraph Creek, and I understand never engages in trapping. This ground was held for five years untrapped until about the early summer of 1935 when it was transferred by the Indian Agent to another Indian."

"Detailed enquiry may indicate other instances of similar nature."

"Investigation may indicate that trap-lines registered at present in the names of whites and half-breeds

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may be slightly more in number that those registered in the names of Indians. Further investigation will show, however, that the areas embraced by the Indian registrations are phenomenally in excess of the areas embraced by white registrations. This is clearly shown in lists of trap-line registrations which I have collected. In a list of 52 white registrations their extent varies from a minimum of 11 miles to a maximum of 89 miles, with an average extent of about 42 miles. In contrast to this, in a list of 46 Indian registrations their extent varies from a minimum of 28 miles to a maximum of 672 miles with an average of 111 miles in extent."

"As one means of remedying this unfortunate situation existing in the Stikine, Dease and Liard River areas, I would suggest the limitation of trap-lines to at most 30 by 30 miles and the splitting-up of any existing lines exceeding this. I would further suggest that the30 by 30 miles maximum allowance is probably even too big for the average individual and a smaller allotment may perhaps be found more practicable."

"On account of these described conditions it has always been necessary for me to inform inquiring prospectors that, on account of the prevailing factors, it is impossible for them to expect to subsist in these areas during the winter-time unless they have personal means at their disposal."

"In your further investigation of this matter I would suggest that much useful information could be supplied to you by the Government Agent stationed at Telegraph Creek, Mr. J. V. Boys. The condition presents itself to me in very serious light and I would consequently urge that immediate action be taken in the matter".

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144/42612.

7th January, 1936.

Dear Sir:-

I desire to acknowledge receipt of your letter of the 4th instant, regarding destruction of cats and dogs on Koskemo Reserve, contents of which are noted.

In reply, I am enclosing herewith copy of Constable A. M. Bestwick's report dated the 9th December, 1935, showing source of information in connection with this matter.

In regard to the disposal of animals left on the Reserve when Indians are away, I regret I cannot suggest any other action than that which our official regulations permit.

Your obedient servant,

ENCL.

C. C. Perry,
Asst. Indian Commissioner for B. C.

P:HN

M. S. Todd, Esq.,
Indian Agent,
ALERT BAY, B.C.

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144/42612.

7th January, 1936.

Dear Sir:-

I desire to acknowledge receipt of your letter of the 4th instant, regarding destruction of cats and dogs on Koskemo Reserve, contents of which are noted.

In reply, I am enclosing herewith copy of Constable A. M. Bostwick's report dated the 9th December, 1935, showing source of information in connection with this matter.

In regard to the disposal of animals left on the Reserve when Indians are away, I regret I cannot suggest any other action than that which our official regulations permit.

Your obedient servant,

ENCL.

C. C. Perry.
Asst. Indian Commissioner for B. C.

P:HN

M. S. Todd, Esq.,
Indian Agent,
ALERT BAY, B.C.

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BRITISH COLUMBIA POLICE

District: Courtenay File No.
Date: 9-12-35.

Detachment: Port Alice

PR OR PCR. UNORGANIZED TERRITORY.

REPORT.

Nil. DOGS and CATS-Koskeemo Indian Reserve.

On September 28th. 1935, I received a letter from M.S. Todd Indian Agent at Alert Bay. Mr. Todd requested me to destroy any stray dogs and cats at the Koskeemo Indian Reserve.

During the months of October and November 1935,I made several trips to the reserve, but could not catch Chief Johnnie or the Indians at home.

H'QRS.REF. On Thursday December 5th.1935 while on patrol I stopped at the Koskeemo reserve,Chief Johnnie produced a letter from the Indian Agent, instructing that I shoot all the dogs and cats at the reserve as the Indians were receiving relief and could not afford to keep them.

DIV'L REF. I discussed the matter of killing the animals with the Indians who were very hostile at the idea,some of the dogs had license tags on there collars,two others were thoroughbreds the Indians had paid ten dollars apiece for.

DIST.REF. I finally requested Chief Johnnie to bring out the animals the Indians least desired to keep,18 cats, 7 dogs were destroyed a large number however are still left,the Indians however were quite satisfied.

DET.REF. Will you kindly advise me just how much authority I have in the matter of destroying animals on a reserve against their owners will,especially in the case of a dog on which a license has been paid, when instructed to do so by the Indian Agent,during my visit to the reserve I killed only the dogs and cats surrendered by the Indians.

The Indians in this District are very friendly to the Detach. and give us their hearty co-operation,I am very anxious to keep matters this way and feel that to walk into the reserve and unscrupulously kill all their animals would cause a feeling of animosity among the Indians that would be hard to overcome.

Copy attached hereto for the Game Dept.Vancouver.

CONCLUDED.

"A.M.Bestwick"Const.i/c.
Port Alice Detach.
Port Alice B.C.

TO The N.C.O.i/c.
Courtenay District
Courtenay B.C.

RECEIVED
C.I.B.HQRS.
Dec 19 1935
B.C.POLICE
VICTORIA,B.C.

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DOGS and CATS - KOSKEEMO Indian Reserve.

FORWARDED: The Officer Commanding.
17-12-35. "A" Division.
B.C.P.Police.
Victoria. B.C.

I would suggest that in future cases of this nature, that the Indian Agent accompany the Constable to the Reserve.

"H.N.Wood"
(H.N.Wood) Sergt.BCPP.
i-c. Courtenay District.

To: Commissioner,
B. C. Police,
Victoria, B.C.

FORWARDED:
18-12-35

Sergt. Wood's suggestion is a good one but I think it would be advisable to refer this report to the Indian Commissioner for B.C.,for future guidance. It seems rather drastic to destroy the dogs against the wishes of the owners when they have been properly licensed.

"R. Owens"
(R. Owens) Inspector,
Commandg. "A" Divn.

RECEIVED
C.I.B.HQRS.
Dec 19 1935
B.C.POLICE
VICTORIA,B.C.

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BRITISH COLUMBIA POLICE

District: Courtenay — File No.
Date: 9-12-35.

Detachment: Port Alice

PR OR PCR. — UNORGANIZED TERRITORY.

REPORT.

Nil. — DOGS and CATS-Koskeemo Indian Reserve.

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Copy attached hereto for the Game Dept.Vancouver.

CONCLUDED.

"A.M.Bestwick"Const.i/c.
Port Alice Detach.
Port Alice B.C.

TO The N.C.O.i/c.
Courtenay District
Courtenay B.C.

RECEIVED
C.I.B.HQRS.
Dec 19 1935
B.C.POLICE
VICTORIA,B.C.

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AFFAIRES INDIENNES

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DOGS and CATS - KOSKEEMO Indian Reserve.

FORWARDED: The Officer Commanding.
17-12-35. "A" Division.
B.C.P.Police.
Victoria. B.C.

I would suggest that in future cases of this nature, that the Indian Agent accompany the Constable to the Reserve.

"H.N.Wood"
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i-c. Courtenay District.

To: Commissioner,
B. C. Police,
Victoria, B.C.
FORWARDED:
18-12-35

Sergt. Wood's suggestion is a good one but I think it would be advisable to refer this report to the Indian Commissioner for B.C.,for future guidance. It seems rather drastic to destroy the dogs against the wishes of the owners when they have been properly licensed.

"R. Owens"
(R. Owens) Inspector,
Commandg. "A" Divn.

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C.I.B.HQRS.
Dec 19 1935
B.C.POLICE
VICTORIA,B.C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Alert Bay, B.C.,
January 4, 1936.

Dear Sir,-

This will acknowledge your letter of December 20th, file 144-42444 in which you state it has come to your notice that I have recently made a request to the Provincial Police to shoot dogs and cats on Koskemo Reserve, and while Indians have been willing to surrender certain animals to be killed, nevertheless some of the animals owned by them are pedigreed animals and are under licence.

In this connection I would appreciate if you would kindly advise me if you felt you could, who it was who brought this to your attention, as I have had considerable difficulty over dogs and cats on this reserve. When I first took over the Agency on my first trip to Koskemo I discovered literally dozens of dogs and cats running wild on the reserve and supposed to be owned by certain members of the band who were on relief. These dogs and cats were living in the worst tumbledown shacks and buildings and in my opinion were a real menace to the health of all the Indians concerned. The cats and dogs would eat out of the same dishes as the Indians themselves at mealtime, and it was the most deplorable condition I have ever seen.

Chief Johnny and Chief Charlie of the Koskemo and Kwatsino tribes came to me and asked that these dogs and cats be destroyed. I discussed the matter with them thoroughly, and realizing the condition that existed as well as the fact of Indians who were on relief keeping so many dogs and cats and feeding them, we decided some action had to be taken. Practically all the Indians seemed quite willing to clear the situation up.

Later I heard the Provincial Police and the Principal of the white school at Quatsino were on the reserve and had destroyed a lot of the cats and I believe some dogs. On another trip I made to Koskemo later, the Indians again complained to me that the woods were full of wild cats and dogs and asked that a definite drive be made to clear them up. I discussed the matter with Constable Bestwick of the Provincial Police and asked him sometime when he was over there to destroy any of these animals running at large whenever the opportunity presented itself. Dr. Lawson has visited the reserve and knows the condition, and he is working with me with a view to improving their sanitary conditions.

Recently I had a letter from Constable Bestwick of the Provincial Police at Port Alice stating that now that the Department had a Mounted Policeman it would probably be better and more satisfactory to have him attend to the matter of dogs and cats on the reserve. Constable Bestwick stated that Sergeant Woods who is located at Courtenay, instructed him to this effect.

COMMISSIONER'S OFFICE
JAN 7 1936
VICTORIA, B. C.

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A very short time ago one of the Chiefs again came to me about these dogs and cats and asked permission to have them destroyed and I told him it was quite alright to go ahead and shoot them when the opportunity presented itself.

It is not my intention, nor ever was, to destroy any valuable animals belonging to Indians, and there is only one dog in Koskemo which might be of some good, and this dog is so ugly that he has already bitten several people and I intend to have him destroyed on my first trip to Koskemo.

I am today writing the Department as suggested by you so that no complications will arise, however I feel I could do nothing else than deal with the matter as I have already done. Sometimes when visiting the different villages we find the Indians have gone away indefinitely and left their animals behind with no food or anyone to look after them. Would you please advise me in a case of this kind what is the proper course to follow. It does not seem right that I should have to take it up with the Department first in order to get permission to deal with a situation such as this.

Your obedient servant,

(M. S. Todd)
Indian Agent

C.C. Perry, Esq.,
Asst. Commissioner for B.C.,
Department of Indian Affairs,
Victoria, B.C.

COMMISSIONER'S OFFICE
JAN 7 1936
VICTORIA, B. C.

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124/42444.

December 20, 1935.

Dear Mr. Todd:

It has come to my notice that you have recently made request of the Provincial Police to shoot dogs and cats on the Koskepo Reserve, and that while the Indians have been willing to surrender certain animals to be killed nevertheless some of the animals owned by them are pedigreed animals and are under license.

You are aware of the fact that under Section 95 of the Indian Act (Sub Section "f") the authority of the Superintendent General must first be obtained in order to meet the necessity for disposing of animals in this manner or for taxing such animals or their regulation within an Indian Reserve. Copy of the official regulations are enclosed herewith for your perusal and information. You will note under Section 17 that these regulations do not apply to a reserve unless by direction of the Superintendent General.

If you have not already done so I think you should report to the Department and ask for authority before making any further requests to the police to destroy dogs in a reserve.

As to cats, the B.C. Game Act provides for the shooting of cats which are at large outside a reserve, but if you find any further reason for destroying cats within a reserve I would suggest that you report the circumstances to Ottawa and ask for a regulation of the Superintendent General to meet the situation.

Yours sincerely,

C. C. Perry.
Asst. Indian Commissioner for B.C.

P/AC

M. S. Todd, Esq.,
Indian Agent,
Alert Bay, B.C.

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144/42444.

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M. S. Todd, Esq.,
Indian Agent,
Alert Bay, B.C.

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144/42443.

20th December, 1935.

Dear Commissioner McMullin:-

I thank you for your letter of the 19th instant, covering copy of Constable Bestwick's report dated December 9th, instant, with comments by Sergeant Wood and Inspector Owens.

In reply, I wish to say it is felt that Constable Bestwick used very good judgment in the matter of destroying only such animals as were willingly surrendered by the Indians in the circumstances related. His enquiry is also considered both timely and judicious.

I enclose, for your information, copy of our Department's printed by-laws enacted under authority of the Superintendent General and which, according to Section 17th thereof are applicable only by his direction. It would appear questionable if Agent Todd has received such authority, judging from the request which he made as related by Constable Bestwick.

I also enclose copy of my letter addressed today to Agent Todd, which will no doubt have the effect of moderating the future requests of the Agent to have dogs and cats destroyed.

As to cats at large, the B. C. Game Act deals with this as concerning cats found at large which may be a menace to bird life. I do not know of any regulations of the Indian Department relating to cats, but if cats are found to be a nuisance from sanitary viewpoints, no doubt the Superintendent General would have authority to make regulations if such were deemed to be necessary.

Yours very truly,

ENCL.

C. C. Perry.
Asst. Indian Commissioner for B. C.

P:HN

Col. J. H. McMullin,
Commissioner, B. C. Police,
Parliament Bldgs.,
VICTORIA, B.C.

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Col. J. H. McMullin,
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VICTORIA, B.C.

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Asst. Indian Commissioner for B. C.

ENCL.

P:HN

Col. J. H. McMullin,
Commissioner, B. C. Police,
Parliament Bldgs.,
VICTORIA, B.C.

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144/42443.

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I thank you for your letter of the 19th instant, covering copy of Constable Bestwick's report dated December 9th, instant, with comments by Sergeant Wood and Inspector Owens,

In reply, I wish to say it is felt that Constable Bestwick used very good judgment in the matter of destroying only such animals as were willingly surrendered by the Indians in the circumstances related. His enquiry is also considered both timely and judicious.

I enclose, for your information, copy of our Department's printed by-laws enacted under authority of the Superintendent General and which, according to Section 17th thereof are applicable only by his direction. It would appear questionable if Agent Todd has received such authority, judging from the request which he made as related by Constable Bestwick.

I also enclose copy of my letter addressed today to Agent Todd, which will no doubt have the effect of moderating the future requests of the Agent to have dogs and cats destroyed.

As to cats at large, the B. C. Game Act deals with this as concerning cats found at large which may be a menace to bird life. I do not know of any regulations of the Indian Department relating to cats, but if cats are found to be a nuisance from sanitary viewpoints, no doubt the Superintendent General would have authority to make regulations if such were deemed to be necessary.

Yours very truly,

ENCL.

C. C. Perry.
Asst. Indian Commissioner for B. C.

P:HN

Col. J. H. McMullin,
Commissioner, B. C. Police,
Parliament Bldgs.,
VICTORIA, B.C.

RG 10, C-11-2, vol. 11298
INDIAN AFFAIRS
AFFAIRES INDIENNES
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Bylaws for the Taxation, Control and Destruction of Dogs and for the Protection of Sheep under the provisions of Paragraph " F " of section 92, chap. 81, R.S.C., as enacted by 8-9 George V, chapter 26, section 5.

TAX ON DOGS.

1. There shall be levied annually in every reserve, upon the owner of each dog therein, an annual tax of one dollar for a dog, if only one, and three dollars for each additional dog owned by him, and two dollars for a bitch if only one, and five dollars for each additional bitch.

2. The council of the band may appoint the constable of the band or some responsible member to make up a list of the owners of dogs and to enter opposite the names the number of dogs and bitches by him owned and to collect the annual tax. If such appointment is not made by the first day of March in each year, the Indian Agent shall make such appointment from the membership of the band.

3. The owner of any dog shall be required by the collector to deliver to him in writing a statement of the number of dogs owned by him and for any neglect or refusal to do so, and for every false statement made in respect thereof, he shall incur a penalty of five dollars.

4. The collection of the tax shall be made by the first of May in each year for that particular year.

5. Where the collector has been refused the tax imposed by this regulation, the collector shall impound such dog and shall report the same under oath to a Justice of the Peace or Indian Agent who shall by an Order under his hand and seal to be served by any constable require such dog to be destroyed by the owner thereof, or by a constable.

(2) For the purpose of carrying out such order the constable may enter on the premises of such owner and destroy such dog.

6. The collector, by the first day of June in each year, shall make a return of his collection to the Indian Agent which return shall give a list of all the owners of dogs, the number of dogs and bitches owned by each, the amount of the tax collected from each owner, and the names of the owners, if any, whose dogs have been destroyed for non-payment of taxes.

44300

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7. The collector shall receive for his services twenty-five per cent of the tax collected and the balance of the amount shall be paid to the Indian Agent, with the return under the above section, to be forwarded to the Department and applied to the credit of the funds of the band.

8. A collector who fails to make his return and to pay to the Indian Agent the balance of his collections by the appointed date or knowingly makes any false statement in such return shall be liable on summary conviction to a fine not exceeding fifteen dollars and costs, or in default of payment to imprisonment for not more than twenty days.

PROTECTION OF SHEEP AND OTHER ANIMALS.

9. No dog shall be allowed to be at large unless accompanied by, or being within reasonable call of the owner or some person having charge or care thereof.

The owner of any dog allowed to be at large in contravention of this section shall be liable, upon summary conviction, to a penalty not exceeding five dollars and costs or in default of payment to imprisonment for not more than seven days.

10. The owner of any dog that runs at large and pursues, worries, wounds or kills any sheep, hogs, cattle or other animals, shall on summary conviction be liable to a fine of not more than fifteen dollars and costs or in default of payment to imprisonment for not more than twenty days.

11. Any dog or dogs proved under the preceding section to have pursued, worried, wounded or killed, any sheep, hogs, cattle or other animals may, if the Indian Agent or Justice of the Peace before whom proof is made, sees fit, be ordered by him to be killed and destroyed.

12. It shall be lawful for any one to kill any dog in the act of pursuing, worrying or destroying any sheep, hogs, cattle or other animals elsewhere than on the reserve.

13. Any one in possession of any dog or who allows any dog to remain about his house or premises shall be deemed the owner of such dog for the purposes of this bylaw.

14. No conviction shall be a bar to any action by the owner or possessor of any sheep for the recovery of damages for the injury done to such sheep.

ADJUSTMENT OF CLAIMS.

15. In case the parties to an action for the recovery of damages for injury done to sheep, belong to a band which has a capital account and draws annuity the amount or any propor-

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tion of the judgment may be paid out of the interest account of the band, and deducted from the share or shares of the annuity and interest money of the party liable until the amount is fully repaid to interest account.

16. Where the owner of any dog killing, injuring, terrifying or worrying sheep is not known, upon application and proof of loss to the satisfaction of the council of the band by the aggrieved party, the council may by resolution recommend to the Superintendent General that a sum not exceeding one-third of the mutton value of the sheep so killed be paid to such aggrieved party from the interest money of the band, provided that such claim is made in writing to the Chief of the band or Indian Agent within ten days after such loss is discovered and the evidence in support of the claim is produced at the first regular meeting of the council after the said notice is given unless the council extends the time for such proof.

17. These regulations wherever applied by direction of the Superintendent General shall prevail over any rule or regulations respecting dogs, made by any band.

DUNCAN C. SCOTT,
Deputy Superintendent General of Indian Affairs.

Dated at Ottawa,
the 27th day of June, 1918.

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Address all communications to:
THE COMMISSIONER
British Columbia Provincial Police
(C.I.D.)
Victoria, B.C.

CRIMINAL INVESTIGATION DEPARTMENT
VICTORIA

Your File No.....

In reply quote File No.....

SUBJECT:

West Coast District -
Koskeemo Indian
Reserve - Destruction
of Dogs and Cats.

December 19th,
1 9 3 5

C.C. Perry, Esq.,
Ass't Indian Commissioner for B.C.,
P.O. Box 666,
Victoria, B. C.

Dear Sir:

Copy of our file herein for your information. As the matter concerns Indians, it is felt better to put the circumstances before your office for an opinion.

Yours truly,

J.H.McMullin,
Commissioner,
B. C. Police.

TWSP/DN
Encl.

COMMISSIONER'S OFFICE
DEC 20 1935
VICTORIA, B. C.

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DIVISION: "A"

DISTRICT: Courtenay

DETACHMENT: Port Alice

FILE No.

DATE: 9-12-35.

PR or PCR.

UNORGANIZED TERRITORY.

REPORT.

Nil.

DOGS and CATS-Koskeemo Indian Reserve.

On September 28th.1935,I received a letter from M.S.Todd Indian Agent at Alert Bay.Mr.Todd requested me to destroy any stray dogs and cats at the Koskeemo Indian Reserve.

During the months of October and November 1935,I made several trips to the reserve,but could not catch Chief Johnnie or the Indians at home.

H'QRS. REF.

On Thursday December 5th.1935 while on patrol I stopped at the Koskeemo reserve,Chief Johnnie produced a letter from the Indian Agent,instructing that I shoot all the dogs and cats at the reserve as the Indians were receiving relief and could not afford to keep them.

DIV'L REF.

I discussed the matter of killing the animals with the Indians who were very hostile at the idea,some of the dogs had license tags on there collars,two others were thoroughbreds the Indians had paid ten dollars apiece for.

DIST. REF.

I finally requested Chief Johnnie to bring out the animals the Indians least desired to keep,18 cats,7 dogs were destroyed a large number however are still left,the Indians however were quite satisfied.

DET. REF.

Will you kindly advise me just how much authority I have in the matter of destroying animals on a reserve against their owners will,especially in the case of a dog on which a license has been paid,when instructed to do so by the Indian Agent,during my visit to the reserve I killed only the dogs and cats surrendered by the Indians.

The Indians in this District are very friendly to the Detach. and give us their hearty co-operation,I am very anxious to keep matters this way and feel that to walk into the reserve and unscrupulously kill all their animals would cause a feeling of animosity among the Indians that would be hard to overcome.

Copy attached hereto for the Game Dept.Vancouver.

CONCLUDED.

To The N.C.O.i/c.
Courtenay District
Courtenay B.C.

RECEIVED
R.C.M.P. HQRS.
DEC 19 1935
B. C. POLICE
VICTORIA, B. C.

A.M.Bestwick Const.i/c.
Port Alice Detach.
Port Alice B.C.

COMMISSIONER'S OFFICE
DEC 20 1935
VICTORIA, B. C.

★ B.C.P. 19—100M-1234-2104

This report should show whether its subject-matter relates to organized or unorganized territory. If organized, clearly state the particular Municipality concerned. Any report rendered under the "Government Liquor Act" should state the amount of expenses incurred connection therewith.

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DOGS and CATS - KOSKEEMO Indian Reserve.

FORWARDED: The Officer Commanding.
17-12-35. "A" Division.
B.C.P.Police.
Victoria. B.C.

I would suggest that in future cases of this nature, that the Indian Agent accompany the Constable to the Reserve.

(H.N.Wood) Sergt.BCPP.
i-c. Courtenay District.

To: Commissioner,
B.C. Police,
Victoria, B.C.
FORWARDED:
18-12-35

Sergt. Wood's suggestion is a good one but I think it would be advisable to refer this report to the Indian Commissioner for B.C., for future guidance. It seems rather drastic to destroy the dogs against the wishes of the owners when they have been properly licenced.

(R. Owens) Inspector,
Commandg. "A" Divn.

RECEIVED
C. I. B. HQRS.
DEC 19 1935
B. C. POLICE
VICTORIA, B. C.

COMMISSIONER'S OFFICE
DEC 20 1935
VICTORIA, B. C.

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1414

23/40668. 30th July, 1935.

Dear Mr. Reed:

I have your letter of July 22nd in regard to the subject of taxation of dogs owned by Indians and used outside the bounds of the Reserves.

You will be aware that dogs are taxable whether belonging to Indians or whites by the Provincial authorities, and we are not in a position to claim exemption under the Act except with respect to the animals kept and used within the Reserves.

Your letter does not indicate that the Indians are being discriminated against, nor that white dog owners are not being taxed with respect to their dogs. It occurs to me to suggest that the effect of taxation, both upon whites and Indians, will be the destruction of unwanted nimals which would only become a liability rather than an asset. I suppose a person can keep as many dogs as he likes as long as he pays taxation on them. Should you know of any discriminating features in this connection, I think you will be well advised to bring the matter to the attention of the local Provincial Police for their attention. I cannot see that I can help you very much in this matter but appears one for local attention rather than through the offices of the Provincial authorites at Victoria.

Yours sincerely,

C. C. Perry.
Asst. Indian Commissioner for B. C.

P:HN

Harper Reed, Esq.,
Indian Agent,
TELEGRAPH CREEK, B.C.

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23/40668

30th July, 1935.

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Yours sincerely,

C. C. Perry.
Asst. Indian Commissioner for B. C.

P:HN

Harper Reed, Esq.,
Indian Agent,
TELEGRAPH CREEK, B.C.

0021258

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT
Stikine.

COMMISSIONER'S OFFICE
JUL 30 1935
VICTORIA, B. C.

Telegraph Creek.B?C.
July 22.nd.1935.

Sir,

In further connection with the visit of Inspector Parsons of the B.C. Provincial Police to these parts, it is wished to say that there were several little matters that would have been brought to his attention, had there been the time to do so. On his return from inside, the same evening he was good enough to call at the Office en-route to see Father Allard, and being tired, he was not bothered. The next morning he was waited upon, and promised me some time on his return from seeing Mr Thorman at Tahltan but he did not return until the River Boat's whistle had blown, and so nothing was taken up at all.

Since then Mr Boys of the Govt Agent's Office mentioned that the Dog Question was having attention, and something would be done soon, so it is thought correct to bring the matter up to your notice.

Enclosed is a notice posted up on the Govt Agent's Board, which at the time caused much talk. As the Inspector for the Indian Dept was thought to be coming the matter was put aside for his attention. Later it was shown Inspector Pragnell in Carcross, and he was good enough to make a note of the matter. But since that time, matters might have gone ahead, for Inspector Pragnell is very busy with other matter also, and therefore it is now submitted for your inspection.

In this regard it is admitted that there are too many dogs in the Cassiar, both Indian and Whites. But it is certain that the whites are using too many dogs just for running around. A glance through the Agents Diary of last winters trip will show what is ment. The Indians have to have dogs to move their families. A family of 7, no uncommon size, must have one string of four dogs and leave at least two or three for camp use when the man is away trapping. Then again pups must be brought along, so some pups. The odd useless white man does not need dogs, if they want to move then three good dogs are all he needs. Some have 7-8 & 9 one man Faulkner having 10 at one time. It is impossible t to move along a bush trail with so many, for they all cannot pull when going around a corner. Moreover the White Dogs are fed every night, and the best parts of the Moose, whilst the Indian dogs only get the Camp's leave-overs. Whites have good rifles and shells-plenty. Indians do not use a shell if they can avoid doing so. Indian dogs starve, and whites do not. Enclosed is a Photo taken last winter that speaks for its-self, there are many more here.

This letter is to,if possible, avoid some useless Law being created that cannot be used up in this district. The Indian Agent should be the authority to say how many dogs an Indian Family should own. Information might be supplied from persons who really know nothing about dogs, with little experience of the north, which creates trouble.

All of which Sir is submitted for your consideration.

Chas. C. Perry.Esq
The Asst Indian Commissioner
for B.C.
VICTORIA. B.C.

I am. Sir.

Your obedient servant.

Harper Reed

Harper Reed Indian Agent.

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Stikine Agency

JUL 22 1935

Telegraph Creek, B.C.

Re Agent's Diary.
March 20th 1935.
" 25 —
" 26 —

Showing Moose killed for Dog Feed

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FILED

COPY.

Taken from a Notice posted out-side Govt Agent's
OFFICE TELEGRAPH CREEK.

Re Dog Tax 1935.

(Ordinary wording warning Dog Owners to pay Taxes over-due)

Par 2. No exemption is made in the case of Indian Owners unless their dogs are kept and used strictly upon Indian Reserves.

Signed J.V. Boys
Consth. B.C. Prov. Police

April 1 st 1935.

Indian Office Note.

Up to now; an agreement reached with all past Constables - the rule has been to Tax dogs of Indians living in the Townsite or using Govt Roads. Nomads visiting for food supplies have not been taxed - Indians living between ATLIN & Telegraph Creek owning the Govt Wire Horse Trail - it is considered - should be taxed.

H.R. J.A.

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9513-1-13

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT
Alert Bay, B.C.,
July 5, 1934.

Dear Sir,-

This will acknowledge your letter of June 30th in reference to complaints received by the Minister of Agriculture, Provincial Government from the Secretary of the Campbell River Board of Trade with reference to Indian dogs killing sheep and other stock in that district.

This matter has already been receiving my attention, and I expect to be in Campbell River before long when it will be taken up with the proper authorities there and a report made to the Department at a later date.

Your obedient servant,

M S Todd

(M. S. Todd)
Indian Agent

MST/T

C.C. Perry, Esq.,
Asst. Commissioner for B.C.,
Department of Indian Affairs,
Victoria, B.C.

COMMISSIONER'S OFFICE
JUL 10 1934
VICTORIA, B.C.

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AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

144/35304.

June 30, 1934.

Dear Sir:

I have received from the Minister of Agriculture, Provincial Government, a complaint which was forwarded to him by the Secretary of the Campbell River Board of Trade with reference to Indian dogs killing sheep and other stock in that district. On your next visit to Campbell River kindly consult the Secretary with regard to this.

Your obedient servant,

H/AC

C. C. Perry,
Asst. Indian Commissioner for B.C.

M. S. Todd, Esq.,
Indian Agent,
Alert Bay, B.C.

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RG 10, C-II-2, vol. 11298

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144/35303.

June 30, 1934.

Dear Sir:

I beg to acknowledge receipt of your letter of the 28th instant with reference to the damage to sheep by Indian dogs in the Campbell River district. This information has been passed to Indian Agent Todd, who has charge of that district, as he had already been instructed to hold a conference with the Provincial Police Sergeant at Courtenay with reference to these complaints.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

H/AC

Hon. K. C. MacDonald,
Minister of Agriculture,
Parliament Buildings,
Victoria, B.C.

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MINISTER OF AGRICULTURE

PROVINCE OF BRITISH COLUMBIA

VICTORIA

June 28th,
1 9 3 4

The Commissioner,
Department of Indian Affairs,
1220 Government St.,
Victoria, B. C.

Dear Sir:

Enclosed please find copy of a communication received from Mr. H. Idiens, Secretary of the Campbell River and District Board of Trade, in reference to damage to sheep worried by Indian dogs.

This communication is only one of a number of a similar kind received from owners of sheep in various parts of the Province. In one instance recently at Campbell River 38 sheep were injured by dogs from an adjoining Indian Reserve, the owners of which could not be located. I should be very pleased if your Department can assist in any way in arriving at some solution of this problem, as the damage done by Indian dogs throughout the Province seems to be increasing from year to year.

Yours very truly,

K MacDonald

Encl.

COMMISSIONER'S OFFICE
JUN 29 1934
VICTORIA, B. C.

V

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AFFAIRES INDIENNES

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COPY

CAMPBELL RIVER AND DISTRICT BOARD OF TRADE

Campbell River, B.C.
June 25th, 1934.

The Minister of Agriculture,
Victoria, B. C.

DearSir:

This community has had an epidemic of sheep being worried by Indian dogs, with a very considerable loss to the farmer.

Every year the majority of Indians pack up and move to the fishing ground of Rivers and Knight Inlets for the sockeye salmon season, leaving their dogs behind to fend for themselves, with the result that a great number are born out in the bush, becoming wild, and run in packs, preying on sheep, deer, and even young cattle.

We ask your Department to take this matter up with the proper authorities, and to either have these pests destroyed or put under control of the Indians responsible for same.

Yours very truly,

"H. IDIENS"

Secretary.

COMMISSIONER'S OFFICE
JUN 29 1934
VICTORIA, B. C.

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144/35250.

June 26, 1934.

Dear Sir:-

Assistant Commissioner Parsons of the B.C. Police called at the office today with reference to the killing of sheep by Indian dogs at Campbell River.

He states that the Provincial Police are quite aware of the fact that there is no tax payable on dogs so long as they stay on the reserves but he suggests that as Constable Dawson, of Campbell River, is ill at present you telephone to the Provincial Police sergeant at Courtenay before you visit Campbell River next and make arrangements to meet him at Campbell River when you could discuss this question of Indian dogs destroying stock and decide on what action to take.

Your obedient servant,

AVH/KD.

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

M.S. Todd, Esq.,
Indian Agent,
Alert Bay, B. C.

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144/35250.

June 26, 1934.

Dear Sir:-

Assistant Commissioner Parsons of the B.C. Police called at the office today with reference to the killing of sheep by Indian dogs at Campbell River.

He states that the Provincial Police are quite aware of the fact that there is no tax payable on dogs so long as they stay on the reserves but he suggests that as Constable Dawson, of Campbell River, is ill at present you telephone to the Provincial Police sergeant at Courtenay before you visit Campbell River next and make arrangements to meet him at Campbell River when you could discuss this question of Indian dogs destroying stock and decide on what action to take.

Your obedient servant,

AVH/KD.

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

M.S. Todd, Esq.,
Indian Agent,
Alert Bay, B. C.

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DIVISION: "A"

DISTRICT: Courtenay,

DETACHMENT: Campbell River

FILE No.

DATE: 19/6/34.

PR or PCR.

~~MM~~.
18/5/34.
21/5/34.

Unorganized Territory.

REPORT

Sheep Protection Act.-Campbell River District.

I beg to report that the following letter was received at this office on Tuesday,June 19th,1934.

Copy

Office of the Indian Agent,
Alert Bay,B.C.
June 16th,1934.

Dear Corporal Dawson:-

There have been some complaints about dogs becoming a muisance,and the Department at Victoria have requested that I get in touch with you in order that this matter may be dealt with satisfactorily.I understand that some of your men have already gone on the Indian reserve at Campbell River and destroyed some dogs.I am rather sorry about this that they took this step without consulting me as the Indian Agent is responsible for all dogs who are permitted on Indian reserves and it is our duty to decide which dogs are to be destroyed.

H'QRS. REF.

I also understand one of your Canstables was enquiring from the Indians on the reserve if their dogs are taxed,and for your information I wish to advise that all dogs on Indian reserves come under the Indian Act and any tax collectable must be collected only by instructions from the Indian Agent as this money must be forwarded to Ottawa and credited to Band Funds.

DIV'L REF.

I expect to be in Campbell River before very long and will take this matter up with you.If you arehhaving any further difficulty with dog nuisances,kindly let me know and I will come staight down.You might gather any evidence if there are any claims against any dogs from the reservation and have it so we could go into it when I arrive.

DIST. REF.

I would be pleased if you would let me have a full report on what has actually taken place in connection with dog nuisance at your station.

DET. REF.

Yours truly,
(signed) M.S.Todd
Indian Agent.

I beg to report that to my knowledge no member of the B.C.P. Police has destroyed any dogs on or off the Indian reserve at Campbell River.We have received many complaints at this office about dogs running sheep,cattle and deer.Investigations have been made and to all evidence the blame is laid on dogs from the Indian reserve.These dogs are many,and are half starved,and many of the types are crossed with police dogs making a very ferocious animal.The Indians make no effort to keep these animals on the reserve and feed them,and so sheep and cattle and deer are being preyed upon.I understand that Mr.Frank Masters of Campbell River has destroyed five dogs catching them in traps on his property.Mr Masters has lost 38 sheep and several cows and calves by these dogs,he being only one of the many complainants.
With reference to Mr Todd's second paragraph I state that I went to Mr Jim Smith's house on the reserve at Campbellton to inquire if his dog ran loose at night and also asked him if he paid any dog taxes to anyone.This particular dog is very ferocious and known to be one of the many offenders.

35250

(continued)

* B.C.P. 19—100M-933-4701

This report should show whether its subject-matter relates to organized or unorganized territory. If organized, clearly state the particular Municipality concerned. Any report rendered under the "Government Liquor Act" should state the amount of expenses incurred in connection therewith.

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RG 10, C-11-2, vol. 11298

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DIVISION: "A"

DISTRICT: Courtenay,

DETACHMENT: Campbell River.

FILE No.

DATE: 19/6/34.

PR or PCR.

18/5/34.
21/5/34.

Unorganized Territory

REPORT

Sheep Protection Act-Campbell River District.(Cont'd)

I have acknowledged receipt of Mr.Todd's letter direct to him.

M.N.MacAlpine,Constable,
Campbell River Detachment.

To: The N.C.O.i/c,
B.C.P.Police,
Courtenay District.

FORWARDED
To the O. C. "A" Division
JUN 20 1934
N. C. O. I/c. District

FORWARDED TO
COMMISSIONER
JUN 22 1934
Insp. Commdg. "A" Divn.

RECEIVED
JUN 22 1934
VICTORIA, B. C.

H'QRS. REF.

DIV'L REF.

DIST. REF.

DET. REF.

* B.C.P. 19—100M-933-4701

This report should show whether its subject-matter relates to organized or unorganized territory. If organized, clearly state the particular Municipality concerned. Any report rendered under the "Government Liquor Act" should state the amount of expenses incurred in connection therewith.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Duncan, B. C.
June 7th, 1934.

963-P-3

114/34917

Sir:-

I have yours of May 26th, re. complaint made by the Provincial Live Stock Commissioner claiming that Indian dogs were killing sheep and lambs in the vicinity of Nanaimo.

I beg to state that I have investigated this matter very carefully and can find no cause for the complaint being lodged against Indian dogs. The same question cropped up last year, and Indians were blamed and on investigation it was found that the dogs belonging to White residents.

I do not think there is any necessity to enforce the regulations concerning the tax on Indian dogs as suggested by you, as I have discussed the matter with the Provincial police, and have arranged to have stray Indian dogs destroyed, as there are quite a few of these around different places. The Indians are mostly away at the present time at the berry fields, and some of them have left dogs to care for themselves, with the result that some of them have been breaking in to chicken coops, and it is these dogs that I am arranging to have destroyed.

The Indians have all been told that they must see that their dogs are cared for, otherwise they will be destroyed if they persist in going away and leaving them.

COMMISSIONER'S OFFICE
JUN 8 1934
VICTORIA, B.C.

Your obedient servant,

H. Graham

(H. Graham)
Indian Agent.

C. C. Perry, Esq.,
Assistant Indian Commissioner for B. C.
VICTORIA, B. C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Duncan, B. C.
June 7th, 1934.

963-P-3

14/34917

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I beg to state that I have investigated this matter very carefully and can find no cause for the complaint being lodged against Indian dogs. The same question cropped up last year, and Indians were blamed and on investigation it was found that the dogs belonging to White residents.

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COMMISSIONER'S OFFICE
JUN 8 1934
VICTORIA, B. C.

Your obedient servant,

H. Graham

C. C. Perry, Esq.,
Assistant Indian Commissioner for B. C.
VICTORIA, B. C.

(H. Graham)
Indian Agent.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT
Alert Bay, B.C.,
June 1, 1934.

Dear Sir:-

This will acknowledge your letter of May 26 in reference to Indian dogs killing sheep and lambs in the vicinity of Nanaimo and Campbell River, and advising arrangements are being made whereby Provincial Police local officers will discuss with Agents the best means of dealing with the nuisance as well as with the claims which have resulted therefrom.

This matter will be taken up with the Police as well as the various Bands, and a full report will be forwarded you at a later date.

Your obedient servant,

M S Todd

(M. S. Todd)
Indian Agent

MST/T

C.C. Perry, Esq.,
Asst. Commissioner for B.C.,
Department of Indian Affairs,
Victoria, B.C.

COMMISSIONER'S OFFICE
JUN 5 1934
VICTORIA, B. C.

194

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144/34917.

May 26, 1934.

Sir:-

Complaint has been made to the Provincial Live Stock Commissioner that Indian dogs are killing sheep and lambs in the vicinity of Nanaimo and Campbell River. Arrangements are being made whereby the Provincial Police local officers will discuss with our Agents the best means of dealing with the nuisance as well as with the claims which have resulted therefrom.

You will no doubt be aware of the Department's regulations concerning a Tax on Indian Dogs and in case you have not a copy readily at hand, I enclose one herewith from which you will gather in Clause No. 17 that the Superintendent General may apply the regulations to any reserve or Band. If after you have fully discussed the situation with the Police you consider the regulations should be applied to any reserve or band in your Agency, please report to this office or directly to the Department sending me copy, so that the matter can be efficiently dealt with in co-operation with the Provincial Police.

The Indians should be advised of the need that they should destroy any dogs that they may know are troublesome in this respect. They should be warned of the penalties which are imposable both under British Columbia Statutes (outside the reserves) and the Department's regulations within the reserves. Perhaps you can persuade the Indians to comply with the regulations without the necessity of having to enforce them. If you can do so, so much the better, and your efforts will be duly appreciated.

Your obedient servant,

P/KD.

Enclosure:-

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

Sent to Agents

H. Graham and M.S. Todd.

L 8211 0 0

RG 10, C-11-2, vol. 11298

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DIVISION: "A"

DISTRICT: Nanaimo.

DETACHMENT: District Headquarters

FILE No.

DATE: 19-3-34

PR or PCR.

Nil.

Unorganized.

H'QRS. REF.

DIV'L REF.

DIST. REF.

DET. REF.

REPORT

RE:- FIDDICK, Charles - Complaint of re Lambs killed by dogs.

At 7.35 P.M. on Saturday, the 17th day of March 1934, the above named, a resident of Cedar District in Unorganized Territory, complained to this Office that seven lambs had been killed by dogs on the night of the 16th instant.

At 1.30 P.M. on Sunday, the 18th day of March 1934, I proceeded to residence of Mr.C.Fiddick to investigate the matter. In company with Mr.Fiddick and his son George, I proceeded to where the carcases of seven lambs were lying and upon examination found that they had been killed by dogs, all of the lambs being disembowelled from the rear. I also saw the carcases of three dogs, two of them being black and white in colour and apparently born of the same bitch, of the mongrel type. The other dog was brown in colour with white legs, being of the Irish water spaniel type. Mr.Fiddick informed me that his son George had shot these three dogs whilst they were worrying the lambs. In addition to the seven lambs killed, Mr.Fiddick stated that four sheep were missing, together with three other lambs. To date, however, the carcases have not been located.

As the dogs involved were suspected of belonging to Indians, Mr.Fiddick and I proceeded to the Nanaimo River Indian Reserve(No.2) and interviewed one Percy Good, an Indian boy residing on the Reserve with his grandmother. Upon being asked to accompany us to where the dogs were lying, he agreed to do so and upon seeing the dogs, identified one black and white dog and the brown dog as being his property. He stated that the other dog belonged to another Indian boy named Ernest Tremble, living on the Nanaimo Indian Reserve(No.1.).

On Monday, the 19th day of March 1934, accompanied by Constable C.C.Jacklin, I proceeded to the Nanaimo River Reserve and interviewed Percy Good an his grandmother with a view to ascertaining if they were in a position to pay their share of the damage done. They informed me that they were very poor and unable to advance anything in the way of compensation. From there we went to the Nanaimo Indian Reserve and interviewed Ernest Gamble and his mother, they both stating that they were unable to pay their share of the damage.

It is possible that the dogs involved in this case have been in the habit of running sheep and are responsible for the death of several other sheep belonging to other residents of the District.

Number of Lambs killed and examined.. Seven.

Miles travelled.....40, at 10¢ per mile by car.
Costs.....$4.00.

★ B.C.P. 19—60M-533-8339

This report should show whether its subject matter relates to organized or unorganized territory. If organized, clearly state the particular Municipality concerned. Any report rendered under the "Government Liquor Act" should state the amount of expenses incurred in connection therewith.

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DIVISION: "A"

DISTRICT: Nanaimo.

DETACHMENT: District Headquarters

FILE No.

DATE: 19-3-34

PR or PCR.

Nil.

Unorganized.

REPORT

Re:- FIDDICK, Charles - Complaint of re Lambs killed by dogs.

CONTINUED. - 2 -

TO:-
The N.C.O.i/c B.C.Police,
Nanaimo District.

H.E.Gunn
(A.E.Gunn) Constable.
District Headquarters Detachment.

H'QRS. REF.

FORWARDED
To the O. C. "A" Division
MAR 20 1934
J. Russell
N. C. O. i/c. District.

FORWARDED TO COMMISSIONER
MAR 21 1934
Inspr. Commdg. "A" Divn.

DIV'L REF.

DIST. REF.

The Deputy Minister of Agriculture,
Parliament Buildings,
Victoria, B. C.
FORWARDED
22.3.34
Copy for your information.
J.H.McMullin,
Commissioner, B. C. Police.

RECEIVED
MAR 21 1934
VICTORIA, B. C.

DET. REF.

★ B.C.P. 19—60M-533-3339

This report should show whether its subject matter relates to organized or unorganized territory. If organized, clearly state the particular Municipality concerned. Any report rendered under the "Government Liquor Act" should state the amount of expenses incurred in connection therewith.

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144/17262.

April 2, 1930.

Dear Sir:-

I beg to acknowledge receipt of your letter No.Al-7, dated March 27th ultimo, in regard to the summons directed to Abel Oakes, Hazelton Indian, under the provisions of the "Sheep Protection Act".

In reply thereto I beg to say it is not deemed to be necessary to refer this case to the Honourable Attorney-General for British Columbia, as we have regulations relating to tax on dogs and along the lines of sheep protection, a copy of which is sent herewith for your perusal and information.

You will doubtless be aware from your past experience that the running of Indian dogs at large in public communities and private properties outside many reserves has been a source of considerable trouble to the police for some time, and it is thought under these circumstances that the Indians should be carefully posted in the matter of the existing laws and regulations with a view of mitigating the causes of complaints so far as Indian dogs are concerned. If the Indian dogs are found outside the Reserve, their owners are at once responsible under the public statutes quoted by you.

It is noted that you have quoted Sub.sec."F" of Section 92, page 33, Indian Act, as being applicable to the circumstances. The correct quotation of the Act should be Section 95, page 34, the Act section numbers having been re-adjusted some time ago so as to accord with the Revised Statutes of Canada. I was under the impression that you had been supplied with a copy of the latest Indian Act at the time of your appointment. If, however, you do not possess a copy, I would suggest that you ask the Department to supply you with one.

Your obedient servant,

Enclosure:-

W.E.Ditchburn.
Indian Commissioner for B.C.

P/HM.

G.C.Mortimer, Esq.,
Indian Agent,
Hazelton, B.C.

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AI-7

BABINE AGENCY

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT
Hazelton.B.C.
March 27th 1930

Re Chapter 64 1926-1927
"Sheep Protection Act"
Prosecution of Abel Oakes (Indian)

Sir,-

I am enclosing herewith a Summons and a copy of the "Sheep Protection Act" Chapter 64, 1926-1927, B.C. Statutes,served on one Abel Oakes a Indian of the Hazelton Band, and residing on the Hazelton Indian Reserve, for your information and advice.

I attended court,and when the charge was read over, a plea of "Not Guilty"was given by the Indian. I then explained to the sitting J.P. the geographical position of the Indian Reserves surrounding Hazelton,and asked for a remand of seven days, so that the matter be placed before you,with a view of getting a defenite ruling from The Honourable Mr Pooley Attorney General.

To explain more fully,the town of Hazelton is entirely surrounded by the Hazelton Indian Reserves, in fact the geographical position of Hazelton is such,if a person steps off the sidewalk, he is on the Indian Reserve, at many points the Reserve cuts through Hazelton. From the above description,supposing a Indian's dog strayed a few feet on to the sidewalk,would that Indian come under the "sheep Protection Act" and have to pay a dog licence, then again,in the event of a Indian coming into Hazelton to buy food, and his dog follows him,would you say that the Indian should be made to pay a licence. There is no doubt in my mind that if the Indians are made to pay a Dog-tax under the "Sheep protection Act", it will inflict a great hardship on them, as your are aware all Indians more or less keep dogs to assist them in there Trapping and Hunting,infact a dog is part and parcel of a Indian.

(91)

I have noted Sub-section F of Section 92 (34) page 33 of the Indian Act,but in defence of the Indians of this Agency,I cannot find any record of this Sub-section ever being enforced. I am sure you will agree with me,that tha Indian had not yhe slightest intention to evade the law,he thought he was doing no wrong by allowing his dogs to follow him into town,whilst buying food at the Store.

Abel Oakes lives on the Indian Reserve,and I should say his home is about One hundred & fifty yards from the centre of Hazelton. Abel Oakes has positively stated to me that he has only two dogs.

W.E. Ditchburn Esq
Indian Commissioner for B.C.
Victoria.B.C.

Your Obedient Servant
G.C. Mortimer
Indian Agent

COMMISSIONER'S OFFICE
APR 1 1930
VICTORIA, B. C.

V

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2662-800

BRITISH COLUMBIA POLICE.

Hazelton Detachment.
Hazelton.B.C.

SHEEP PROTECTION ACT.

(CHAP.64. 1926-27.)

KEEPING OF UNLICENSED DOGS. (SEC.3.)

No person shall ~~xxxx~~ keep or have in his possession any dog unless a License therefor under this Act has first been obtained...

KILLING OF UNLICENSED DOGS....(SEC.4)

It shall be lawful for any person to kill:-

(A) Any dog in respect of which no License under the provisions this Act is in force;

(B) Any dog not in leash found off the owners premises without having on a leather collar or metal collar to which is attached the License-tag issued in connection with the License in respect of such dog under the provisions of this Act.

KILLING OF DOGS WORRYING SHEEP,etc..SEC.(5)

It shall be lawful for any person to kill any dog in the act of pursuing and worrying or destroying any sheep,goat,or poultry. elsewhere than on the land belonging to the owner of the Dog.

Licenses may be obtained at the Office of the B.C.Police. Hazelton.B.C. and are now due.

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FORM 5.
S.C.A., s. 15.
Code, s. 658.

Summons to the Defendant upon an Information or Complaint.

CANADA:

PROVINCE OF BRITISH COLUMBIA.

County of Prince Rupert.

To ABEL OAKES.....*of* Hazelton, County of Prince Rupert.

WHEREAS you have this day been charged before the undersigned George V. Storkey Esq., a Justice of the Peace in and for the ~~said~~ Province ~~County~~ of British Columbia....., for that you on the 18th. day of March. 1930 at Hazelton, in the County of Prince Rupert, Province of British Columbia unlawfully ~~did~~ have in your possession (4) FOUR DOGS without having a license in respect of each dog, for the year-1930, Contrary to the Act for the Better Protection of Sheep, Goats and Poultry, Statutes of British Columbia. 1927 and amendments thereto.

These are, therefore, to command you, in His Majesty's name, to be and appear before me on Thursday 27th March 1930. ~~A.M.~~, at Four ~~P.M.~~ o'clock in the after ~~P.M.~~ noon at the Provincial Police Court or before such other Justice or Justices of the Peace for the said County of Prince Rupert. at Hazelton. as shall then be there, to answer to the said charge, and to be further dealt with according to law. Herein fail not.

GIVEN under my hand and Seal, this twenty-fifth day of March., in the year of our Lord one thousand nine hundred and thirty, at Hazelton. in the County aforesaid.

George V. Storkey [L.S.]
a Justice of the Peace.
in and for the ~~said~~ Province
of British Columbia.

5M-424-6082

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144/15854.

October 31, 1929.

Dear Mr. O'Connell:-

I have today received a call from General Gwynn, whose residence is near the corner of Breeds Cross Road on the Saanich Peninsula, who complains of there being a large number of dogs on the reserve at Cole Bay which have been doing considerable damage among poultry and are now chasing sheep in the vicinity of the reserve. He states that the father of William James, named Old Jim, has agreed to the destruction of these dogs and has offered to go away from the reserve while the animals are being killed. Opposition has arisen on the part of his son, William James, the latter being described as a worthless, drunken fellow believed to be living with a woman who is not his wife on the reserve. The said William James appears to object to the destruction of the dogs or the payment of Dog Tax to the Provincial Government when these dogs have been found outside the reserve boundary.

I understand Constable Ritchie, of the Provincial Police Game Branch, has endeavoured to collect Dog Tax and has warned the Indians that they must either do so or dispose of their dogs or keep them within reserve boundaries.

General Gwynn would like to have early action taken as the destruction is going on apace and I would request that you visit the reserve in question at the earliest possible date, deal with the situation, at the same time calling on General Gwynn who will give you more particulars. The General has been promised that immediate and effective steps will be taken. Kindly discuss this matter with Mr. Indian Agent Lomas before taking any action.

Yours truly,

CCP/KD.

C. C. Perry,
Assistant Indian Commissioner
for
W. E. Ditchburn,
Indian Commissioner for B. C.

Thos. O'Connell, Esq.,
Dominion Constable,
Nanaimo, B. C.

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144/10678.

January 5, 1928.

Your file G-2.

Dear Sir:-

I beg to acknowledge receipt of your letter of the 31st ultimo with regard to the taxation of Indian dogs under the Provincial Statutes.

In reply I beg to say your interpretation of the situation is correct, that is, if Indians allow their dogs to go off the Indian Reserves they are subject to taxation for the same under the Provincial Act, as the dogs come under the same category as those of white persons.

With regard to Indian dogs on Reserves, the Department some time ago brought out regulations dealing with these ordering that they should be taxed by the Department, but it was found expedient to withhold the operation of these regulations for some time. A copy of the Department's regulations in this respect is attached hereto for your information.

WED/KD.

Enclosure:-

Yours truly,

W. E. Ditchburn.
Indian Commissioner for B. C.

R. H. Moore, Esq.,
Indian Agent,
Vanderhoof, B. C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Vanderhoof, B.C.

G-2.

December 31st. 1927.

COMMISSIONER'S OFFICE
JAN 5 1928
VICTORIA, B. C.

Dear Sir:-

The Indians on some of the Reserves have asked me several times regarding the matter of Taxation on dogs, under the Provincial Statutes, and I have advised them that if their dogs do not go off the Reserves that they are not liable for tax, but in case they do that they are in exactly the same category as any other dog and therefore liable for the tax.

Would you please advise me fully in this matter stating whether or not Indians have to pay taxes on their dogs or if I am right in advising them as oulined in the first paragraph of this letter?

Wishing you the Compliments of the Season and hoping that your health is keeping good.

I have the honour to be, Sir:

W.E.Ditchburn Esq,
Indian Commissioner for B.C.
Victoria, B. C.

Your obedient servant,
R.H. Moore
Indian Agent.

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7/5788.

September 21, 1925.

Your File 1218/26/1.

Dear Sir:-

Replying to your letter of the 18th instant dealing with the taxation and registration of Indian dogs, I beg to say that I think it would be in the best interest of all concerned if the inauguration of the system were deferred till 1st April, 1926, after which it is expected that you will have the by-laws in this regard strictly enforced.

This will give the Indians ample opportunity to get rid of their surplus dogs.

Your obedient servant,

W.E. Ditchburn,
Indian Commissioner for B.C.

WED/HM.

E.E. Frost, Esq.,
Indian Agent,
PORT ALBERNI, B.C.

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INDIAN OFFICE

1218/26/1. At Port Alberni,B.C.

September 18th 19 25.

Sir;-

I have the honour to refer to the bylaw governing the taxation of dogs on Indian Reserves.

I am enclosing herewith a copy of a letter to the Department of Indian Affairs,from this office,containing suggestions for the collection of the tax,in this Agency,and a copy of the Departments reply thereto,and shall be glad to have your advice and ruling on the matter.

Your obedient servant.

Edward E. Frost

Indian Agent.

W.E.Ditchburn,Esqr.
Indian Commissioner for,B.C.
Victoria.B.C.

COMMISSIONER'S OFFICE
SEP 21 1925
VICTORIA, B. C.

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Archives nationales du Canada

COPY

INDIAN OFFICE

At Port Alberni,B.C.

1192/26/1.

August 25th 19 25

Sir:-

I have the honour to acknowlwdge receipt of Depattment letter No 29-1.of 18th instant,re progress made in the taxation and control of dogs on Indian Reserves,and beg to state that immediately on receipt of instructions,the bylaws were made known to all Bands,and posted on all Reserves, and Chiefs of Bands were ordered to furnish the names of Indians appointed to act as tax collectera,In some cases no Indian would accept appointment,and in others after accepting appointment by me,to secure a list of all dog owners,they asked to be relieved of the appointment,and in view of the fact that several months of the year had passed,which the present taxation would cover.I had in view the requesting of the Department to leave the enforcement of the taxation in abeyance until March 1926, and in the mean time endeavouring to make arrangements with the Provincial Police for the collection of the tax under similar conditions as those applying to Indian collecters.

As there is no Departmental police in this Agency the work will,devolve on me unless arrangements along the lines suggested can be made.

I may say,however,that the posting of the notices of the impending taxation has been beneficial,as a great number of dogs have been destroyed.

If th eDepartment will concede to the suggestionabowe made,for the collection of the tax,I believe suitable arrangements can bemade,and the registration and taxation of all dogs on Indian Reserves secured,irrespective of whether they are in sheep districts or not,and I am of the opinion that the restriction should be enforced as a protection to the health of children as well as cattle.

Your obedient servant
Edward. E. Frost
Indian Agent.

The Secretary.
Department of Indian Affairs.
Ottawa.Ont.

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COPY

DEPARTMENT OF INDIAN AFFAIRS
CANADA

Office of the
Deputy Superintendent General
Ottawa.
September 9th,1925.

no number

Dear Sir:-

I have to acknowledge receipt of your letter of the 25th ultimo respecting the control of dogs on reserves in your Agency.

I have noted your recommendations in connection with this matter and would suggest that you enter into communication with Commissioner Ditchburn, of Victoria, and ask his advice with respect to this subject.

Yours very truly.
(sd)J.D.McLean.
Acting,Deputy Superintendent General

Edward,E,Frost,Esqr,
Indian Agent.
Port Alberni.B.C.

RECEIVED
SEP 15 1925
INDIAN AGENT'S OFFICE
Port Alberni, B.C.

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116/644/R.

24th March, 1923.

Dear Sir:-

I beg to inform you that a complaint has reached this office through the Provincial Police Department that a number of unlicensed Indian dogs at Scoke are running at large. Under Section 3 of the "Sheep Protection Act" they are liable to be shot. A copy of this Act is attached hereto for your information.

In order that the Indians may not have their dogs shot you should notify them of the provisions of the Act.

WED/W.

Yours sincerely,

Enclosure:-

W. E. Ditchburn.
Chief Inspector of Indian Agencies.

A. H. Lomas, Esq.,
Indian Agent,
Duncan, B. C.

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INDIAN AGENT'S OFFICE

Lytton. B.C.

IN YOUR REPLY REFER TO
No.
ALSO
TO DATE OF THIS LETTER

Apl. 5th. 1919 191

Sir,—

I beg to bring to your notice the trouble I am experiencing in getting the Dog Tax collected.

At first this tax met with the approval of the majority of Indians, but the question was afterwards taken up with the Indian Rights Association with the result that when I tried to get collectors there was not a single soul to be had to do this work.

On the lower Fraser I did get one man started but he only collected $15.00 as he found too much opposition and it cost him too much getting around, and now these particular Indians say that they dont intend to pay until they hear from Mr O'Meara who is taking the matter up with the Department at Ottawa.

Around Lytton I might be able to get it collected if I could only get a man to do it, but they say there is nothing in it as it costs too much to travel around.

In Lillooet they tell me the same as the Lower Fraser people that the matter is before Ottawa, and they refuse to have anything to do with it until they hear from Ottawa, through the Indian Rights Assc.

I have reported the matter fully to Ottawa, and am waiting a reply from them.

SOUTH WESTERN INSPECTORATE APR 7 1919 VICTORIA, B.C.

Yours obediently.

H. Graham.

Indian Agent.

W. E. Ditchburn Esq.
Chief Inspector of Indian Agencies.
Victoria. B. C.

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1/0. 321. 19

KOOTENAY

FORT STEELE, B. C.
JAN 31 1919.

Sir.

I beg to acknowledge the receipt of your letter of the 14th Nov. 1918. 34323/I. and also one sent me from Ottawa, dated 23rd July together with several copies of Bylaws dealing with the Taxation, Control and Destruction of dogs on Indian Reserves.

I regret today, that owing to the very severe outbreak of influenza I have been unable to put the law in force, and which makes it hopeless to do anything, as the disease still lingers on all the Reserves, but just as soon as conditions improve steps will be taken to carry out the desires of the Department.

Very recently, where the Indians escaped for a time the disease made its appearance, and several deaths occurred, and what is worse or more are suffering from a very severe attack, and it now looks as if a second wave was passing through the District.

Would you be good enough to explain the situation to the Department, ?

Your obedient servant.
R. L. T. Galbraith
Indian Agent.

N.E. Ditchburn Esq
Chief Inspector of Indian Agencies
Victoria, B.C.

SOUTH WESTERN INSPECTORATE
FEB 4 1919
VICTORIA, B. C.

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144/363/J.

22nd January, 1919.

Sir:-

I beg to inform you that I have recently written to all the Agents affected drawing their attention to the importance of putting the Bylaws with respect to the taxation of dogs on Indian reserves in force at once. I have also sent them six additional copies of these regulations but have had application for more. Therefore, I beg to ask that you will forward me 100 copies as it is desirable to give them as wide publicity as is possible. It is intended to have a printed copy placed in the hands of every chief of every band in each Agency to which the Bylaws apply.

Your obedient servant,

Chief Inspector of Indian Agencies.

The Secretary,
Department of Indian Affairs,
Ottawa, Ontario.

Bylaws Received Feb. 4/19.

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INDIAN AGENT'S OFFICE

New Westminster, B.C.

January 17th, 1919. 191

IN YOUR REPLY REFER TO
No. 546/31
ALSO
TO DATE OF THIS LETTER

Sir,—

I beg to acknowledge receipt of your letter of the 14th inst., No. 144/339/J. enclosing several copies of Bylaws, dealing with the taxation of Dogs for the protection of Sheep, etc.

I am forwarding copies of these Bylaws to the Indian Chiefs in the agricultural Districts of this Agency, and Mr. Grant and myself will explain to the Indians at every opportunity.

Your obedient servant,

Peter Byrne

Indian Agent.

W. E. Ditchburn, Esq.,
Chief Inspector of Indian Agencies,
Victoria, B.C.

SOUTH WESTERN INSPECTORATE
JAN 18 1919
VICTORIA, B. C.

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INDIAN AGENT'S OFFICE

Lytton. B.C.

IN YOUR REPLY REFER TO
No. .....
ALSO
TO DATE OF THIS LETTER

Jan. 16th. 1919 191

Sir,—

I beg to acknowledge the receipt of your letter No 144/340/J dated Jan.14th. re the Taxation of Indian Dogs.

This matter I may say has been receiving my attention, and if you have any space copies of the Bylaws I would like some, as Ottawa only sent me a very few, and I have 26 different Bands to distribute them amongst.

I have the honor to be.
Your obedient servant.

H. Pelham

Indian Agent.

XXXX

W. E. Ditchburn Esq.
Chief Inspector of Indian Agencies.
Victoria.
B. C.

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144/338/J.

14th January, 1919.

Sir:-

With reference to the circular letter sent you from Ottawa, dealing with the Taxation, Control and Destruction of dogs on Indian Reserves, dated 23rd of July last, together with several copies of the said Bylaws, I beg to remind you that these Bylaws became effective on the first of the present month.

The Department is desirous that these Bylaws should be rigidly enforced and expects the co-operation of the Agents in this matter.

I am enclosing herewith six further copies of the Bylaws, but if more are needed they will be supplied to you on your request.

Your obedient servant,

Enclosures:-

Chief Inspector of Indian Agencies.

W. R. Robertson, Esq.,
Indian Agent,
Duncans, B. C.

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144/342/J.

14th January, 1919.

Sir:-

With reference to the circular letter sent you from Ottawa, dealing with the Taxation, Control and Destruction of dogs on Indian reserves, dated 23rd July last, together with several copies of the said Bylaws, I beg to remind you that these Bylaws became effective on the first of the presnnt month.

The Department is desirous that these Bylaws should be rigidly enforced and expects the co-operation of the Agents in this matter.

I am enclosing herewith six further copies of the Bylaws, but if more are needed they will be supplied to you on your request.

Your obedient servant,

Enclosures:-

Chief Inspector of Indian Agencies.

John F. Smith, Esq.,
Indian Agent,
Kamloosp, B. C.

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144/341/J.

14th January, 1919.

Sir:-

With reference to the circular letter sent you from Ottawa dealing with the Taxation, Control and Destruction of dogs on Indian Reserves, dated the 23rd of July last, together with several copies of the said Bylaws, I beg to remind you that these Bylaws became effective on the first of the present month.

The Department is desirous that these Bylaws should be rigidly enforced and expects the co-operation of the Agents in this matter.

I am enclosing herewith six further copies of the Bylaws, but if more are needed they will be supplied to you on your request.

Your obedient servant,

Enclosures:-

Chief Inspector of Indian Agencies.

J. Robert Brown, Esq.,
Indian Agent,
Summerland, B. C.

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144/340/J.

14th January, 1919.

Sir:-

With reference to the circular letter sent you from Ottawa dealing with the Taxation, Control and Destruction of dogs on Indian Reserves, dated 23rd of July last, together with several copies of the said Bylaws, I beg to remind you that these Bylaws became effective on the first of the present month.

The Department is desirous that these Bylaws should be rigidly enforced and expects the co-operation of the Agents in this matter.

I am enclosing herewith six further copies of the Bylaws, but if more are needed they will be supplied to you on your request.

Your obedient servant,

Enclosures:-

Chief Inspector of Indian Agencies.

H. Graham, Esq.,
Indian Agent,
Lytton, B. C.

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144/339/J.

14th January, 1919.

Sir:-

With reference to the circular letter sent you from Ottawa dealing with the Taxation, Control and Destruction of dogs on Indian Reserves, dated 23rd July last, together with several copies of the said Bylaws, I beg to remind you that these Bylaws became effective on the first of the present month.

The Department is desirous that these Bylaws should be rigidly enforced and expects the co-operation of the Agents in this matter.

I am enclosing herewith six further copies of the Bylaws, but if more are needed they will be supplied to you on your request.

Your obedient servant,

Enclosures:-

Chief Inspector of Indian Agencies.

Peter Byrne, Esq.,
Indian Agent,
New Westminster, B. C.

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144/337/J.

14th January, 1919.

Sir:-

With reference to the letter written to you by Mr. Scott, the Deputy Superintendent General, in September last dealing with the taxation of dogs on Indian Reserves, I have to inform you that the Bylaws governing the same came into effect on the 1st instant, and cover the Indians of the Wewayakay and Wewayakum bands, otherwise known as the Campbell River, Cape Mudge, Salmon River and Kweahkah Bands, also in any other districts in your Agency which you may deem necessary.

If you have not already taken steps to put the Bylaws into force you should lose no time in doing so, as the Department will insist upon them being rigidly enforced. You will be expected to report at intervals as to the result of the operations, particularly of Sections 9 to 14 inclusive.

I am enclosing herewith six more copies of the Bylaws, which you should have posted up conspicuously on the reserves. More will be sent you if necessary.

Your obedient servant,

Enclosures:-

Chief Inspector of Indian Agencies.

W. M. Halliday, Esq.,
Indian Agent,
Alert Bay, B. C.

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144/348/J.

14th January, 1919.

Sir:-

With reference to the circular letter sent you from Ottawa dealing with the Taxation, Control and Destruction of dogs on Indian Reserves, dated 23rd of July last, together with several copies of the said Bylaws, I beg to remind you that these Bylaws became effective on the first of the present month.

The Department is desirous that these Bylaws should be rigidly enforced and expects the co-operation of the Agents in this matter.

I am enclosing herewith six further copies of the Bylaws, but if more are needed they will be supplied to you on your request.

Your obedient servant,

Enclosures:-

Chief Inspector of Indian Agencies.

R. L. T. Galbraith, Esq.,
Indian Agent,
Fort Steele, B. C.

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144/474/J.

14th February, 1919.

Sir:-

Replying to your letter of the 26th ultimo I am herewith enclosing 18 more copies of the Bylaws for the Taxation, Control and Destruction of Dogs for the Protection of Sheep.

Your obedient servant,

Enclosure:-

Chief Inspector of Indian Agencies.

H. Graham, Esq.,
Indian Agent,
Lytton, B. C.

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA.

144/674/1.

IN YOUR REPLY REFER TO
No. 499319.
ALSO TO THE DATE OF THIS LETTER.
PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER.

DEPARTMENT OF INDIAN AFFAIRS
CANADA

Ottawa, September 30,1918.

Dear Mr. Ditchburn -

I have your favour of the 25th inst., in which you state that you have not received the 25 copies of the By-laws with reference to the destruction of sheep by dogs. These forms were sent to you on the 12th inst. By today's mail, under separate cover, I am sending you an additional 25 copies which I trust you will receive.

Yours very truly,

Tom Lean

Assistant Deputy and Secretary.

W. E. Ditchburn, Esq.,
Chief Inspector of Indian Agencies,
Victoria, B.C.

SOUTH WESTERN INSPECTORATE
OCT 7 1918
VICTORIA, B. C.

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144/674/I.

September 25th, 1918.

Sir:-

I beg to acknowledge the receipt of your letter of the 11th instant with reference to the bylaws for the protection of sheep, and in reply I beg to say that it is noted you stated that you were sending under separate cover twenty-five copies of the bylaws but up to date these have not been received.

Your obedient servant,

Chief Inspector of Indian Agencies.

Duncan C. Scott, Esq.,
Deputy Superintendent General
of Indian Affairs,
Ottawa, Ontario.

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144/649/I.

DEPARTMENT OF INDIAN AFFAIRS CANADA

499319.

OFFICE OF THE DEPUTY SUPERINTENDENT GENERAL
OTTAWA

September 17th, 1918.

Dear Mr. Ditchburn -

I have your letter of the 12th inst., in reference to the enforcement of our Bylaws for the protection of sheep in certain portions of the Kwawkewlth Agency.

I had written you on the 11th inst., advising you of the action taken so far as this district is concerned, and I would suggest that you communicate with Mr. Halliday recommending that the districts to which you refer be covered by these Bylaws.

Yours very truly,

F. H. Lean

Acting Deputy Superintendent General.

W. E. Ditchburn, Esq.,
ChiefInspector of Indian Agencies,
Victoria, B.C.

SOUTH WESTERN INSPECTORATE
SEP 23 1918

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INDIAN AFFAIRS
AFFAIRES INDIENNES

National Archives of Canada
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144/643/I.

September 12th, 1918.

Dear Sir:-

H. C. Clements, Esq., M.P., has brought to my attention your complaint with regard to the destruction of sheep allegedly by Indian dogs from the Cape Mudge Indian reserve. At the outset I beg to say that the question of the control of dogs on Indian reserves is one which the Department has been giving serious consideration to for some time as it has been a great source of annoyance.

At the last session of Parliament the Deputy Superintendent General was given power to make bylaws for the control of dogs on Indian reserves and, while it was not meditated to put these regulations in force in the Kwawkewlth Agency in view of the fact that it was not known that the sheep raising industry had been gone into in that section of the country, there is no reason why the territory over which these regulations are to be operative cannot be extended, and I have written to the Deputy Superintendent General at Ottawa recommending that the bylaws, which come into force at the beginning of the year 1919, shall also be operative in that portion of the Kwawkewlth Agency in which the Wewayakay and Wewayakum tribes (otherwise known as the Salmon River, Cape Mudge and Campbell Riverbands), have reserves.

I do not know whether you are aware of the fact that the Provincial Government passed an act for the better protection of sheep on the 19th of May, 1917, but such is the

case

Mr. Alfred Joyce,

Quathiaski Cove, B. C.

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case and I am herewith enclosing you a copy of the same. This gives you ample protection from and a method of dealing with Indian dogs found off their reserves and if the provisions of the act are properly enforced by the local officers it will have a very beneficial effect. The section of the country in which you reside is included in what is known as "Sheep Protection District A" and therefore there is no reason that I can see why the act should not be fully enforced there.

While the Provincial Act, of course, does not deal with Indian dogs on reserves it does deal with them when found off the reserves and the new bylaws which are to be put in force under the Indian Act will deal with dogs on the reserves. Therefore, I may conclude by saying that with the due enforcement of the Provincial Act as well as the Dominion law the Indian dog nuisance will be on a fair way to settlement.

I am also enclosing you a typewritten copy of our new regulations.

Your obedient servant,

Enclosures:-

Chief Inspector of Indian Agencies.

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(COPY).

Bylaws for the Taxation, Control and Destruction of Dogs and for the Protection of Sheep under the provisions of Paragraph "F" of Section 92, Chap. 81, R.S.C., as enacted by 8-9 George V, Chapter 26, Section 5.

TAX ON DOGS.

1. There shall be levied annually in every reserve, upon the owner of each dog therein, an annual tax of one dollar for a dog, if only one, and three dollars for each additional dog owned by him, and two dollars for a bitch if only one, and five dollars for each additional bitch.

2. The council of the band may appoint the constable of the band or some responsible member to make up a list of the owners of dogs and to enter opposite the names the number of dogs and bitches by him owned and to collect the annual tax. If such appointment is not made by the first day of March in each year, the Indian Agent shall make such appointment from the membership of the band.

3. The owner of any dog shall be required by the collector to deliver to him in writing a statement of the number of dogs owned by him and for any neglect or refusal to do so, and for every false statement made in respect thereof, he shall incur a penalty of five dollars.

4. The collection of the tax shall be made by the first of May in each year for that particular year.

5. Where the collector has been refused the tax imposed by this regulation, the collector shall impound such dog and shall report the same under oath to a Justice of the Peace or Indian Agent who shall by an Order under his hand and seal to be served by any constable require such dog to be destroyed by the owner thereof, or by a constable.
(2) For the purpose of carrying out such order the constable may enter on the premises of such owner and destroy such dog.

6. The collector, by the first day of June in each year, shall make a return of his collection to the Indian Agent which return shall give a list of all the owners of dogs, the number of dogs and bitches owned by each, the amount of the tax collected from each owner, and the names of the owners, if any, whose dogs have been destroyed for non-payment of taxes.

7. The collector shall receive for his services twenty-five per cent of the tax collected and the balance of the amount shall be paid to the Indian Agent, with the return under the above section, to be forwarded to the Department and applied to the credit of the funds of the band.

8. A collector who fails to make his return and to pay to the Indian Agent the balance of his collections by the appointed date or knowingly makes any false statement in such return shall be liable on summary conviction to a fine not exceeding fifteen dollars and costs, or in default of payment to imprisonment for not more than twenty days.

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PROTECTION OF SHEEP AND OTHER ANIMALS.

9. No dog shall be allowed to be at large unless accompanied by, or being within reasonable call of the owner or some person having charge or care thereof.

The owner of any dog allowed to be at large in contravention of this section shall be liable, upon summary conviction, to a penalty not exceeding five dollars and costs or in default of payment to imprisonment for not more than seven days.

10. The owner of any dog that runs at large and pursues, worries, wounds or kills any sheep, hogs, cattle or other animals, shall on summary conviction be liable to a fine of not more than fifteen dollars and costs or in default of payment to imprisonment for not more than twenty days.

11. Any dog or dogs proved under the preceding section to have pursued, worried, wounded or killed, any sheep, hogs, cattle or other animals may, if the Indian Agent or Justice of the Peace before whom proof is made, sees fit, be ordered by him to be killed and destroyed.

12. It shall be lawful for any one to kill any dog in the act of pursuing, worrying or destroying any sheep, hogs, cattle or other animals elsewhere than on the reserve.

13. Any one in possession of any dog or who allows any dog to remain about his house or premises shall be deemed the owner of such dog for the purposes of this bylaw.

14. No conviction shall be a bar to any action by the owner or possessor of any sheep for the recovery of damages for the injury done to such sheep.

ADJUSTMENT OF CLAIMS.

15. In case the parties to an action for the recovery of damages for injury done to sheep, belong to a band which has a capital account and draws annuity the amount or any proportion of the judgment may be paid out of the interest account of the band, and deducted from the share or shares of the annuity and interest money of the party liable until the amount if fully repaid to interest account.

16. Where the owner of any dog killing, injuring, terrifying or worrying sheep is not known, upon application and proof of loss to the satisfaction of the council of the band by the aggrieved party, the council may by resolution recommend to the Superintendent General that a sum not exceeding one-third of the mutton value of the sheep so killed be paid to such aggrieved party from the interest money of the band, provided that such claim is made in writing to the Chief of the band or Indian Agent within ten days after such loss is discovered and the evidence in support of the claim is produced at the first regular meeting of the council after

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the said notice is given unless the council extends the time for such proof.

17. These regulations wherever applied by direction of the Superintendent General shall prevail over any rule or regulations respecting dogs, made by any band.

DUNCAN C. SCOTT,

Deputy Superintendent General of Indian Affairs.

Dated at Ottawa,

the 27th day of June, 1918.

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144/648/I.

September 12th, 1918.

Dear Mr. Clements:-

With reference to the complaint of Mr. Alfred Joyce, of Quathiaski Cove, regarding Indian dogs destroying his sheep I am herewith enclosing for your information a copy of a letter I have written to him on the subject and am also enclosing a copy of the Provincial Act for the protection of sheep, which covers the section of country in which Mr. Joyce lives. A typewritten copy of our new regulations, which will be put in force at the beginning of 1919, is also enclosed herewith.

I have written to Mr. Scott recommending that our bylaws should be operative in that section of the country in which the Cape Mudge, Campbell River and Salmon River Indians have reserves.

Yours respectfully,

Enclosures:-

Chief Inspector of Indian Agencies.

H. C. Clements, Esq., M.P.,
535 Pender Street,
Vancouver, B. C.

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DEPARTMENT OF INDIAN AFFAIRS CANADA

OFFICE OF THE DEPUTY SUPERINTENDENT GENERAL

OTTAWA

September 11th, 1918.

Dear Mr. Ditchburn -

I have your letter of the 5th inst., in reference to our By-laws for the protection of sheep, and I am pleased to know that they meet with the approval of yourself and the Livestock Commissioner for the Provincial Government.

Since writing you before, these By-laws have, by special request, been put into effect in the vicinity of Cape Mudge Indian Village, Kwawkewlth Agency, and the Agent was instructed to put them into effect in any other districts in his agency where he considered it necessary.

I would ask you to be kind enough to take a special interest in the enforcement of these regulations. No matter how well drafted regulations may be and how well they may meet the objects desired, they of course are valueless unless properly enforced.

I am sending you under separate cover 25 copies of the By-laws, as requested.

Yours very truly,

Duncan Scott

Deputy SuperintendentGeneral.

W. E. Ditchburn, Esq.,
Chief Inspector of Indian Agencies,
Victoria, B.C.

SOUTH WESTERN INSPECTORATE
SEP 17 1918
VICTORIA B. C.

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(COPY).

Bylaws for the Taxation, Control and Destruction of Dogs and for the Protection of Sheep under the provisions of Paragraph "F" of Section 92, Chap. 81, R.S.C., as enacted by 8-9 George V, Chapter 26, Section 5.

TAX ON DOGS.

1. There shall be levied annually in every reserve, upon the owner of each dog therein, an annual tax of one dollar for a dog, if only one, and three dollars for each additional dog owned by him, and two dollars for a bitch if only one, and five dollars for each additional bitch.

2. The council of the band may appoint the constable of the band or some responsible member to make up a list of the owners of dogs and to enter opposite the names the number of dogs and bitches by him owned and to collect the annual tax. If such appointment is not made by the first day of March in each year, the Indian Agent shall make such appointment from the membership of the band.

3. The owner of any dog shall be required by the collector to deliver to him in writing a statement of the number of dogs owned by him and for any neglect or refusal to do so, and for every false statement made in respect thereof, he shall incur a penalty of five dollars.

4. The collection of the tax shall be made by the first of May in each year for that particular year.

5. Where the collector has been refused the tax imposed by this regulation, the collector shall impound such dog and shall report the same under oath to a Justice of the Peace or Indian Agent who shall by an Order under his hand and seal to be served by any constable require such dog to be destroyed by the owner thereof, or by a constable.
(2) For the purpose of carrying out such order the constable may enter on the premises of such owner and destroy such dog.

6. The collector, by the first day of June in each year, shall make a return of his collection to the Indian Agent which return shall give a list of all the owners of dogs, the number of dogs and bitches owned by each, the amount of the tax collected from each owner, and the names of the owners, if any, whose dogs have been destroyed for non-payment of taxes.

7. The collector shall receive for his services twenty-five per cent of the tax collected and the balance of the amount shall be paid to the Indian Agent, with the return under the above section, to be forwarded to the Department and applied to the credit of the funds of the band.

8. A collector who fails to make his return and to pay to the Indian Agent the balance of his collections by the appointed date or knowingly makes any false statement in such return shall be liable on summary conviction to a fine not exceeding fifteen dollars and costs, or in default of payment to imprisonment for not more than twenty days.

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PROTECTION OF SHEEP AND OTHER ANIMALS.

9. No dog shall be allowed to be at large unless accompanied by, or being within reasonable call of the owner or some person having charge or care thereof.

The owner of any dog allowed to be at large in contravention of this section shall be liable, upon summary conviction, to a penalty not exceeding five dollars and costs or in default of payment to imprisonment for not more than seven days.

10. The owner of any dog that runs at large and pursues, worries, wounds or kills any sheep, hogs, cattle or other animals, shall on summary conviction be liable to a fine of not more than fifteen dollars and costs or in default of payment to imprisonment for not more than twenty days.

11. Any dog or dogs proved under the preceding section to have pursued, worried, wounded or killed, any sheep, hogs, cattle or other animals may, if the Indian Agent or Justice of the Peace before whom proof is made, sees fit, be ordered by him to be killed and destroyed.

12. It shall be lawful for any one to kill any dog in the act of pursuing, worrying or destroying any sheep, hogs, cattle or other animals elsewhere than on the reserve.

13. Any one in possession of any dog or who allows any dog to remain about his house or premises shall be deemed the owner of such dog for the purposes of this bylaw.

14. No conviction shall be a bar to any action by the owner or possessor of any sheep for the recovery of damages for the injury done to such sheep.

ADJUSTMENT OF CLAIMS.

15. In case the parties to an action for the recovery of damages for injury done to sheep, belong to a band which has a capital account and draws annuity the amount or any proportion of the judgment may be paid out of the interest account of the band, and deducted from the share or shares of the annuity and interest money of the party liable until the amount if fully repaid to interest account.

16. Where the owner of any dog killing, injuring, terrifying or worrying sheep is not known, upon application and proof of loss to the satisfaction of the council of the band by the aggrieved party, the council may by resolution recommend to the Superintendent General that a sum not exceeding one-third of the mutton value of the sheep so killed be paid to such aggrieved party from the interest money of the band, provided that such claim is made in writing to the Chief of the band or Indian Agent within ten days after such loss is discovered and the evidence in support of the claim is produced at the first regular meeting of the council after

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the said notice is given unless the council extends the time for such proof.

17. These regulations wherever applied by direction of the Superintendent General shallprevail over any rule or regulations respecting dogs, made by any band.

DUNCAN C. SCOTT,

Deputy Superintendent General of Indian Affairs.

Dated at Ottawa,

the 27th day of June, 1918.

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA.

IN YOUR REPLY REFER TO
No.
ALSO TO THE DATE OF THIS LETTER.
PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER.

SOUTH WESTERN INSPECTORATE
AUG 9 1918
VICTORIA, B. C.

DEPARTMENT OF INDIAN AFFAIRS
CANADA

CIRCULAR. Ottawa, July 25rd., 1918.

Sir,-

By an amendment to the Indian Act of the last Session of Parliament the Superintendent General is authorized to make bylaws for the Taxation, Control and Destruction of Indian Dogs and for the protection of sheep.

I am enclosing herewith several copies of the bylaws made by the Superintendent General under the provisions of the said amendment, which you will be good enough to bring before the Council at the next meeting and distribute copies among the members of the Council and other officers and afterwards place at the Post Office and other conspicuous places a copy of the same for the information of the Indians generally. You will advise the Council that owing to the fact that one half of the year 1918 has already passed the Superintendent General directs that no tax shall be levied under these bylaws for the year 1918, but that in all other respects these bylaws are in full force and effect in the band and that beginning with 1919 the tax must be collected as provided by the bylaws.

The Department will insist upon these bylaws being rigidly enforced and will expect the co-operation of Agents, who will be required to report at intervals as to the result of the operation, particularly of Sections 9 to 14 inclusive.

Your obedient servant,

D. M. Lean

Asst. Deputy and Secretary.

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VICTORIA, B.C.
AUG 9 1918
SOUTH WESTERN INSPECTORATE

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF THE
DEPUTY SUPERINTENDENT GENERAL
OTTAWA

August 3rd, 1918.

Dear Sir -

I am enclosing herewith copies of a circular letter and Bylaws for the protection of sheep which are being put in force in certain sections of the country.

Encl.

I have written to the Indian Agents in the following agencies in British Columbia asking them to have these Bylaws put into effect:-

Kootenay, Kamloops, Okanagan, Lytton, New Westminster and Cowichan.

I shall be glad to have your opinion as to whether there are any other agencies or portions of agencies in which you consider the Bylaws should be made effective.

Yours very truly,

H C Scott

Deputy Superintendent General.

W. E. Ditchburn, Esqr.,
Chief Inspector of Indian Agencies,
Victoria, B.C.

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144/612/I.

File 499,139.

September 5th, 1918.

Sir:-

I beg to acknowledge the receipt of your letter of the 3rd ultimo, enclosing copies of circular letter to Indian Agents and Bylaws for the protection of sheep which are being put in force in the Cowichan, Kamloops, Kootenay, Lytton, Okanagan and New Westminster Agencies, and with regard to the same I beg to state that I feel satisfied that the bylaws will have a very beneficial effect and by their rigid enforcement it will do much to dispose of the dog nuisance on Indian reserves.

I have had an interview with W.T.McDonald, Esq., the Livestock Commissioner for the Provincial Government, and allowed him to read over the Bylaws and he informed me that he considered that this was the best legislation which had ever been enacted with regard to dogs and will help matters very materially in the sheep raising industry.

For the present it will not be necessary to put the Bylaws into effect in any other Agencies than those mentioned.

There is, however, a likelihood that in the near future the industry of sheep raising may be taken up in the Bulkley and Nechaco Valleys, which form parts of the Babine and Stuart Lake Agencies, and when this is an assured fact it would be expedient to extend the territory in which the bylaws are to apply.

I should feel obliged if you would let me have about

twenty-five

DEPT. OF INDIAN AFFAIRS
MAR 1 1919
RECEIVED

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twenty-five copies of the bylaw as they will prove of much use.

Your obedient servant,

Chief Inspector of Indian Agencies.

Duncan C. Scott, Esq.,
Deputy Superintendent General
of Indian Affairs,
Ottawa, Ontario.

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15

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144/649/I.

File 499319.

September 12th, 1918.

Sir:-

With further reference to your letter of the 3rd ultimo, having regard to the bylaws for the protection of sheep which are being put in force in the Kootenay, Kamloops, Okanagan, Lytton, New Westminster and Cowichan Agencies, I beg to say that it has been brought to my attention that considerable sheep raising is being done in the lower part of the Kwawkewlth Agency. I would therefore recommend that the bylaws should be operative in that portion of the Agency in which the Wewayakay and Wewayakum Indians (otherwise known as the Salmon River, Cape Mudge and Campbell River tribes) have reserves. This territory is included in what is known as the Provincial Sheep Protection District A.

Your obedient servant,

Chief Inspector of Indian Agencies.

Duncan C. Scott, Esq.,
Deputy Superintendent General
of Indian Affairs,
Ottawa, Ontario.

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IN YOUR REPLY REFER TO

No.

ALSO TO THE DATE OF THIS LETTER.

PLEASE WRITE ON ONLY ONE SUBJECT IN EACH LETTER

ADDRESS REPLY TO THE SECRETARY, DEPT. OF INDIAN AFFAIRS, OTTAWA.

DEPARTMENT OF INDIAN AFFAIRS CANADA

Ottawa, May 20, 1918.

Circular

Sir,-

The following amendment to the Indian Act has been made at this session of Parliament, which authorizes the making of by-laws for the taxation, control and destruction of dogs and for the protection of sheep, which by-laws may be applied to Indian reserves,-

5. (1) Section ninety-two of the said Act, as amended by section six of chapter thirty-five of the statutes of 1914, is amended by adding thereto the following paragraph:-

"(f) May make by-laws for the taxation, control and destruction of dogs and for the protection of sheep, and such by-laws may be applied to such reserves or parts thereof from time to time as the Superintendent General may direct."

(2) The said section is further amended by adding thereto the following subsection:-

"(3) In any regulations or by-laws made under the provisions of this section, the Superintendent General may provide for the imposition of a fine not exceeding thirty dollars or imprisonment not exceeding thirty days, for the violation of any of the provisions thereof."

I have to request that you will be good enough to give the Department the benefit of your views as to the nature and extent of the by-laws that you consider should be framed under the above amendment to the Indian Act.

Your obedient servant,

F. M. Law

Asst. Deputy and Secretary.

W.E.Ditchburn, Esq.,
Chief Inspector of Indian Agencies,
Victoria, B.C.

SOUTH WESTERN INSPECTORATE MAY 27 1918 VICTORIA, B.C.

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IN YOUR REPLY REFER TO

No. 499319

ALSO TO THE DATE OF THIS LETTER.

PLEASE WRITE ON ONLY ONE SUBJECT IN EACH LETTER

ADDRESS REPLY TO THE SECRETARY, DEPT. OF INDIAN AFFAIRS, OTTAWA.

DEPARTMENT OF INDIAN AFFAIRS CANADA

This is evidently Cancelled by amdmt to the Act 1918 - gives Supt General power to make Bylaws Bylaws in addition to Kootenay, Cranbrook Okanagan Lytton, New Westminster & Cowichan

Ottawa, January 8, 1918.

Sir,-

With further reference to the matter of the protection of sheep in the Province of British Columbia, and to your letter (No.144/277/H) of the 29th November last stating that, so far, there has been only one section of the province, constituted a sheep-protection district, which takes in the whole of the Cowichan, a small portion of the West Coast, part of the Kwawkewlth and probably a small portion of the New Westminster Agency (all in your Inspectorate) it is thought that with a view to co-operation with the Provincial authorities it would be well to bring before the different bands included in the sheep-protection district referred to in Section 6 of the said Act, the desirability of adopting a by-law in line with the aims of the provincial authorities. I am inclosing a copy of such by-law, which has been drafted under subsection (d) of Section 98 of the Indian Act, and would request that you bring it before the Agents in your Inspectorate for submission by them to the bands situated in the sheep-protection district. Should such district become extended by the proclamation referred to in the said Section 6, the by-law would require to be submitted to the additional bands for adoption. The proposed by-law is being sent you in duplicate, so that you may retain one copy and have the other circulated among the bands in the sheep-protection district.

As to the procedure to be followed in order to have a by-law

SOUTH WESTERN INSPECTORATE
JAN 14 1918
VICTORIA, B.C.

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a by-law put in force, the by-law may be adopted by either the band in council (section 166 of the Indian Act) or by the council of the band (section 167 of the Indian Act). After being adopted by the band (or, in this case the bands) the by-law should be returned to the Department for submission to the Governor General in Council for confirmation as required by Sections 97 and 98 of the Indian Act. It should be definitely shown what bands have adopted the by-law. Upon the by-law so adopted being confirmed by the Governor in Council copies will be struck off by the Department and forwarded to you for the use of the bands concerned and their Agents.

Your obedient servant,

D. M. Leslie

Asst. Deputy and Secretary.

W. E. Ditchburn, Esq.,
Chief Inspector of Indian Agencies,
Southwestern Inspectorate,
Victoria, B.C.

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REGULATIONS

adopted by the .....

.....

.....

.....bands

- and -

confirmed by His Excellency the Governor General in Council
under Subsection (d) of Section 98 of the Indian Act
on the .....day of..... 1918

- for -

THE PROTECTION OF SHEEP AND OTHER ANIMALS

- - - - - -

Section No.1.- No dog shall be allowed to be at large unless accompanied by, or being within reasonable call of, the owner or some person having the charge or care thereof.
The owner of any dog allowed to be at large in contravention of this section shall be liable, upon summary conviction, to a penalty not exceeding five dollars and costs or in default of payment to imprisonment for not more than seven days.

Section No.2.- The owner of any dog that runs at large and pursues, worries, wounds or kills any sheep, hogs, cattle or other animals, shall on summary conviction be liable to a fine of not more than ~~fifteen~~ five dollars and costs or in default of payment to imprisonment for not more than ~~twenty~~ forty days in addition to the payment of such damage as may be recoverable at law.

Section No.3.- Any dog or dogs proved under the preceding section to have pursued, worried, wounded or killed, any sheep, hogs, cattle or other animals may, if the Indian Agent or Justice of

the Peace

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REGULATIONS

adopted by the .....

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Section No.3.- Any dog or dogs proved under the preceding section to have pursued, worried, wounded or killed, any sheep, hogs, cattle or other animals may, if the Indian Agent or Justice of

the Peace

REPEAT
REPETITION

RG 10, C-II-2, vol. 11298

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the Peace before whom proof is made, sees fit, be ordered by him to be killed and destroyed.

Section No.4.- It shall be lawful for any one to kill any dog in the act of pursuing, worrying or destroying any sheep, hogs, cattle or other animals elsewhere than on the land belonging to the owner of such dog.

Section No.5.- Any one in possession of any dog or who allows any dog to remain about his house or premises shall be deemed the owner of such dog for the purposes of this by-law.

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REGULATIONS

adopted by the .....

.....

.....

.....bands

- and -

confirmed by His Excellency the Governor General in Council
under Subsection (d) of Section 98 of the Indian Act
on the .....day of..... 1918

- for -

THE PROTECTION OF SHEEP AND OTHER ANIMALS

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The owner of any dog allowed to be at large in contravention of this section shall be liable, upon summary conviction, to a penalty not exceeding five dollars and costs or in default of payment to imprisonment for not more than seven days.

Section No.2.- The owner of any dog that runs at large and pursues, worries, wounds or kills any sheep, hogs, cattle or other animals, shall on summary conviction be liable to a fine of not more than fifteen dollars and costs or in default of payment to imprisonment for not more than twenty days in addition to the payment of such damage as may be recoverable at law.

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Section No.5.- Any one in possession of any dog or who allows any dog to remain about his house or premises shall be deemed the owner of such dog for the purposes of this by-law.

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WM. E. SCOTT,
DEPUTY MINISTER AND SUPERINTENDENT OF INSTITUTES.

In replying, write only on one side of the paper, and refer to one subject in a letter.

THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA.

DEPARTMENT OF AGRICULTURE
(OFFICE OF DEPUTY MINISTER AND SUPERINTENDENT OF INSTITUTES)

VICTORIA November 27th 1917

W. E. Ditchburn, Esq.,
Chief Inspector,
Indian Lands Department, Victoria, B.C.

Dear Sir :-

At the request of the Deputy Minister of Agriculture, I have pleasure in enclosing herewith four copies of the "Sheep Protection Act, 1917" and also four copies of Notice respecting District "A", comprising a certain part of Vancouver Island and the Gulf Islands.

Yours very truly,

Wm J. Bonavia

Secretary.

WJB/PW.

Encl.

SOUTH WESTERN SUPERINTENDENCY
NOV 28 1917
VICTORIA, B.C.

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144/272/H.

November 29, 1917.

Sir:-

I beg to acknowledge the receipt of copies of "An Act for the Better Protection of Sheep" and also copies of Notice respecting District "A", comprising a certain part of Vancouver Island and the Gulf Islands.

On this matter I beg to inform you that I am sending copies of the Act and Notice to the Indian Agents of the Cowichan, West Coast, Kwawkewlth and New Westminster Agencies at the same time instructing them to notify any Indians living on reserves within the boundaries of District "A" who own dogs that if the same are found running at large outside of Indian reserves unless properly tagged they are liable to be shot.

Your obedient servant,

Chief Inspector of Indian Agencies.

Wm. E. Scott, Esq.,
Deputy Minister of Agriculture,
Provincial Parliament Bldgs.,
Victoria, B. C.

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144/276/H.

November 29, 1917.

Sir:-

I am enclosing herewith two copies of Chapter 57 of the British Columbia Statutes, being "An Act for the Better Protection of Sheep," also a copy of the Notice setting forth the boundaries of District "A" over which territory the provisions of the Act apply at present.

You will observe by the enclosed notice that I have underscored a certain section of District "A" in red, and it is possible that some of the Indian reserves in your Agency may be included in this district, and if so, you should inform any Indians who own dogs that the same are liable to be shot if they are found running at large outside of the Indian reserves unless they are properly tagged.

Your obedient servant,

Enclosures:-

Chief Inspector of Indian Agencies.

Peter Byrne, Esq.,
Indian Agent,
New Westminster, B. C.

Exhibit No. 3

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INDIAN AGENT'S OFFICE

New Westminster, B.C.

November 30th, 1917. 191

IN YOUR REPLY REFER TO
No. 91129
ALSO
TO DATE OF THIS LETTER

Sir,—

I beg to acknowledge receipt of your letter of the 29th inst., No. 144/276/H., enclosing two copies of Chapter 57 of the British Columbia Statutes, being "An Act for the Better Protection of Sheep," also a copy of the Notice setting forth the boundaries of District "A" over which territory the provisions of the Act apply at present.

Your obedient servant,

Peter Byrne

Indian Agent.

W. E. Ditchburn, Esq.,
Chief Inspector of Indian Agencies,
Victoria, B.C.

SOUTH WESTERN INSPECTORATE
DEC 1 1917
VICTORIA, B. C.

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144/274/H.

November 29, 1917.

Sir:-

I am enclosing herewith two copies of Chapter 57 of the British Columbia Statutes, being "An Act for the Better Protection of Sheep," also a copy of the Notice setting forth the boundaries of District "A" over which territory the provisions of the Act apply at present.

You will observe by the enclosed Notice, which I have underscored in red, that the Salmon River, Campbell River, Cape Mudge and Kweahkah Indian Reserves are within the boundaries of the above mentioned district and therefore you should notify the Indians of these reserves who have dogs that,unless they are prepared to comply with the law,any of their dogs which are found at large outside the Indian reserves without proper tags are liable to be shot.

Your obedient servant,

Enclosures:-

Chief Inspector of Indian Agencies.

W. M. Halliday, Esq.,
Indian Agent,
Albert Bay, B. C.

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144/275/H.

November 29, 1917.

Sir:-

I am enclosing herewith two copies of Chapter 57 of the British Columbia Statutes, being "An Act for the Better Protection of Sheep," also a copy of the Notice setting forth the boundaries of District "A" ower which territory the provisions of the Act apply at present.

You will observe by the enclosed Notice, which I have underscored in red, that the whole of your Agency comes within the boundaries of District "A" and therefore you should inform any Indians who own dogs that the same are liable to be shot if they are found running at large outside of the Indian reserves, unless they are properly tagged.

Your obedient servant,

Enclosures:-

Chief Inspector of Indian Agencies.

W. R. Robertson, Esq.,
Indian Agent,
Duncans, B. C.

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144/273/H.

November 29, 1917.

Sir:-

I am enclosing herewith two copies of Chapter 57 of the British Columbia Statutes, being "An Act for the Better Protection of Sheep," also a copy of the Notice setting forth the boundaries of District "A" over which territory the provisions of the Act apply at present.

You will observe by the enclosed Notice that any Indian reserves in your Agency on the upper part of the Alberni Canal are within the boundaries of the above mentioned district and you should therefore inform any Indians who own dogs that the same are liable to be shot if they are found running at large outside of the Indian reserves unless they are properly tagged.

Your obedient servant,

Enclosures:-

Chief Inspector of Indian Agencies.

C. A. Cox, Esq.,
Indian Agent,
Alberni, B. C.

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IN YOUR REPLY REFER TO

No. 499319

ALSO TO THE DATE OF THIS LETTER.

PLEASE WRITE ON ONLY ONE SUBJECT IN EACH LETTER

ADDRESS REPLY TO THE SECRETARY, DEPT. OF INDIAN AFFAIRS, OTTAWA.

DEPARTMENT OF INDIAN AFFAIRS CANADA

Ottawa, 9th October, 1917.

Sir,

Herewith I enclose you copy of an Act for the Better Protection of Sheep passed by the Legislative Assembly of the Province of British Columbia and have to request that you will make known its provisions to such of the Indian bands in your inspectorate as may be affected thereby.

Enc.

Your obedient servant,

Asst. Deputy and Secretary.

W.E.Ditchburn, Esq.,

Chief Inspector of Indian Agencies,

Victoria,

B.C.

SOUTH WESTERN INSPECTORATE OCT 15 1917 VICTORIA, B.C.

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CHAPTER 57.

An Act for the Better Protection of Sheep.

[*Assented to 19th May, 1917.*]

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

Short title.

1. This Act may be cited as the "Sheep Protection Act."

Interpretation.

2. In this Act—

"Owner" shall, in respect of any dog, include possessor or harbourer, and "owned" shall include possessed or harboured:

"Dog," for the purpose of this Act, shall mean and include any dog apparently over the age of four months.

Dogs may be killed under certain circumstances.

3. Any person may kill any dog which he finds within any portion of the Province to which this Act applies, unless:—

(*a.*) A licence issued under this Act in respect of that dog is in force at the time; and

(*b.*) The dog has on a leather or metal collar to which is attached the licence-tag issued in connection with the licence.

Defence in action of damages.

4. The defendant in any action for damages for killing a dog under the circumstances mentioned in section 3 may plead the general issue and give this Act and the special matter in evidence.

All dogs to be licensed.

5. (1.) Within any portion of the Province to which this Act applies, no person shall keep or have in his possession any dog unless a licence therefor under this Act has been first obtained.

Licences.

(2.) Licences may be issued by the Superintendent of Provincial Police, and applications for licences may be made to him or to any

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OCT 15 1917
VICTORIA, B. C.

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constable authorized by him to receive the same. Every licence shall be distinguished by a number, and a record shall be kept of all licences issued, and for the purposes of identification a general description of the dog in respect of which such licence was issued.

Fees

(3.) Every application for a licence shall be accompanied by a licence fee payable as follows:—

(*a.*) For each male dog a fee of one dollar:

(*b.*) For each female dog a fee of two dollars.

All fees paid under this Act shall be accounted for as public moneys of the Province.

Duration of licences.

(4.) Every licence issued under this Act shall expire on the thirty-first day of December next following the date on which the licence takes effect. There shall be issued with each licence a metal tag which shall be impressed or stamped with a number corresponding to the number of the licence and with figures denoting the year in which the licence expires.

Penalty.

(5.) Every person contravening or committing any breach of the provisions of subsection (1) of this section shall, on summary conviction, be liable to a penalty not exceeding twenty-five dollars.

Act to apply only to sheep-protection districts.

6. The Lieutenant-Governor may from time to time, by Proclamation published in the Gazette, constitute any part of the Province into a sheep-protection district. This Act shall apply to such portions of the Province only as are within the limits of a sheep-protection district so constituted.

Penalty for allowing dog at large at night in a sheep-protection district.

7. In any sheep-protection district as constituted under section 6 no dog shall be allowed to be at large at any time between sunset and sunrise, unless accompanied by or being within reasonable call of the owner or of some person having the charge or care thereof. The owner of any dog allowed at large in contravention of this section shall be liable, upon summary conviction, to a penalty not exceeding fifty dollars.

Recovery of damages for sheep killed.

8. (1.) The owner of any sheep killed or injured by any dog shall be entitled to recover damage occasioned thereby from the owner of that dog, by an action for damages or by summary proceedings before a Justice of the Peace, on information or complaint before the Justice, who is hereby authorized to hear and determine the complaint, and proceed thereon in the manner provided by the "Summary Convictions Act" in respect of proceedings therein mentioned.

Scienter not necessary.

(2.) The aggrieved party may recover in the action or proceeding, whether or not the owner of the dog knew that it was vicious or accustomed to worry sheep.

Apportionment of damages.

(3.) If it appears at the trial that the damage or some part thereof was the joint act of some other dog and of a dog owned by

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the person charged, the Court, Judge, or Justice may, by the judgment or conviction, apportion the damages among and against the respective owners of the dogs, as far as they are known, in such proportions as may be deemed just.

Where owner of one of the dogs doing damage is unknown.

(4.) If it appears at the trial that the damage was occasioned by a dog the owner of which is known, and a dog the owner of which is unknown, or has not been summoned to appear, the Court, Judge, or Justice may determine and adjudge as to the proportion of the damage which, having regard to the evidence adduced as to the strength, ferocity, and character of the various dogs shown to have been engaged in committing the damage, was probably done by the dogs the owners of which have been summoned to appear, and shall determine in respect thereof, and apportion the damage which the Court, Judge, or Justice determines to have been probably done by the dogs whose owners have been summoned, amongst the various owners who have been so summoned.

Further procedure.

(5.) The like proceedings may thereafter be had against the owners of the dogs which so contributed to the damage.

Appeal.

(6.) An appeal against any conviction, apportionment, or order made by a Justice of the Peace under this section may be had in like manner as nearly as may be to appeals under the "Summary Convictions Act" in respect of proceedings therein mentioned.

Lawful to kill dog worrying sheep.

9. It shall be lawful for any person to kill any dog in the act of pursuing and worrying or destroying any sheep elsewhere than on the land belonging to the owner of such dog.

Enforcement.

10. It shall be the duty of all Provincial and municipal police constables to enforce the provisions of this Act; if necessary, visiting houses or farms where they have reason to suspect an unlicensed dog or dogs are being kept.

Exemption from municipal licence.

11. Any person receiving a licence for any dog under the provisions of this Act shall not be liable to pay any municipal licence in respect to the same dog for the same period of time.

VICTORIA, B.C.:
Printed by WILLIAM H. CULLIN, Printer to the King's Most Excellent Majesty.
1917.

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144/277/H.

File 499319.

November 29, 1917.

Sir:-

I beg to acknowledge the receipt of your letter of 9th October enclosing a copy of "An Act for the Better Protection of Sheep" passed by the Provincial Legislature.

In dealing with this matter I beg to inform you that up to the present there has only been one section of the Province constituted a Sheep Protection District which takes in the whole of the Cowichan, a small portion of the West Coast, part of the Kwawkewlth and probably a small portion of the New Westminster Agency and to each of the officials in charge of these Agencies I have forwarded two copies of the Act and one copy of the notice of the Order in Council setting forth the boundaries of District "A", and have instructed them to notify their Indians that any dogs found running at large outside of the Indian reserves without a tag are liable to be shot.

Your obedient servant,

Chief Inspector of Indian Agencies.

The Secretary,
Department of Indian Affairs,
Ottawa, Ontario.

230 800

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SHEEP PROTECTION DISTRICT.

"Commencing at the south-west corner of the Esquimalt and Nanaimo Railway Belt, said point being at the outlet of Muir Creek, into the Strait of Juan de Fuca; thence in a north-westerly direction along the western boundary of the said Esquimalt and Nanaimo Railway Belt, to the point of intersection with the fiftieth parallel of latitude; thence west along said parallel to the point of intersection with the one hundred and twenty-sixth meridian of longtitude, being also the south-west corner of the Sayward Land District; thence north along said meridian to a point in Johnstone Strait; thence in an easterly and southerly direction through the ceneter of Chancellor, Cardero, Calm and Lewis Channels to a point east of Savary Island; thence continuing in a south-easterly direction through the center of Malaspina Strait to a point on Trail Bay, Strait of Georgia, being the north-west corner of Lot 1329; thence east along the north boundary of said lot to the north-east corner; thence south along the east boundary of said lot to the north-west corner of Lot 1528; thence east along the north boundary to the north-east corner of said lot; thence south along the east boundary of said lot to the northwest corner of Lot 1561; thence east along the north boundaries of Lots 1561 and 3313 to the north-east corner of said Lot 3313; thence south along the east boundaries of said Lot to the north-west corner of Lot 1629; thence east along the north boundaries of Lots 1629, 1819, and 1733 to the north-east corner of said Lot 1733; thence south along the east boundaries of Lots 1733 and 3367 to the north boundary of Lot 3376; thence east along the north boundaries of Lots 3376 and 2633 to the south-east corner of Lot 4487; thence north along the east boundaries of Lots 4487, 4488, 4495, 4496 4503 and 4504 to the north boundary of surveyed Timber License 4821P; thence east along the north boundary of said surveyed timber lincence and the south boundary of surveyed Timber Licence 10885P to the sotuh-east corner of said Timber Licence 10885P; thence north along the east boundary to the north-east corner of said timber licence; thence east along the south boundary of Lot 2433 to the south-east corner of said lot; thence north along the east boundaries of Lots 2433, 2432, 2431 and 3299 to the north east corner of said Lot 3299; thence east along the north boundary of Lot 2428 and continuing east to the west boundary of Lot 2866; thence north and east along the west and north boundaries of Lot 2866 to the south-west corner of Lot 2867; thence north along the west boundary to the

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SHEEP PROTECTION DISTRICT.

"Commencing at the south-west corner of the Esquimalt and Nanaimo Railway Belt, said point being at the outlet of Muir Creek, into the Strait of Juan de Fuca; thence in a north-westerly direction along the western boundary of the said Esquimalt and Nanaimo Railway Belt, to the point of intersection with the fiftieth parallel of latitude; thence west along said parallel to the point of intersection with the one hundred and twenty-sixth meridian of longtitude, being also the south-west corner of the Sayward Land District; thence north along said meridian to a point in Johnstone Strait; thence in an easterly and southerly direction through the ceneter of Chancellor, Cardero, Calm and Lewis Channels to a point east of Savary Island; thence continuing in a south-easterly direction through the center of Malaspina Strait to a point on Trail Bay, Strait of Georgia, being the north-west corner of Lot 1329; thence east along the north boundary of said lot to the north-east corner; thence south along the east boundary of said lot to the north-west corner of Lot 1528; thence east along the north boundary to the north-east corner of said lot; thence south along the east boundary of said lot to the northwest corner of Lot 1561; thence east along the north boundaries of Lots 1561 and 3313 to the north-east corner of said Lot 3313; thence south along the east boundaries of said Lot to the north-west corner of Lot 1629; thence east along the north boundaries of Lots 1629, 1819, and 1733 to the north-east corner of said Lot 1733; thence south along the east boundaries of Lots 1733 and 3367 to the north boundary of Lot 3376; thence east along the north boundaries of Lots 3376 and 2633 to the south-east corner of Lot 4487; thence north along the east boundaries of Lots 4487, 4488, 4495, 4496 4503 and 4504 to the north boundary of surveyed Timber License 4821P; thence east along the north boundary of said surveyed timber lincence and the south boundary of surveyed Timber Licence 10885P to the sotuh-east corner of said Timber Licence 10885P; thence north along the east boundary to the north-east corner of said timber licence; thence east along the south boundary of Lot 2433 to the south-east corner of said lot; thence north along the east boundaries of Lots 2433, 2432, 2431 and 3299 to the north east corner of said Lot 3299; thence east along the north boundary of Lot 2428 and continuing east to the west boundary of Lot 2866; thence north and east along the west and north boundaries of Lot 2866 to the south-west corner of Lot 2867; thence north along the west boundary to the

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north west corner of said Lot 2867; thence east along the north boundary of said lot and continuing east to the west boundary of surveyed Timber License 33141; thence north along the west boundary to the north-west corner of said timber licence; thence east along the north boundary of said licence to the west bank of Rainy River; thence southerly along the west bank of said Rainy River to Thornborough Channel; ~~thence in a sotuh-westerly direction through the center of Malaspina Strait and the Strait of Georgia to the International boundary line; thence following said Boundary Line in a southerly direction to a point south of Race Rocks; thence in a north-westerly direction to the point of commencement.~~"

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ORDERS IN COUNCIL.

GOVERNMENT HOUSE.
VICTORIA, B.C., October 22nd, 1918.
PRESENT:
HIS HONOUR THE LIEUTENANT-GOVERNOR IN COUNCIL.

WHEREAS by "An Act respecting Pound Districts" it is enacted that the Lieutenant-Governor in Council may, by Order in Council made public by notice in the British Columbia Gazette, constitute any part of the Province of British Columbia not within the limits of a municipality into a pound district:

And whereas under the provisions of this Act application has been made by proprietors of land in that portion of the District of Needles, in the County of Kootenay, and comprised within the following boundaries, to constitute the said district a pound district: Starting at the south-east corner of Lot 8135, Group 1, Kootenay District; thence due west to the western boundary of Township 70; thence due north to the southern boundary of Pre-emption 792; thence due west to the south-west corner of said pre-emption; thence due north to the north-west corner of said pre-emption; thence due east to the north-east corner of Lot 7891; thence due north to the north-west corner of Lot 8546; thence due east to the north-east corner of said lot; thence due north to the north-west corner of Lot 9882; thence due east to the north-east corner of said lot; thence in a straight line to the north-west corner of Pre-emption 851; thence due east to the north-east corner of said pre-emption; thence in a straight line to the north-east corner of Pre-emption 880, being a point on the west shore of Lower Arrow Lake; thence following said shore in a southerly direction to the point of commencement:

And whereas notice of intention to constitute such district a pound district was given in accordance with the requirements of the Act, and no objection has been made by any proprietor within the proposed pound district:

On the recommendation of the Honourable the Minister of Agriculture, and under the provisions of the "Pound District Act," His Honour the Lieutenant-Governor of British Columbia, by and with the advice of his Executive Council, has been pleased to order, and it is hereby ordered, that that portion of the Needles District, in the County of Kootenay, as comprised within the above boundaries be constituted a pound district.

J. D. MACLEAN,
oc31 *Clerk of the Executive Council.*

AT THE EXECUTIVE COUNCIL CHAMBER.
VICTORIA, B.C., Saturday, 2nd November, 1918.
PRESENT:
HIS HONOUR THE LIEUTENANT-GOVERNOR IN COUNCIL.

THE Honourable the Minister of Lands having reported:—

1. That the Kaleden Irrigation and Power Company, Limited, is a Company incorporated under the "Companies Act, 1910," of the Province of British Columbia, with its registered office at Summerland, in the said Province, and authorized by its memorandum of association to carry or supply water for irrigation purpose:

2. That under the provisions of section 171 of the "Water Act, 1914," and Order in Council No. 1615, issued thereunder and approved the 9th day of April, 1918, an inquiry into the affairs of the said Company and a report have been made:

3. That the said inquiry and report disclose, among other things, that the said Company is in possession of certan works for conveying water from Sheep Creek and Marron Creek, tributaries of Okanagan River, to Lots Numbers 103 (S.), 104 (S.), 105 (S.), 3757, and part of the South Half of Section 24, in Township 88, Osoyoos, for irrigation purpose under water records appurtenant to the said lands, and that the said Company has heretofore operated the said works and conveyed waters for the owners of the said lands, but has not taken out a licence for conveying purpose, and has therefore no authority to collect tolls for carrying said water; that the said Company has no liquid assets, and its only revenue is that obtained from tolls collected from the said owners:

4. That one C. E. Banbury, the holder of a mortgage covering the greater part of the above-described lands, has applied to have the said works declared to be appurtenant to the said lands under the provisions of section 171 of the "Water Act, 1914":

5. That it is necessary in the public interest and for the protection of the water-users under the said Company's system, pending the consideration of the said application, that provision be made for the maintenance and uninterrupted operation of the works for the supply of water for irrigation to the lands served by the said works, and to that end that the said Company should be authorized to maintain and operate the said works for a limited period, and to collect such water tolls as the Board of Investigation may after notice determine to be just and reasonable:

His Honour the Lieutenant-Governor of British Columbia, by and with the advice of His Executive Council, doth order as follows:—

1. That pursuant to section 171 of the "Water Act, 1914," the Comptroller of Water Rights be directed to issue a licence for conveying purpose authorizing the Kaleden Irrigation and Power Company, Limited, to convey water from Sheep Creek and Marron Creek, tributaries of Okanagan River, to Lots 103 (S.), 104 (S.), 105 (S.), 3757, and part of the South Half of Section 24, in Township 88, for irrigation until the 31st day of December, 1919, on such terms as the Board of Investigation, under the "Water Act, 1914," after notice may determine to be just and reasonable; and

2. That it be ordered that in respect of the Kaleden Irrigation and Power Company, Limited, the cost of maintenance, repair, and operation of its water system shall be a first charge against the revenue of the said Company derived from water tolls to the exclusion of all fixed charges, whether by debenture, mortgage, or otherwise, against such Company.

J. D. MACLEAN,
no7 *Clerk of the Executive Council.*

GOVERNMENT HOUSE.
VICTORIA, B.C., October 23rd, 1918.
PRESENT:
HIS HONOUR THE LIEUTENANT-GOVERNOR IN COUNCIL.

ON the recommendation of the Honourable the Minister of Agriculture, and under the provisions of the "Sheep Protection Act, 1917," chapter 57, clause 6, His Honour the Lieutenant-Governor of British Columbia, by and with the advice of his Executive Council, doth order as follows:—

That all that parcel or tract of land situated in New Westminster District, and as described hereunder, be declared a sheep protection district, to be known as the "Gibson's Landing Sheep Protection District":—

Commencing at a point on Trail Bay, Strait of Georgia, being the north-west corner of Lot 1329; thence east along the north boundary of said lot to the north-east corner; thence south along the east boundary of said lot to the north-west corner of Lot 1528; thence east along the north boundary to the north-east corner of said lot; thence south along the east boundary of said lot to the north-west corner of Lot 1561; thence east along the north boundaries of Lots 1561 and 3313 to the north-east corner of said Lot 3313; thence south along the east boundaries of said lot to the north-west corner of Lot 1629; thence east along the north boundaries of Lots 1629, 1819, and 1733 to the north-east corner of said Lot 1733; thence south along the east boundaries of Lots 1733 and 3377 to the north boundary of Lot 3376; thence east along the north boundaries of Lots 3376 and 2633 to the south-east corner of Lot 4487; thence

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north along the east boundaries of Lots 4487, 4488, 4495, 4496, 4503, and 4504 to the north boundary of surveyed Timber Licence 4821P; thence east along the north boundary of said surveyed timber licence and the south boundary of surveyed Timber Licence 10885P to the south-east corner of said Timber Licence 10885P; thence north along the east boundary to the north-east corner of said timber licence; thence east along the south boundary of Lot 2433 to the south-east corner of said lot; thence north along the east boundaries of Lots 2433, 2432, 2431, and 3299 to the north-east corner of said Lot 3299; thence east along the north boundary of Lot 2428 and continuing east to the west boundary of Lot 2866; thence north and east along the west and north boundaries of Lot 2866 to the south-west corner of Lot 2867; thence north along the west boundary to the north-west corner of said Lot 2867; thence east along the north boundary of said lot and continuing east to the west boundary of surveyed Timber Licence 33141; thence north along the west boundary to the north-west corner of said timber licence; thence east along the north boundary of said licence to the west bank of Rainy River; thence southerly along the west bank of said Rainy River to Thornborough Channel; thence southerly, westerly, and northerly along the shores of Thornborough Channel, Shoal Channel, and the Strait of Georgia to the point of commencement; all of said lots being in Group 1, New Westminster District.

J. D. MACLEAN,
oc31 *Clerk of the Executive Council.*

DEPARTMENT OF LANDS.

YALE DISTRICT.

NOTICE is hereby given that the undermentioned tracts of land, situated in the above-named district, have been surveyed, and that plans of the same can be seen at the Department of Lands, Victoria, and at the office of the Government Agent, Ashcroft:—

Lots 1055 to 1062 (inclusive).—B.C. Government.

Persons considering their rights adversely affected by the above surveys must furnish a statement of their contention to the Minister of Lands within sixty days from the date of this notice.

J. E. UMBACH,
Surveyor-General.

Department of Lands,
Victoria, B.C., October 10th, 1918. oc10

NEW WESTMINSTER DISTRICT.

NOTICE is hereby given that the undermentioned tract of land, situated in the above-named district, has been surveyed, and that a plan of the same can be seen at the Department of Lands, Victoria, and at the office of the Government Agent, Vancouver:—

Lot 4335.—Marinus Andersen, Application to Lease, dated Aug. 22nd, 1917.

Persons considering their rights adversely affected by the above survey must furnish a statement of their contention to the Minister of Lands within sixty days from the date of this notice.

J. E. UMBACH,
Surveyor-General.

Department of Lands,
Victoria, B.C., October 10th, 1918. oc10

TIMBER SALE X1452.

SEALED TENDERS will be received by the Minister of Lands not later than noon on the 13th day of December, 1918, for the purchase of Licence X1452, to cut 1,820,000 feet B.M. of fir, spruce, balsam, pine, and cedar, on an area adjoining S.T.L. No. 7526P, near Adams Lake, Kamloops District.

One year will be allowed for removal of timber.

Further particulars of the Chief Forester, Victoria, B.C., or District Forester, Kamloops, B.C.
no7

DEPARTMENT OF LANDS.

SIMILKAMEEN DISTRICT.

NOTICE is hereby given that the undermentioned mineral claims, situated in the above-named district, have been surveyed, and that plans of the same can be seen at the Department of Lands, Victoria, and at the office of the Government Agent, Fairview:—

Lot 1646(S.).—"Rock Candy No. 1."
" 1647(S.).—"Rabbit."
" 1648(S.).—"Portal No. 1."
" 1649(S.).—"Tadanac."
" 1650(S.).—"Fluorspar."
" 1651(S.).—"Decimal Fraction."

J. E. UMBACH,
Surveyor-General.

Department of Lands,
Victoria, B.C., October 31st, 1918. oc31

TIMBER SALE X1320.

SEALED TENDERS will be received by the Minister of Lands not later than noon on the 13th day of December, 1918, for the purchase of Licence X1320, to cut 7,980 cords of shingle-bolts on an area situated north of Gordon Pasha Lake, New Westminster District.

Two years will be allowed for removal of timber.

Further particulars of the Chief Forester, Victoria, B.C., or District Forester, Vancouver, B.C.
no7

COAST DISTRICT, RANGE 5.

NOTICE is hereby given that the undermentioned tract of land, situated in the above-named district, has been surveyed, and that a plan of the same can be seen at the Department of Lands, Victoria, and at the office of the Government Agent, Smithers:—

Lot 6320.—Lewis Cleveland Knauss, Pre-emption Record 1755, dated 19th May, 1913.

Persons considering their rights adversely affected by the above survey must furnish a statement of their contention to the Minister of Lands within sixty days from the date of this notice.

J. E. UMBACH,
Surveyor-General.

Department of Lands,
Victoria, B.C., November 14th, 1918. no14

KOOTENAY DISTRICT.

NOTICE is hereby given that the undermentioned tract of land, situated in the above-named district, has been surveyed, and that a plan of the same can be seen at the Department of Lands, Victoria, and at the office of the Government Agent, Nelson:—

Lot 12486.—Thomas Tidy, Pre-emption Record 1112, dated 12th Nov., 1913.

Persons considering their rights adversely affected by the above survey must furnish a statement of their contention to the Minister of Lands within sixty days from the date of this notice.

J. E. UMBACH,
Surveyor-General.

Department of Lands,
Victoria, B.C., November 14th, 1918. no14

TIMBER SALE X1480.

SEALED TENDERS will be received by the Minister of Lands not later than noon on the 3rd day of December, 1918, for the purchase of Licence X1480, to cut 450,000 feet of fir and cedar on an area situated on Waddington Channel, New Westminster District.

One (1) year will be allowed for removal of timber.

Further particulars of the Chief Forester Victoria, B.C., or District Forester, Vancouver, B.C.
no14

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N O T I C E.

SHEEP PROTECTION ACT.

NOTICE is hereby given that in accordance with Order in Council No. 705, dated June 21st., 1917, that from and after the 20th day of July next, the following described district is constituted a Sheep Protection District" to be known as District "A" and comprised within the following boundaries :-

"Commencing at the south-west corner of the Esquimalt and Nanaimo Railway Belt, said point being at the outlet of Muir Creek, into the Strait of Juan de Fuca; thence in a north-westerly direction along the western boundary of the said Esquimalt and Nanaimo Railway Belt, to the point of intersection with the fiftieth parallel of latitude; thence west along said parallel to the point of intersection with the one hundred and twenty-sixth meridian of longitude, being also the south-west corner of the Sayward Land District; thence north along said meridian to a point in Johnstone Strait; thence in an easterly and southerly direction through the centre of Chancellor, Cardero, Calm, and Lewis Channels to a point east of Savary Island; thence continuing in a south-easterly direction through the centre of Malaspina Strait and the Strait of Georgia to the International Boundary Line; thence following said Boundary Line in a southerly direction to a point south of Race Rocks; thence in a north-westerly direction to the point of commencement".

The areas comprised within the following Municipalities are exempted from the operation of the above Act :-

Alberni,	Nanaimo,	Saanich,	Victoria,
Ladysmith,	Cumberland,	Duncan,	Esquimalt,
Courtenay,	North Cowichan,	Oak Bay,	Port Alberni.

A. Clause 3 of the Act states that : Any person may kill any dog which he finds within any portion of the Province to which this Act applies, unless :

1. A license issued under this Act in respect of that dog is in force at the time; and
2. The dog has ona leather or metal collar to which is attached the license tag issued in connection with the license.

B. Clause 5 states that : No person shall keep or have in his possession any dog unless a license therefor has been first obtained under this Act within the portion of the Province to which this Act applies.

C. Licenses are issued by the Superintendent of Police, and applications for licences may be made to him or to any Provincial Constable.

D. Every application for license shall be accompanied by the name, description and sex of dog together with license fee as follows

For each male dag $1.00
For each female dog 2.00

E. The Superintendent of Police will issue with each license a metal tag stamped with a NUMBER CORRESPONDING to that of the license.

PENALTIES.

Every person contravening or committing any breach of the section relating to licenses shall, on summary conviction, be liable to a penalty not exceeding twenty-five dollars ($25.00)

In any sheep-protection district as constituted under section 6 no dog shall be allowed to be at large at any time between sunset, and sunrise, unless accompanied by or being within reasonable call of the owner or of some person having the charge or care thereof. The owner of any dog allowed at large in contravention of this section shall be liable, upon summary conviction, to a penalty not exceeding fifty dollars ($50.00).

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N O T I C E .

SHEEP PROTECTION ACT.

NOTICE is hereby given that in accordance with Order in Council No. 705, dated June 21st., 1917, that from and after the 20th day of July next, the following described district is constituted a Sheep Protection District" to be known as District "A" and comprised within the following boundaries :-

"Commencing at the south-west corner of the Esquimalt and Nanaimo Railway Belt, said point being at the outlet of Muir Creek, into the Strait of Juan de Fuca; thence in a north-westerly direction along the western boundary of the said Esquimalt and Nanaimo Railway Belt, to the point of intersection with the fiftieth parallel of latitude; thence west along said parallel to the point of intersection with the one hundred and twenty-sixth meridian of longitude, being also the south-west corner of the Sayward Land District; thence north along said meridian to a point in Johnstone Strait; thence in an easterly and southerly direction through the centre of Chancellor, Cardero, Calm, and Lewis Channels to a point east of Savary Island; thence continuing in a south-easterly direction through the centre of Malaspina Strait and the Strait of Georgia to the International Boundary Line; thence following said Boundary Line in a southerly direction to a point south of Race Rocks; thence in a north-westerly direction to the point of commencement".

The areas comprised within the following Municipalities are exempted from the operation of the above Act :-

Alberni,	Nanaimo,	Saanich,	Victoria,
Ladysmith,	Cumberland,	Duncan,	Esquimalt,
Courtenay,	North Cowichan,	Oak Bay,	Port Alberni.

A. Clause 3 of the Act states that : Any person may kill any dog which he finds within any portion of the Province to which this Act applies, unless :

1. A license issued under this Act in respect of that dog is in force at the time; and
2. The dog has ona leather or metal collar to which is attached the license tag issued in connection with the license.

B. Clause 5 states that : No person shall keep or have in his possession any dog unless a license therefor has been first obtained under this Act within the portion of the Province to which this Act. applies.

C. Licenses are issued by the Superintendent of Police, and applications for licences may be made to him or to any Provincial Constable.

D. Every application for license shall be accompanied by the name, description and sex of dog together with license fee as follows

For each male dag $1.00
For each female dog 2.00

E. The Superintendent of Police will issue with each license a metal tag stamped with a NUMBER CORRESPONDING to that of the license.

PENALTIES.

Every person contravening or committing any breach of the section relating to licenses shall, on summary conviction, be liable to a penalty not exceeding twenty-five dollars ($25.00)

In any sheep-protection district as constituted under section 6 no dog shall be allowed to be at large at any time between sunset, and sunrise, unless accompanied by or being within reasonable call of the owner or of some person having the charge or care [illegible]f. The owner of any dog allowed at large in contravention [illegible] section shall be liable, upon summary conviction, to a pen[illegible] exceeding fifty dollars ($50.00).

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Victoria Man To Be Consecrated Bishop

Rev. [redacted] A. Barry of 878 Newport Avenue, Victoria, will be consecrated Bishop of the Canadian Catholic Church at Berkeley, Calif., Sunday with five Bishops taking part in the ceremonies.

A veteran of World War 1, when he lost a leg at Courcelette, while serving with the 29th Battalion, Mr. Barry will organize the church in Canada, according to his brother, Capt. Gerald H. Barry, with whom he resides in Victoria. He is a native of Carlow, Ireland.

A bishop from Syrian, Russian, Antioch and Greek Orthodox churches and Old Catholic church of Holland are uniting their lines of succession in "a Catholic church for Canada, free from any outside connection," according to Capt. Barry.

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CHAPTER 57.

An Act for the Better Protection of Sheep.

[*Assented to 19th May, 1917.*]

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

Short title. **1.** This Act may be cited as the "Sheep Protection Act."

Interpretation. **2.** In this Act—

"Owner" shall, in respect of any dog, include possessor or harbourer, and "owned" shall include possessed or harboured:

"Dog," for the purpose of this Act, shall mean and include any dog apparently over the age of four months.

Dogs may be killed under certain circumstances. **3.** Any person may kill any dog which he finds within any portion of the Province to which this Act applies, unless:—

(*a.*) A licence issued under this Act in respect of that dog is in force at the time; and

(*b.*) The dog has on a leather or metal collar to which is attached the licence-tag issued in connection with the licence.

Defence in action of damages. **4.** The defendant in any action for damages for killing a dog under the circumstances mentioned in section 3 may plead the general issue and give this Act and the special matter in evidence.

All dogs to be licensed. **5.** (1.) Within any portion of the Province to which this Act applies, no person shall keep or have in his possession any dog unless a licence therefor under this Act has been first obtained.

Licences. (2.) Licences may be issued by the Superintendent of Provincial Police, and applications for licences may be made to him or to any

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constable authorized by him to receive the same. Every licence shall be distinguished by a number, and a record shall be kept of all licences issued, and for the purposes of identification a general description of the dog in respect of which such licence was issued.

Fees

(3.) Every application for a licence shall be accompanied by a licence fee payable as follows:—

(*a.*) For each male dog a fee of one dollar:

(*b.*) For each female dog a fee of two dollars.

All fees paid under this Act shall be accounted for as public moneys of the Province.

Duration of licences.

(4.) Every licence issued under this Act shall expire on the thirty-first day of December next following the date on which the licence takes effect. There shall be issued with each licence a metal tag which shall be impressed or stamped with a number corresponding to the number of the licence and with figures denoting the year in which the licence expires.

Penalty.

(5.) Every person contravening or committing any breach of the provisions of subsection (1) of this section shall, on summary conviction, be liable to a penalty not exceeding twenty-five dollars.

Act to apply only to sheep-protection districts.

6. The Lieutenant-Governor may from time to time, by Proclamation published in the Gazette, constitute any part of the Province into a sheep-protection district. This Act shall apply to such portions of the Province only as are within the limits of a sheep-protection district so constituted.

Penalty for allowing dog at large at night in a sheep-protection district.

7. In any sheep-protection district as constituted under section 6 no dog shall be allowed to be at large at any time between sunset and sunrise, unless accompanied by or being within reasonable call of the owner or of some person having the charge or care thereof. The owner of any dog allowed at large in contravention of this section shall be liable, upon summary conviction, to a penalty not exceeding fifty dollars.

Recovery of damages for sheep killed.

8. (1.) The owner of any sheep killed or injured by any dog shall be entitled to recover damage occasioned thereby from the owner of that dog, by an action for damages or by summary proceedings before a Justice of the Peace, on information or complaint before the Justice, who is hereby authorized to hear and determine the complaint, and proceed thereon in the manner provided by the "Summary Convictions Act" in respect of proceedings therein mentioned.

Scienter not necessary.

(2.) The aggrieved party may recover in the action or proceeding, whether or not the owner of the dog knew that it was vicious or accustomed to worry sheep.

Apportionment of damages.

(3.) If it appears at the trial that the damage or some part thereof was the joint act of some other dog and of a dog owned by

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the person charged, the Court, Judge, or Justice may, by the judgment or conviction, apportion the damages among and against the respective owners of the dogs, as far as they are known, in such proportions as may be deemed just.

Where owner of one of the dogs doing damage is unknown.

(4.) If it appears at the trial that the damage was occasioned by a dog the owner of which is known, and a dog the owner of which is unknown, or has not been summoned to appear, the Court, Judge, or Justice may determine and adjudge as to the proportion of the damage which, having regard to the evidence adduced as to the strength, ferocity, and character of the various dogs shown to have been engaged in committing the damage, was probably done by the dogs the owners of which have been summoned to appear, and shall determine in respect thereof, and apportion the damage which the Court, Judge, or Justice determines to have been probably done by the dogs whose owners have been summoned, amongst the various owners who have been so summoned.

Further procedure.

(5.) The like proceedings may thereafter be had against the owners of the dogs which so contributed to the damage.

Appeal.

(6.) An appeal against any conviction, apportionment, or order made by a Justice of the Peace under this section may be had in like manner as nearly as may be to appeals under the "Summary Convictions Act" in respect of proceedings therein mentioned.

Lawful to kill dog worrying sheep.

9. It shall be lawful for any person to kill any dog in the act of pursuing and worrying or destroying any sheep elsewhere than on the land belonging to the owner of such dog.

Enforcement.

10. It shall be the duty of all Provincial and municipal police constables to enforce the provisions of this Act; if necessary, visiting houses or farms where they have reason to suspect an unlicensed dog or dogs are being kept.

Exemption from municipal licence.

11. Any person receiving a licence for any dog under the provisions of this Act shall not be liable to pay any municipal licence in respect to the same dog for the same period of time.

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HON. MINISTER OF AGRICULTURE.

BILL.

No. **14**.] [1917.

An Act for the Better Protection of Sheep.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

Short title.

1. This Act may be cited as the "Sheep Protection Act."

Interpretation.

2. In this Act—

"Owner" shall, in respect of any dog, include possessor or harbourer, and "owned" shall include possessed or harboured:

"Dog," for the purpose of this Act, shall mean and include any dog apparently over the age of four months.

Dogs may be killed under certain circumstances.

3. Any person may kill any dog which he finds within any portion of the Province to which this Act applies, unless:—

(*a*.) A licence issued under this Act in respect of that dog is in force at the time; and

(*b*.) The dog has on a leather or metal collar to which is attached the licence-tag issued in connection with the licence.

Defence in action of damages.

4. The defendant in any action for damages for killing a dog under the circumstances mentioned in section 3 may plead the general issue and give this Act and the special matter in evidence.

All dogs to be licensed.

5. (1.) Within any portion of the Province to which this Act applies, no person shall keep or have in his possession any dog unless a licence therefor under this Act has been first obtained.

Licences.

(2.) Licences may be issued by the Superintendent of Provincial Police, and applications for licences may be made to him or to any constable authorized by him to receive the same. Every licence shall

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be distinguished by a number, and a record shall be kept of all licences issued, and for the purposes of identification a general description of the dog in respect of which such licence was issued.

Fees.

(3.) Every application for a licence shall be accompanied by a licence fee payable as follows:—

(*a.*) For each male dog a fee of one dollar:

(*b.*) For each female dog a fee of two dollars.

All fees paid under this Act shall be accounted for as public moneys of the Province.

Duration of licences.

(4.) Every licence issued under this Act shall expire on the thirty-first day of December next following the date on which the licence takes effect. There shall be issued with each licence a metal tag which shall be impressed or stamped with a number corresponding to the number of the licence and with figures denoting the year in which the licence expires.

Penalty.

(5.) Every person contravening or committing any breach of the provisions of subsection (1) of this section shall, on summary conviction, be liable to a penalty not exceeding twenty-five dollars.

Act to apply only to sheep-protection districts.

6. The Lieutenant-Governor may from time to time, by Proclamation published in the Gazette, constitute any part of the Province into a sheep-protection district. This Act shall apply to such portions of the Province only as are within the limits of a sheep-protection district so constituted.

Penalty for allowing dog at large at night in a sheep-protection district.

7. In any sheep-protection district as constituted under section 6 no dog shall be allowed to be at large at any time between sunset and sunrise, unless accompanied by or being within reasonable call of the owner or of some person having the charge or care thereof. The owner of any dog allowed at large in contravention of this section shall be liable, upon summary conviction, to a penalty not exceeding fifty dollars.

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Scienter not necessary.

(2.) The aggrieved party may recover in the action or proceeding, whether or not the owner of the dog knew that it was vicious or accustomed to worry sheep.

Apportionment of damages.

(3.) If it appears at the trial that the damage or some part thereof was the joint act of some other dog and of a dog owned by the person charged, the Court, Judge, or Justice may, by the judg-

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Where owner of one of the dogs doing damage is unknown.

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Further procedure.

(5.) The like proceedings may thereafter be had against the owners of the dogs which so contributed to the damage.

Appeal.

(6.) An appeal against any conviction, apportionment, or order made by a Justice of the Peace under this section may be had in like manner as nearly as may be to appeals under the "Summary Convictions Act" in respect of proceedings therein mentioned.

Lawful to kill dog worrying sheep.

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Enforcement.

10. It shall be the duty of all Provincial and municipal police constables to enforce the provisions of this Act; if necessary, visiting houses or farms where they have reason to suspect an unlicensed dog or dogs are being kept.

Exemption from municipal licence.

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1. This Act may be cited as the "Sheep Protection Act." Short title.

2. In this Act— Interpretation.

"Owner" shall, in respect of any dog, include possessor or harbourer, and "owned" shall include possessed or harboured:

"Dog," for the purpose of this Act, shall mean and include any dog apparently over the age of four months.

3. Any person may kill any dog which he finds within any portion of the Province to which this Act applies, unless:— Dogs may be killed under certain circumstances.

(*a*.) A licence issued under this Act in respect of that dog is in force at the time; and

(*b*.) The dog has on a leather or metal collar to which is attached the licence-tag issued in connection with the licence.

4. The defendant in any action for damages for killing a dog under the circumstances mentioned in section 3 may plead the general issue and give this Act and the special matter in evidence. Defence in action of damages.

5. (1.) Within any portion of the Province to which this Act applies, no person shall keep or have in his possession any dog unless a licence therefor under this Act has been first obtained. All dogs to be licensed.

(2.) Licences may be issued by the Superintendent of Provincial Police, and applications for licences may be made to him or to any constable authorized by him to receive the same. Every licence shall Licences.

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Fees.

(3.) Every application for a licence shall be accompanied by a licence fee payable as follows:—

(*a.*) For each male dog a fee of one dollar:

(*b.*) For each female dog a fee of two dollars.

All fees paid under this Act shall be accounted for as public moneys of the Province.

Duration of licences.

(4.) Every licence issued under this Act shall expire on the thirty-first day of December next following the date on which the licence takes effect. There shall be issued with each licence a metal tag which shall be impressed or stamped with a number corresponding to the number of the licence and with figures denoting the year in which the licence expires.

Penalty.

(5.) Every person contravening or committing any breach of the provisions of subsection (1) of this section shall, on summary conviction, be liable to a penalty not exceeding twenty-five dollars.

Act to apply only to sheep-protection districts.

6. The Lieutenant-Governor may from time to time, by Proclamation published in the Gazette, constitute any part of the Province into a sheep-protection district. This Act shall apply to such portions of the Province only as are within the limits of a sheep-protection district so constituted.

Penalty for allowing dog at large at night in a sheep-protection district.

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Scienter not necessary.

(2.) The aggrieved party may recover in the action or proceeding, whether or not the owner of the dog knew that it was vicious or accustomed to worry sheep.

Apportionment of damages.

(3.) If it appears at the trial that the damage or some part thereof was the joint act of some other dog and of a dog owned by the person charged, the Court, Judge, or Justice may, by the judg-

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Where owner of one of the dogs doing damage is unknown.

(4.) If it appears at the trial that the damage was occasioned by a dog the owner of which is known, and a dog the owner of which is unknown, or has not been summoned to appear, the Court, Judge, or Justice may determine and adjudge as to the proportion of the damage which, having regard to the evidence adduced as to the strength, ferocity, and character of the various dogs shown to have been engaged in committing the damage, was probably done by the dogs the owners of which have been summoned to appear, and shall determine in respect thereof, and apportion the damage which the Court, Judge, or Justice determines to have been probably done by the dogs whose owners have been summoned, amongst the various owners who have been so summoned.

Further procedure.

(5.) The like proceedings may thereafter be had against the owners of the dogs which so contributed to the damage.

Appeal.

(6.) An appeal against any conviction, apportionment, or order made by a Justice of the Peace under this section may be had in like manner as nearly as may be to appeals under the "Summary Convictions Act" in respect of proceedings therein mentioned.

Lawful to kill dog worrying sheep.

9. It shall be lawful for any person to kill any dog in the act of pursuing and worrying or destroying any sheep elsewhere than on the land belonging to the owner of such dog.

Enforcement.

10. It shall be the duty of all Provincial and municipal police constables to enforce the provisions of this Act; if necessary, visiting houses or farms where they have reason to suspect an unlicensed dog or dogs are being kept.

Exemption from municipal licence.

11. Any person receiving a licence for any dog under the provisions of this Act shall not be liable to pay any municipal licence in respect to the same dog for the same period of time.

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BILL.

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HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

Short title.

1. This Act may be cited as the "Sheep Protection Act."

Interpretation.

2. In this Act—

"Owner" shall, in respect of any dog, include possessor or harbourer, and "owned" shall include possessed or harboured:

"Dog," for the purpose of this Act, shall mean and include any dog apparently over the age of four months.

Dogs may be killed under certain circumstances.

3. Any person may kill any dog which he finds within any portion of the Province to which this Act applies, unless:—

(*a*.) A licence issued under this Act in respect of that dog is in force at the time; and

(*b*.) The dog has on a leather or metal collar to which is attached the licence-tag issued in connection with the licence.

Defence in action of damages.

4. The defendant in any action for damages for killing a dog under the circumstances mentioned in section 3 may plead the general issue and give this Act and the special matter in evidence.

All dogs to be licensed.

5. (1.) Within any portion of the Province to which this Act applies, no person shall keep or have in his possession any dog unless a licence therefor under this Act has been first obtained.

Licences.

(2.) Licences may be issued by the Superintendent of Provincial Police, and applications for licences may be made to him or to any constable authorized by him to receive the same. Every licence shall

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Fees.

(3.) Every application for a licence shall be accompanied by a licence fee payable as follows:—

(*a.*) For each male dog a fee of one dollar:

(*b.*) For each female dog a fee of two dollars.

All fees paid under this Act shall be accounted for as public moneys of the Province.

Duration of licences.

(4.) Every licence issued under this Act shall expire on the thirty-first day of December next following the date on which the licence takes effect. There shall be issued with each licence a metal tag which shall be impressed or stamped with a number corresponding to the number of the licence and with figures denoting the year in which the licence expires.

Penalty.

(5.) Every person contravening or committing any breach of the provisions of subsection (1) of this section shall, on summary conviction, be liable to a penalty not exceeding twenty-five dollars.

Act to apply only to sheep-protection districts.

6. The Lieutenant-Governor may from time to time, by Proclamation published in the Gazette, constitute any part of the Province into a sheep-protection district. This Act shall apply to such portions of the Province only as are within the limits of a sheep-protection district so constituted.

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Scienter not necessary.

(2.) The aggrieved party may recover in the action or proceeding, whether or not the owner of the dog knew that it was vicious or accustomed to worry sheep.

Apportionment of damages.

(3.) If it appears at the trial that the damage or some part thereof was the joint act of some other dog and of a dog owned by the person charged, the Court, Judge, or Justice may, by the judg-

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Where owner of one of the dogs doing damage is unknown.

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Further procedure.

(5.) The like proceedings may thereafter be had against the owners of the dogs which so contributed to the damage.

Appeal.

(6.) An appeal against any conviction, apportionment, or order made by a Justice of the Peace under this section may be had in like manner as nearly as may be to appeals under the "Summary Convictions Act" in respect of proceedings therein mentioned.

Lawful to kill dog worrying sheep.

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Enforcement.

10. It shall be the duty of all Provincial and municipal police constables to enforce the provisions of this Act; if necessary, visiting houses or farms where they have reason to suspect an unlicensed dog or dogs are being kept.

Exemption from municipal licence.

11. Any person receiving a licence for any dog under the provisions of this Act shall not be liable to pay any municipal licence in respect to the same dog for the same period of time.

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CHAPTER 57.

An Act for the Better Protection of Sheep.

[*Assented to 19th May, 1917.*]

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

Short title. **1.** This Act may be cited as the "Sheep Protection Act."

Interpretation. **2.** In this Act—

"Owner" shall, in respect of any dog, include possessor or harbourer, and "owned" shall include possessed or harboured:

"Dog," for the purpose of this Act, shall mean and include any dog apparently over the age of four months.

Dogs may be killed under certain circumstances. **3.** Any person may kill any dog which he finds within any portion of the Province to which this Act applies, unless:—

(*a.*) A licence issued under this Act in respect of that dog is in force at the time; and

(*b.*) The dog has on a leather or metal collar to which is attached the licence-tag issued in connection with the licence.

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All dogs to be licensed. **5.** (1.) Within any portion of the Province to which this Act applies, no person shall keep or have in his possession any dog unless a licence therefor under this Act has been first obtained.

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Fees

(3.) Every application for a licence shall be accompanied by a licence fee payable as follows:—

(*a.*) For each male dog a fee of one dollar:

(*b.*) For each female dog a fee of two dollars.

All fees paid under this Act shall be accounted for as public moneys of the Province.

Duration of licences.

(4.) Every licence issued under this Act shall expire on the thirty-first day of December next following the date on which the licence takes effect. There shall be issued with each licence a metal tag which shall be impressed or stamped with a number corresponding to the number of the licence and with figures denoting the year in which the licence expires.

Penalty.

(5.) Every person contravening or committing any breach of the provisions of subsection (1) of this section shall, on summary conviction, be liable to a penalty not exceeding twenty-five dollars.

Act to apply only to sheep-protection districts.

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Scienter not necessary.

(2.) The aggrieved party may recover in the action or proceeding, whether or not the owner of the dog knew that it was vicious or accustomed to worry sheep.

Apportionment of damages.

(3.) If it appears at the trial that the damage or some part thereof was the joint act of some other dog and of a dog owned by

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Where owner of one of the dogs doing damage is unknown.

(4.) If it appears at the trial that the damage was occasioned by a dog the owner of which is known, and a dog the owner of which is unknown, or has not been summoned to appear, the Court, Judge, or Justice may determine and adjudge as to the proportion of the damage which, having regard to the evidence adduced as to the strength, ferocity, and character of the various dogs shown to have been engaged in committing the damage, was probably done by the dogs the owners of which have been summoned to appear, and shall determine in respect thereof, and apportion the damage which the Court, Judge, or Justice determines to have been probably done by the dogs whose owners have been summoned, amongst the various owners who have been so summoned.

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(5.) The like proceedings may thereafter be had against the owners of the dogs which so contributed to the damage.

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(6.) An appeal against any conviction, apportionment, or order made by a Justice of the Peace under this section may be had in like manner as nearly as may be to appeals under the "Summary Convictions Act" in respect of proceedings therein mentioned.

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10. It shall be the duty of all Provincial and municipal police constables to enforce the provisions of this Act; if necessary, visiting houses or farms where they have reason to suspect an unlicensed dog or dogs are being kept.

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SOUTH WESTERN INSPECTORATE
AUG 9 1918
VICTORIA B.C.

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Bylaws for the Taxation, Control and Destruction of Dogs and for the Protection of Sheep under the provisions of Paragraph " F " of section 92, chap. 81, R.S.C., as enacted by 8-9 George V, chapter 26, section 5.

TAX ON DOGS.

1. There shall be levied annually in every reserve, upon the owner of each dog therein, an annual tax of one dollar for a dog, if only one, and three dollars for each additional dog owned by him, and two dollars for a bitch if only one, and five dollars for each additional bitch.

2. The council of the band may appoint the constable of the band or some responsible member to make up a list of the owners of dogs and to enter opposite the names the number of dogs and bitches by him owned and to collect the annual tax. If such appointment is not made by the first day of March in each year, the Indian Agent shall make such appointment from the membership of the band.

3. The owner of any dog shall be required by the collector to deliver to him in writing a statement of the number of dogs owned by him and for any neglect or refusal to do so, and for every false statement made in respect thereof, he shall incur a penalty of five dollars.

4. The collection of the tax shall be made by the first of May in each year for that particular year.

5. Where the collector has been refused the tax imposed by this regulation, the collector shall impound such dog and shall report the same under oath to a Justice of the Peace or Indian Agent who shall by an Order under his hand and seal to be served by any constable require such dog to be destroyed by the owner thereof, or by a constable.

(2) For the purpose of carrying out such order the constable may enter on the premises of such owner and destroy such dog.

6. The collector, by the first day of June in each year, shall make a return of his collection to the Indian Agent which return shall give a list of all the owners of dogs, the number of dogs and bitches owned by each, the amount of the tax collected from each owner, and the names of the owners, if any, whose dogs have been destroyed for non-payment of taxes.

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7. The collector shall receive for his services twenty-five per cent of the tax collected and the balance of the amount shall be paid to the Indian Agent, with the return under the above section, to be forwarded to the Department and applied to the credit of the funds of the band.

8. A collector who fails to make his return and to pay to the Indian Agent the balance of his collections by the appointed date or knowingly makes any false statement in such return shall be liable on summary conviction to a fine not exceeding fifteen dollars and costs, or in default of payment to imprisonment for not more than twenty days.

PROTECTION OF SHEEP AND OTHER ANIMALS.

9. No dog shall be allowed to be at large unless accompanied by, or being within reasonable call of the owner or some person having charge or care thereof.

The owner of any dog allowed to be at large in contravention of this section shall be liable, upon summary conviction, to a penalty not exceeding five dollars and costs or in default of payment to imprisonment for not more than seven days.

10. The owner of any dog that runs at large and pursues, worries, wounds or kills any sheep, hogs, cattle or other animals, shall on summary conviction be liable to a fine of not more than fifteen dollars and costs or in default of payment to imprisonment for not more than twenty days.

11. Any dog or dogs proved under the preceding section to have pursued, worried, wounded or killed, any sheep, hogs, cattle or other animals may, if the Indian Agent or Justice of the Peace before whom proof is made, sees fit, be ordered by him to be killed and destroyed.

12. It shall be lawful for any one to kill any dog in the act of pursuing, worrying or destroying any sheep, hogs, cattle or other animals elsewhere than on the reserve.

13. Any one in possession of any dog or who allows any dog to remain about his house or premises shall be deemed the owner of such dog for the purposes of this bylaw.

14. No conviction shall be a bar to any action by the owner or possessor of any sheep for the recovery of damages for the injury done to such sheep.

ADJUSTMENT OF CLAIMS.

15. In case the parties to an action for the recovery of damages for injury done to sheep, belong to a band which has a capital account and draws annuity the amount or any propor-

LAC BAC
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tion of the judgment may be paid out of the interest account of the band, and deducted from the share or shares of the annuity and interest money of the party liable until the amount is fully repaid to interest account.

16. Where the owner of any dog killing, injuring, terrifying or worrying sheep is not known, upon application and proof of loss to the satisfaction of the council of the band by the aggrieved party, the council may by resolution recommend to the Superintendent General that a sum not exceeding one-third of the mutton value of the sheep so killed be paid to such aggrieved party from the interest money of the band, provided that such claim is made in writing to the Chief of the band or Indian Agent within ten days after such loss is discovered and the evidence in support of the claim is produced at the first regular meeting of the council after the said notice is given unless the council extends the time for such proof.

17. These regulations wherever applied by direction of the Superintendent General shall prevail over any rule or regulations respecting dogs, made by any band.

DUNCAN C. SCOTT,
Deputy Superintendent General of Indian Affairs.

Dated at Ottawa,
the 27th day of June, 1918.

0 0 1 4 7 8

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NO. 0-19-1

INDIAN AFFAIRS BRANCH

DEPARTMENT OF MINES AND RESOURCES

I.A. 1010
R. 2150

INDIAN AFFAIRS
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001479

INDIAN AFFAIRS

OFFICE OF THE INDIAN COMMISSIONER FOR B.C., VICTORIA

AFFAIRES INDIENNES

BUREAU DU COMMISSAIRE AUX AFFAIRES INDIENNES B.C., VICTORIA

FILE/DOSSIER	TITLE/TITRE	DATES
	RG 10, C-II-2, VOLUME 11298	
	Inspector of Indian Agencies - Indian Commissioner for British Columbia - Farming - Correspondence re Sheep Protection Act and control of Indian dogs	1917-1947
→	Indian Commissioner for British Columbia - Fishing - Correspondence re various agencies	1933-1934
	Indian Commissioner for British Columbia - Fishing - Correspondence re various agencies	1914-1935
	Indian Commissioner for British Columbia - Fishing - Correspondence re various agencies	1919-1930
	Indian Commissioner for British Columbia - Fishing - Correspondence re ban on eating clams and mussels	1942-1943

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DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER

CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE CHIEF SUPERVISOR

WINCH BUILDING,

VANCOUVER, B.C., Sept. 17th 1934

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF SUPERVISOR

IN YOUR REPLY PLEASE QUOTE

FILE No.....

Dear Mr. Perry,

Many thanks indeed for the action regarding sockeye fishing by Indians in the Babine Lake area, referred to in your wire of the 15th instant.

Yours truly,

J. A. MOTHERWELL,
CHIEF SUPERVISOR OF FISHERIES.

C. C. Perry, Esq.,
Acting Commissioner of Indian Affairs,
VICTORIA, B. C.

COMMISSIONER'S OFFICE
SEP 19 1934
VICTORIA, B. C.

RG 10, C-II-2, vol. 11298

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COMMISSIONER'S OFFICE
SEP 10 1934
VICTORIA, B. C.

REPEAT
REPETITION

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001482

Form 6103. T.W.

CLASS of SERVICE DESIRED	
Day Message	
Day Letter	
Night Message	
Night Letter	X

Patrons should mark an X opposite the class of service desired; OTHERWISE THE MESSAGE WILL BE TRANSMITTED AS A FULL-RATE TELEGRAM

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RECEIVER'S No.	TIME FILED	CHECK
		18/36433

Send the following message, subject to the terms on back hereof, which are hereby agreed to

Victoria BC.
Sept 15th 1934

Major J A Motherwell
Chief Superviser Dominion Fisheries
Vancouver BC

Have telegraphed copy your wire re
Babine fisheries to Indian Agent
Mortimer Hazelton adding please
cooperate to above end with local
fisheries Officers

C. C. Perry

RG 10, C-11-3, vol. 11298
INDIAN AFFAIRS
AFFAIRES INDIENNES

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Form 6103. T.W.

CLASS of SERVICE DESIRED	
Day Message	
Day Letter	
Night Message	
Night Letter	X

Patrons should mark an X opposite the class of service desired; OTHERWISE THE MESSAGE WILL BE TRANSMITTED AS A FULL-RATE TELEGRAM

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Send the following message, subject to the terms on back hereof, which are hereby agreed to

Victoria BC
Sept 15th 1934

Insp J A Motherwell
Chief Supervisor Dominion Fisheries
Vancouver BC

Have telegraphed copy your wire re
Babine fishways to Indian Agent
Hostlines Hazelton advising please
cooperate to above end with local
fisheries Officers

C. C. Perry

RG 10, C-II-2, vol. 11298
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Form 6103. T.W.

CLASS of SERVICE DESIRED	
Day Message	
Day Letter	
Night Message	
Night Letter	X

Patrons should mark an X opposite the class of service desired; OTHERWISE THE MESSAGE WILL BE TRANSMITTED AS A FULL-RATE TELEGRAM

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RECEIVER'S No.	TIME FILED	CHECK
		18/36432

Send the following message, subject to the terms on back hereof, which are hereby agreed to

Victoria. B.C.
Sept. 15-E 1934

Indian Agent Mortimer
Hagelton. B.C.

Chief Supervisor Fisheries wires me quote beginning Small run Sockeye Skeena River area this year (stop) Babine Indians reported taking seventy five per cent for food purposes leaving little or nothing for seeding spawning areas (stop) obviously situation most serious one from standpoint Indians themselves as well as industry (stop) Do you feel your Department could persuade Indians confine operations to say three days week until Sockeye run passed (stop) Action would require be taken by telegraph ends quotation (stop).

Please Co-operate to above end with local Fishery Officers

E.E. Perry

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Form 6103. T.W.

CLASS of SERVICE DESIRED	
Day Message	
Day Letter	
Night Message	
Night Letter	

Patrons should mark an X opposite the class of service desired; OTHERWISE THE MESSAGE WILL BE TRANSMITTED AS A FULL-RATE TELEGRAM

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RECEIVER'S No.	TIME FILED	CHECK
		18/36432

Send the following message, subject to the terms on back hereof, which are hereby agreed to

Victoria BC
Sept 15th 1934

From Agent Hartley
Hagelton. BC.

Chief Supervisor Fisheries wires me Spratt begins
Small runs Sockeye Skeena River also
this year (Slip) Babine Indians reported
taking seventy five per cent for food
purposes leaving little or nothing for
seeding Spawning areas (Slip) obviously
situation most serious one from standpoint
Indians themselves as well as industry
(Slip) Do you feel your Department could
persuade Indians confine Operations to
say three days week until Sockeye
run passed (Slip) Action urged requires
to be taken by telegraph ends question (Slip).

Please Co-operate to above end with
local fishery Officers

E. E. Perry

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CLASS OF SERVICE	SYMBOL
Full-Rate Message	
Day Letter	D L
Night Message	*N M
Night Letter	N L

If none of these three symbols appears after the check (number of words) this is a Full Rate message. Otherwise its character is indicated by the symbol appearing after the check.

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STANDARD TIME

97VR 69 DL

VANCOUVER BC 1214P SEP 15 1934

C C PERRY

ACTING COMMISSIONER OF INDIAN AFFAIRS VICTORIA BC

SMALL RUN SOCKEYE SKEENA RIVER AREA THIS YEAR STOP BABINE INDIANS REPORTED TAKING SEVENTY FIVE PERCENT FOR FOOD PURPOSES LEAVING LITTLE OR NOTHING FOR SEEDING SPAWNING AREAS STOP OBVIOUSLY SITUATION MOST SERIOUS ONE FROM STANDPOINT INDIANS THEMSELVES AS WELL AS INDUSTRY STOP DO YOU FEEL YOUR DEPARTMENT COULD PERSUADE INDIANS CONFINE OPERATIONS TO SAY THREE DAYS WEEK UNTIL SOCKEYE RUN PASSED STOP ACTION WOULD REQUIRE BE TAKEN BY TELEGRAPH

J A MOTHERWELL

1233P

COMMISSIONER'S OFFICE
SEP 15 1934
VICTORIA, B. C.

RECEIVED AT
606 VIEW STREET
TELEGRAPH DEPT.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

8-3/4566

OFFICE OF
INDIAN AGENT
Merritt B.C.
Nov.7th,1934.

Dear Sir:-

I beg to acknowledge receipt of your letter No.18/37103 of the 3rd instant, together with attached enclosures as follows:

Copy of
1. Your letter to Major Motherwell of Oct.26th.
2. His reply of October 30th.
3. Your letter Felix Gregory of Nov.3rd.

these have regard to Indian fishing at Penask Lake.

I would respectfully advise that this matter has been given every attention by me for several years, and last Spring when the Fisheries Department closed certain areas at the mouth of Penask and Spahomin Creeks, the matter was taken up with the Department, and by them with the Department of Fisheries, and was explained by me very fully to the Indians. And at that time a large number of Indians came into the office, including this man, Felix Gregoire, and the matter fully explained to them, and on their behalf I wired to the Department in the matter.

Felix aspires to be a big Chief and is always agitating and looking for trouble.

Yours obediently,

(Alfred H.Barbour)
Indian Agent.

AHB/ES

Chas. C. Perry, Esq.,
Asst. Indian Commissioner for B.C.
Victoria B.C.

INDIAN COMMISSIONER'S OFFICE
NOV 9 1934
VICTORIA, B. C.

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INDIAN AFFAIRS
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18/37103.

November 3, 1934.

Dear Sir:

Please find herewith copies of

1. My letter to Major Motherwell of Oct. 26th.

2. His reply of October 30th.

3. My letter to Felix Gregory of Nov. 3rd.

in regard to Douglas Lake Indians fishing in Penask Lake. These letters will be self-explanatory.

As Mr. Gregory was promised that the result of his inquiry would be make known to him, I shall thank you to be good enough to explain the contents of these two letters to him at the first opportunity, as he seemed to be under the impression that the Indian Agent had not given sufficient explanation to the Indians of the reasons for the restrictions alluded to.

Your obedient servant,

C. C. Perry.
Asst. Indian Commissioner for B.C.

Encl
P/AC

Robert Howe, Esq.,
Acting Indian Agent,
Merritt, B.C.

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18/37103.

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2. His reply of October 30th.

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Your obedient servant,

C. C. Perry.
Asst. Indian Commissioner for B.C.

Encl
P/AC

Robert Howe, Esq.,
Acting Indian Agent,
Merritt, B.C.

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(C O P Y)

CANADA

DEPARTMENT OF FISHERIES

Office of the Chief Supervisor

Winch Building,

Vancouver, B.C., Oct. 30th, 1934.

File 10-1-51.

Dear Mr. Perry,

I would refer to your communication of the 26th instant, file 18-37008, regarding the request of the Indians in the Nicola Agency for permission to take trout for food purposes from Penask Lake.

This Department is conducting fish cultural operations at Penask Lake each season and it is imperative that all the spawning fish be permitted to pass up the stream to the hatchery traps in order that the proper collection may be made and the future of Penask and other lakes in the district be assured from a standpoint of sport fishing.

Until the last few years Penask Lake has been fished very little, except by the Indians, and no special restrictions were placed on the Indians until quite recently.

There has been no objection to the Indians fishing like anyone else in the open season in the lake as long as they do not fish above the fishing boundary placed at the mouth of the main spawning stream. No one is permitted in this prohibited area. It is felt that there is ample opportunity outside these boundaries for the catching of a reasonable quantity of trout although the fish are not caught quite so conveniently or quickly as was the case when the Indians were permitted to fish right at the mouth of the spawning stream.

In addition, there are other lakes near Penask which, although not as convenient as Penask Lake, yet contain ample supplies of trout which are available to the Indians.

There would appear to be no justification for opening up the area again where the spawning fish can be obtained.

Yours truly,

"J. A. Motherwell"

CHIEF SUPERVISOR OF FISHERIES.

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18/37104.

November 3, 1934.

Dear Mr. Gregory:

I have sent the answer of the Fisheries Department in regard to fishing by Indians in Penask Lake, to Mr. Howe, Acting Indian Agent at Merritt, asking him to explain the letters to you so that you and your people may know the reason for regulating the fishing at Penask Lake. Please call at the Indian Office when you are in Merritt when the matter will be made clear to you.

Yours sincerely,

C. C. Perry.
Asst. Indian Commissioner for B.C.

P/AC

Mr. Felix Gregory,
Douglas Lake Indian Reserve,
C/o Indian Office,
Merritt, B.C.

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18/37102.

November 3, 1934.

Dear Major Motherwell:

I thank you for your letter of October 30th, No.10-1-51, in regard to the regulations of fishing at Penask Lake, and beg to say I have today sent copies of the correspondence to our Acting Indian Agent at Merritt asking him to explain the matter fully to the Indians, and I have also written to Felix Gregory asking him to call at the Indian Office where our Agent will explain matters to him.

Gregory seemed to be under the impression when interviewing me that the Indian Agent had not sufficiently explained the local situation to the Indians, and as there was a recent murder of two policemen in that district, I deemed it advisable to take especial precautions to see that the Indians are fully advised. Hence my previous letter to you.

Very sincerely yours,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

Major J. A. Motherwell,
Chief Supervisor of Fisheries,
Winch Building,
Vancouver, B.C.

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18/37102.

November 3, 1934.

Dear Major Motherwell:

I thank you for your letter of October 30th, No.10-1-51, in regard to the regulations of fishing at Penask Lake, and beg to say I have today sent copies of the correspondence to our Acting Indian Agent at Merritt asking him to explain the matter fully to the Indians, and I have also written to Felix Gregory asking him to call at the Indian Office where our Agent will explain matters to him.

Gregory seemed to be under the impression when interviewing me that the Indian Agent had not sufficiently explained the local situation to the Indians, and as there was a recent murder of two policemen in that district, I deemed it advisable to take especial precautions to see that the Indians are fully advised. Hence my previous letter to you.

Very sincerely yours,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

Major J. A. Motherwell,
Chief Supervisor of Fisheries,
Winch Building,
Vancouver, B.C.

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DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER

CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE CHIEF SUPERVISOR

WINCH BUILDING,

VANCOUVER, B.C., Oct. 30th 19 34

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF SUPERVISOR

IN YOUR REPLY PLEASE QUOTE

FILE No. 10-1-51

Dear Mr. Perry,

I would refer to your communication of the 26th instant, file 18-37008, regarding the request of the Indians in the Nicola Agency for permission to take trout for food purposes from Penask Lake.

This Department is conducting fish cultural operations at Penask Lake each season and it is imperative that all the spawning fish be permitted to pass up the stream to the hatchery traps in order that the proper collection may be made and the future of Penask and other lakes in the district be assured from a standpoint of sport fishing.

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There has been no objection to the Indians fishing like anyone else in the open season in the lake as long as they do not fish above the fishing boundary placed at the mouth of the main spawning stream. No one

C. C. Perry, Esq.,
Asst. Indian Commissioner for B.C.,
VICTORIA, B. C.

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is permitted in this prohibited area. It is felt that there is ample opportunity outside these boundaries for the catching of a reasonable quantity of trout although the fish are not caught quite so conveniently or quickly as was the case when the Indians were permitted to fish right at the mouth of the spawning stream.

In addition, there are other lakes near Penask which, although not as convenient as Penask Lake, yet contain ample supplies of trout which are available to the Indians.

There would appear to be no justification for opening up the area again where the spawning fish can be obtained.

Yours truly,

J. A. MOTHERWELL,
CHIEF SUPERVISOR OF FISHERIES.

COMMISSIONER OF
VICTORIA, B. C.

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October 26, 1934.

Dear Major Motherwell:

I have today received a delegation of Indians including Felix Gregory, of the Douglas Lake Band of Indians, in the Nicola Indian Agency, who requested me to bring to your attention the desire of the Indians to obtain, if possible, a permit to obtain during two weeks in May for food purposes trout fish from Penask Lake in which area they are at present, it is understood, forbidden this privilege. It is stated that these Indians are not able to obtain sufficient fish for food from their present sources of supply and asked me to take the matter up with you to see if there is any objection to their request. Perhaps you will be kind enough to let me know your reaction in this connection.

Yours sincerely,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

Major J. A. Motherwell,
Chief Supervisor of Fisheries,
Winch Building,
Vancouver, B.C.

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18/37237.

November 13, 1934.

Dear Sir:

The Fisheries meeting is to be held in the office of the Chief Supervisor of Fisheries, Winch Building, Vancouver, on Saturday morning, 17th instant, at 10:30. I hope it will be possible for you to be present.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

E. E. Frost, Esq.,
Indian Agent,
Port Alberni, B.C.

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18/37238.

November 13, 1934.

Dear Major Motherwell:

I beg to acknowledge receipt of your telegram of the 10th instant advising that the meeting will be held in your office on Saturday morning, the 17th instant. Both Mr. Frost and I expect to be there on that date.

Yours sincerely,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

Major J. A. Motherwell,
Chief Supervisor of Fisheries,
Winch Building,
Vancouver, B.C.

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Form 6128

CLASS OF SERVICE	SYMBOL
Day Message	
Day Letter	D. L.
Night Message	N. M.
Night Letter	N. L.

If none of these three symbols appears after the check (number of words) this is a day message. Otherwise its character is indicated by the symbol appearing after the check.

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103VR 13

VANCOUVER BC 131P NOV 10 1934

C C PERRY

ASSISTANT COMMISSIONER INDIAN AFFAIRS VICTORIA BC

POSTPONED MEETING RE FUR SEALS SATURDAY SEVENTEENTH INSTANT THIS OFFICE TEN THIRTY AM

J A MOTHERWELL

139P

COMMISSIONER'S OFFICE NOV 13 1934 VICTORIA, B.C.

88678 Murphy 1-44 Dell

INDIAN AFFAIRS
AFFAIRES INDIENNES
RG 10, C-II-2, vol. 11298

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18/37191.

November 9, 1934.

Dear Mr. Frost:

I am now advised that the seal meeting at Vancouver has been postponed by Mr. Found of Ottawa (who has left for Seattle) until the end of next week. I do not know what they want but I received a telegram dated November 8th as follows:-

" Vancouver, B.C.
"Deputy Minister Fisheries would much appreciate
"your presence this office ten thirty AM Saturday
"next purpose discussing with Biological Officers
"and Captain Malaspina the obtaining by Indians
"West Coast Vancouver Island fur seal stomachs.
" Stop. Will it be convenient you be present."

I phoned to the effect that as I was not familiar with sealing conditions on the West Coast, I would like our Agent to be present and that you could not be there until Monday. I had purposed leaving tonight to attend the meeting tomorrow morning but received a second wire to say

"Fur seal meeting postponed until next week (Stop)
"Will advise you later." -"J. A. Motherwell."

I have just phoned to the Supervisor's office and have advised them that I shall attend the meeting but that I would like you to be there to discuss the matter with us. I shall therefore thank you to be in readiness to respond to the next call in this connection.

Yours sincerely,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

E. E. Frost, Esq.,
Indian Agent,
Port Alberni, B.C.

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"West Coast Vancouver Island fur seal stomachs.
" Stop. Will it be convenient you be present."

I phoned to the effect that as I was not familiar with sealing conditions on the West Coast, I would like our Agent to be present and that you could not be there until Monday. I had purposed leaving tonight to attend the meeting tomorrow morning but received a second wire to say

"Fur seal meeting postponed until next week (Stop)
"Will advise you later." -"J. A. Motherwell."

I have just phoned to the Supervisor's office and have advised them that I shall attend the meeting but that I would like you to be there to discuss the matter with us. I shall therefore thank you to be in readiness to respond to the next call in this connection.

Yours sincerely,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

E. E. Frost, Esq.,
Indian Agent,
Port Alberni, B.C.

2 0 5 1 0 0
RG 10, C-II-2, vol. 11298
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

FORM 6123

CLASS OF SERVICE	SYMBOL
Full-Rate Message	
Day Letter	D L
Night Message	N M
Night Letter	N L

If none of these three symbols appears after the check (number of words) this is a Full Rate message. Otherwise its character is indicated by the symbol appearing after the check.

CANADIAN NATIONAL TELEGRAM

D. E. GALLOWAY, ASSISTANT VICE-PRESIDENT, TORONTO, ONT.

Exclusive Connection with WESTERN UNION TELEGRAPH CO.

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Money Transferred by Telegraph

STANDARD TIME

56V ED 12

VANCOUVER BC 1112A NOV 9 1934

C C PERRY

ACTING INDIAN COMMR VICTORIA BC

FUR SEAL MEETING POSTPONED UNTIL NEXT WEEK STOP WILL ADVISE YOU LATER

J A MOTHERWELL

1116A

COMMISSIONER'S OFFICE
NOV 9 1934
VICTORIA, B. C.

I phoned Motherwell
today and he said
first week in Dec. to

RECEIVED AT
CUB VIEW STREET
TELEPHONE E-7 1231

INDIAN AFFAIRS
AFFAIRES INDIENNES
RG 10, C-11-2, vol. 11298

National Archives of Canada
Archives nationales du Canada

Form No. 2 XX.

GOVERNMENT TELEGRAPH SERVICE

DEPARTMENT OF PUBLIC WORKS

DOMINION OF CANADA

The following message was received by the Government, for transmission, subject to the terms and conditions printed on the blank form No. 1, which terms and conditions have been agreed to by the sender.

F. G. Sims, *General Superintendent.*

Please reply by Gov't. Tel. Service
Telephone E mpire 2032
1228 Government St.

8NA MN

VI

YD 18

~~XXXXX~~ DL FROST SGD PERRY UNDLD PARTY LEFT FOR SOUND WILL TRY DLR KILDONAN

LATER

UCLUELET BC NOV 8 1934

410P

NOTE C C PERRY

YOUR SECOND DAYLETTER TO FROST UCLUELET IS UNDELIVERED PARTY LEFT FOR SOUND

WILL TRY DELIVER KILDONAN LATER

GVT TEL.

COMMISSIONER'S OFFICE
NOV 8 1934
VICTORIA, B. C.

C-11-2, vol. 11298
RG 10, C-
INDIAN AFFAIRS
AFFAIRES INDIENNES

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GOVERNMENT TELEGRAPH SERVICE

Form No. 1

DEPARTMENT OF PUBLIC WORKS
DOMINION OF CANADA

☛ Write Plainly — Give Full Address — Use no Figures or Abbreviations

All Messages are received subject to the following conditions: The Government shall not be liable for damages arising from failure to transmit or deliver, or for any error in the transmission or delivery of any telegram, whether happening from negligence of its servants or otherwise, or for delays from interruptions in the working of its lines, or for errors from illegible writing, beyond a refund of the amount received for sending the same, except in the case of error in a repeated telegram. To guard against errors, the Government will repeat back any message for a payment of twice the regular rate for transmission, and in that case it shall not be liable for damages exceeding fifty times the amount received for sending and repeating any such message. In no case will the Government be responsible for the correctness of cipher or obscure telegrams, whether repeated or not.

The Government shall not be liable for any act or omission occurring beyond its own lines, but will endeavour to forward telegrams by any other lines necessary to reach their destination.

F. G. Sims, *General Superintendent.*

Sent No.	Sent by	Received by	Time Sent	Time Filed	Check
					18/37166

Send the following Message subject to the above terms which are agreed to:

DAY LETTER

Victoria, B.C., Nov. 8, 1934.

To E. E. Frost, Esq.,
Indian Agent,
Ucluelet, B.C.

AM ADVISED CONFERENCE CANNOT BE POSTPONED SO I WILL ARRANGE
FOR AGENT BALL TO GO IF I CANNOT.

C. C. PERRY.

DAY LETTER

Charge Indian Office.

☛ READ THE NOTICE AND AGREEMENT AT THE TOP ☚

C-12, vol. 1298
RG 10, C-1
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

Form No. 2 XX.

GOVERNMENT TELEGRAPH SERVICE

DEPARTMENT OF PUBLIC WORKS

DOMINION OF CANADA

The following message was received by the Government, for transmission, subject to the terms and conditions printed on the blank form No. 1, which terms and conditions have been agreed to by the sender.

F. G. Sims, *General Superintendent.*

Please reply by Gov't. Tel. Service
Telephone E mpire 2032
1228 Government St.

6NA MN 15 COLLECT

UCLUELET BC NFT NOV 8 1934

C C PERRY

INDIAN OFFICE VICTORIA BC

CANNOT GET TO VANCOUVER BY SATURDAY CAN MAKE IT MONDAY
IF SATISFACTORY TO HIM

ED E FROST

210P

Phoned to Mr Rumbell

9/621
Sq 1805

COMMISSIONER'S OFFICE
NOV 8 1934
VICTORIA, B. C.

INDIAN AFFAIRS
AFFAIRES INDIENNES
RG 10, C-11-2, vol. 11298

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GOVERNMENT TELEGRAPH SERVICE

Form No. 1

DEPARTMENT OF PUBLIC WORKS
DOMINION OF CANADA

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All Messages are received subject to the following conditions: The Government shall not be liable for damages arising from failure to transmit or deliver, or for any error in the transmission or delivery of any telegram, whether happening from negligence of its servants or otherwise, or for delays from interruptions in the working of its lines, or for errors from illegible writing, beyond a refund of the amount received for sending the same, except in the case of error in a repeated telegram. To guard against errors, the Government will repeat back any message for a payment of twice the regular rate for transmission, and in that case it shall not be liable for damages exceeding fifty times the amount received for sending and repeating any such message. In no case will the Government be responsible for the correctness of cipher or obscure telegrams, whether repeated or not.

The Government shall not be liable for any act or omission occurring beyond its own lines, but will endeavour to forward telegrams by any other lines necessary to reach their destination.

F. G. Sims, *General Superintendent.*

Sent No.	Sent by	Received by	Time Sent	Time Filed	Check
					18/37163

Send the following Message subject to the above terms which are agreed to:

DAY LETTER

To E. E. Frost, Esq.,
Indian Agent,
Ucluelet, B.C.

Victoria, B.C., November 8, 1934.

COULD YOU MEET MAJOR MOTHERWELL AT FISHERIES OFFICE VANCOUVER
SATURDAY MORNING TEN THIRTY TO DISCUSS MATTER SEAL STOMACHS
WEST COAST (STOP) OR HOW SOON COULD YOU BE THERE. WIRE REPLY.

C.C. PERRY.

DAY LETTER
Charge Indian Office.

☛ READ THE NOTICE AND AGREEMENT AT THE TOP ☚

RG 10, C-11-2, vol. 11298
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

FORM 6123

CLASS OF SERVICE	SYMBOL
Full-Rate Message	
Day Letter	D L
Night Message	N M
Night Letter	N L

If none of these three symbols appears after the check (number of words) this is a Full Rate message. Otherwise its character is indicated by the symbol appearing after the check.

CANADIAN NATIONAL TELEGRAM

D. E. GALLOWAY, ASSISTANT VICE-PRESIDENT, TORONTO, ONT.

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STANDARD TIME

62V R 42 DL

VANCOUVER BC 1134A NOV 8 1934

C C PERRY

ASSISTANT COMMISSIONER INDIAN AFFAIRS VICTORIA BC

DEPUTY MINISTER FISHERIES WOULD MUCH APPRECIATE YOUR PRESENCE THIS OFFICE TEN THIRTY AM SATURDAY NEXT PURPOSE DISCUSSING WITH BIOLOGICAL OFFICERS AND CAPTAIN MALASPINA THE OBTAINING BY INDIANS WEST COAST VANCOUVER ISLAND FUR SEAL STOMACHS STOP WILL IT BE CONVENIENT YOU BE PRESENT

J A MOTHERWELL

1140A

RECEIVED AT
600 VIEW STREET
TELEPHONE E-7121

COMMISSIONER'S OFFICE
NOV 8 1934
VICTORIA, B. C.

1992
8.162 pt 1 & R

RG 10, C-11-2, vol. 11298
INDIAN AFFAIRS
AFFAIRES INDIENNES

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Mr.Perry - Copy for your Information.

Alert Bay, B.C.,
October 12,1934.

Sir,-

Further to my letter dated September 17th in which I made a report regarding certain difficulties the Indians were having in obtaining permits to catch fish for food purposes, I beg to advise I have since then had a long interview with local fishery officers regarding the necessity of Indians having to take out commercial licences for small gill-netters and also for trolling during the same season. In making this further report it is my intention to draw to the Department's notice the regulations of the Fishery Department in regard to commercial fishing by Indians.

At the beginning of the season it is necessary for Indians to take out a commercial licence costing one dollar to fish with gill-nets. Later on when the trolling season commences for other species of fish, they must take out another licence which also costs one dollar. Both these methods are carried on by those who fish in a small way and are not in a position to own extensive equipment.

I am given to understand the Fishery Department is not particularly interested in revenue but rather the preservation of the industry, and in view of this, and to assist the poorer class of Indian who cannot afford expensive equipment, that Department would be sympathetic towards a request from our Department that one licence only be necessary to cover all methods of fishing for the season. Possibly we might go even further in our request and ask the Fishery Department to grant these permits free of charge to this class of Indian fisherman.

This would be a great help to our Indians and would go to show them the Fishery Department is anxious to assist them in every way possible. In order for this to come about it would be necessary that an Order-in-Council be passed rescinding the present regulation, and this could be done when the annual recommendations are submitted.

Your obedient servant,

M.S. Todd

(M. S. Todd)
Indian Agent

MST/T

The Secretary,
Department of Indian Affairs,
Ottawa, Canada.

COMMISSIONER'S OFFICE
OCT 16 1934
VICTORIA, B. C.

RG 10, C-II-2, vol. 11298
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
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18/36558.

September 24, 1934.

Dear Sir:

I have copy of your letter dated September 17th addressed to the Secretary of the Department in regard to certain trouble which you have been having with the Fisheries Department in connection with permits to Indians of your Agency to fish for food purposes. In the Vancouver Agency arrangements were made a few years ago to have the Indian Agent apply for food permits in behalf of each head of a family requiring the same throughout his Agency. These permits were issued by the Fisheries Department strictly in accordance with the Fisheries regulations and were handed to the Indian Agent in the spring of the year and held good for the areas and the periods specified therein as well as in regard to the methods to be employed by the Indians in securing the fish. At first I applied for a permit for every adult Indian in my Agency considering that he was entitled to such. This, however, was opposed by the Fisheries officials at Vancouver and their decision to issue the permits to family heads only for the benefit of a family even though the family may be composed of several adults was adopted as a compromise and the arrangement worked very well indeed for in that way the Indian Agent was able to distribute the permits to his Indians and there was no excuse either on the part of the Indians or of the Fisheries guardian that they were unable to make contacts with each other in regard to these permits. Whether such an arrangement is possible in your Agency I am, of course, unable to say as the facts are not all before me.

In regard to commercial fishing, however, apart from the permits, several of the Indians in the Vancouver Agency took out a licence which is good from January 1st to December 31st each year under which they were able to obtain and sell fish to others under regulations made from time to time in regard to commercial fishing. The fee costs $1.00 and the payment of this by any Indian saves a lot of trouble, the only difficulty being, however, the danger that an Indian may obtain fish under his food permit in waters that are closed to commercial fishing and dispose of this fish under the authority of his commercial licence. This is a situation that would have to be carefully watched, but I found generally that where the Indians were given warning at a meeting they were careful to observe the regulations in most cases. You will always find a few Indians, however, who will break the law no matter how good that law may be and an example made occasionally in such cases would probably have a good effect.

Your obedient servant,

P/AC

C. C. Perry,
Asst. Indian Commissioner for B.C.

M. S. Todd, Esq.,
Indian Agent,
Alert Bay, B.C.

RG 10, C-II-2, vol. 11298
INDIAN AFFAIRS
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Your obedient servant,

P/AC

C. C. Perry,
Asst. Indian Commissioner for B.C.

M. S. Todd, Esq.,
Indian Agent,
Alert Bay, B.C.

RG 10, C-II-2, vol. 11298
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

For your information
C.

Copy

Alert Bay, B.C.,
September 17,1934.

Sir,-

Enclosed you will please find a "Notice to Indians" which I have been requested by the Department of Fisheries to post in a conspicuous place. You will please note the requirements laid down by this special Fishery regulation are for the province of British Columbia, and are dealing specifically with Indians desiring to catch fish for food purposes.

This regulation states all Indians must obtain an Annual Permit from a Fishery Officer; it fixes the limit of the area in which fish may be caught, the means by which they may be procured, and the time when fishing shall be conducted. This new regulation, which is being rigidly enforced in my Agency, is working a hardship on the Indians. It is not my intention to criticize in any way the the local officers of the Fishery Department, but rather to bring to the Department's notice the difficulties which the Indians are experiencing and if possible find a solution for them.

During the last two years it has been necessary for Indians to come to Alert Bay, the headquarters of the Fishery Officer, in order to obtain a permit to catch fish for winter use. As the Department is aware, this Agency extends over a considerable area and the necessity of the Indians having to spend money for gasoline and the cost of transportation from reserves a long distance away to Alert Bay, has in itself been a hardship on them. Then, too, often upon their arrival here the Fishery Officer is out on patrol for several days at a time, and it is necessary for the Indians to remain here until his return. I took up with him the possibility of Indians obtaining a permit to catch fish for home consumption for the whole season, but to this he would not agree on the grounds that they would sell the fish so caught commercially, and would only grant a permit for a certain period. In this connection I would point out each winter the Fishery Officer is transferred from this district to another area for several months, with no officer stationed at Alert Bay, and if the permits granted do not cover this season of the year, it would appear the Indians will be prohibited from obtaining fish until his return in the spring.

This difficulty has been causing this office great concern for some time and we have therefore been trying to find a solution without unduly worrying the Department. It seems year after year new Fishery Regulations are being made for the preservation of fish, found necessary through the extensiveness of commercial fishing, and in doing so the rights of the Indians to catch a few fish for their winter's use has been lost sight of. In perusing the evidence given by the Indians to the Royal Commission in their report on Indian Affairs for the province during their investigather of the reserves in this Agency in 1914, it is plain to be seen the Indians at that time were worrying over their future food supply. Their specific reason for asking for certain reserves was on account of their proximity to rivers and streams where they would always be assured of ample fish for food. These reserves were granted at that time for this reason, their rights being recognized by the Royal Commission. Most of these streams are now closed areas and no fish can be caught even for food purposes without first obtaining a permit from the Fishery Department.

COMMISSIONER'S OFFICE
SEP 21 1934
VICTORIA, B. C.

INDIAN AFFAIRS
AFFAIRES INDIENNES

RG 10, C-II-2, vol. 11298

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I understand in past years although the Fishery Regulations were in effect, the Fishery Officer had an arrangement with the Indian Officer whereby in his absence the Indian Agent could issue Permits for Indians to catch fish for food purposes, a copy of the Permit being kept for his records. Under present conditions, it is not possible to obtain an annual permit, and permission can only be granted by the Fishery Officer personally. Practically every day for months there have been Indians in this office asking me to go to the Fishery Officer with them in order to obtain a Permit to catch a few fish to eat.

Last year it was found necessary for the Indian Agent to wire the Department to get permission for the Indians of Alert Bay to catch fish in the Nimpkish River and bring them through the closed area to Alert Bay where their smoke houses are located. Due to such extensive commercial fishing in the Nimpkish River, the Fishery Department has this year closed the Nimpkish River, and this problem again arose as this is one of the principal areas where Indians have obtained their food supply. I took the matter up with the Local Fishery Officer, in regard to Indians being allowed to catch a few fish for food purposes while the good run was on, but this he did not wish to do, as he feared they would sell them commercially. We have a lot of old people who are on relief who are unable to fish for profit and I was anxious that they be allowed to catch a few fish for home consumption, and when satisfactory arrangements could not be made, I took the matter up with Major Motherwell, Chief Supervisor of Fisheries, and he came to see me at Alert Bay. In an interview with him, he assured me it was not the intention of the Fishery Department to deprive the Indians of fish for food purposes, and instructed his fishery officer, Mr. Cameron, to issue a permit to the Indians of Alert Bay authorizing permission for them to catch their fish in the Nimpkish River and bring them through the closed area to Alert Bay for smoking. Mr. Cameron offered me a Permit allowing the Indians to fish in the Nimpkish River one day a week, but this I declined to accept on the grounds that the weather is so uncertain this time of year it might be impossible for them to reach Nimpkish River on that particular day, and no fish might be available. Finally the matter was settled, and a Permit was granted for them to fish from daylight Monday morning until Friday evening, with instructions to report all fish caught to the Fishery Officer for his records.

The matter of Permits applies all over the Agency; we have 119 reservations and there are smoke houses on practically every reserve, owned by individual Indians, where they go each year to put up and smoke their winter supply of fish which are caught in streams many of which are now closed areas under the Fishery regulations. Every effort has been made to co-operate with the Fishery Department and see if some solution could not be arrived at in order for the Indians to get sufficient fish for food without the formality and expense of coming to Alert Bay and waiting to get a Permit, but the regulations are being so strictly enforced our efforts have been of no avail. The Indians are continually complaining, some of them going so far as to say they will not bother putting up any fish but expect to be on relief this winter. Others say they are anxious to be self-supporting and catch sufficient fish to see them through the winter, but they have not the facilities of coming here to obtain a Permit, and are tempted to defy the regulations and get their food supply. They cannot understand why such formality should be necessary, as they claim this privilege is their birthright. I have purposely delayed making this report to the Department, feeling it should be possible to make satisfactory arrangements locally without having to take it up with Ottawa, but as I can see no hope of relief I am bringing the matter to your attention.

RG 10, C-II-2, vol. 11298
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
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I would like to submit to the Department what I consider the only solution to this problem. An annual Permit should be issued by the Fishery Department to the Chief of each Band to include all members of that band permitting them to catch fish for food purposes, the Chief to be responsible that the Fishery Regulations are complied with and that a record be kept of all fish caught be his whole band, which he would turn in to the Indian Agent, who would then forward it to the local Fishery Officer for his records.

If the system of annual Permits could not be arranged, an alternative would be for the Fishery Department to give the Indian Agent authority to issue Permits to catch fish for food purposes and supply him with a book of Permits, one copy of each to be returned to the Fishery Officer for his records. This would helpto solve the difficulty of Indians coming to Alert Bay and finding the Fishery Officer absent on patrol.

The tragedy of the situation is, through the regulations being strictly enforced, Indians are unintentionally becoming more and more dependent on the Department as their nature is to follow the line of least resistance when obstacles are placed in their way. Fish is their principal food; would it not be better to make it easier for them to obtain and thus relieve the taxpayer and at the same time encourage them to become self-supporting.

This report is not intended to criticise in any way local officials, but rather if possible to find a means of relieving the situation and helping the Indians to become more dependent on their own efforts for their livelihood.

Would you kindly return the enclosed Notice when the Department is finished with it.

Your obedient servant,

M. S. Todd

(M. S. Todd)
Indian Agent

MST/T

The Secretary,
Department of Indian Affairs,
Ottawa, Canada.

INDIAN AFFAIRS
AFFAIRES INDIENNES

RG 10, C-II-2, vol. 11298

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CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE SUPERVISOR OF FISHERIES

37-1. AT NANAIMO B.C., July 7th 1934.

C.C.Perry Esq.,
Assistant Indian Commissioner for B.C.,
Victoria, B.C.

Dear Sir:

In reference to your letter of the 4th instant, file 18/35340, I have to advise that there is no appropriation for hair seal bounty for the current fiscal year, consequently no payments can be made.

Yours faithfully,

J.F.Tait,
Supervisor of Fisheries.

COMMISSIONER'S OFFICE
JUL 10 1934
VICTORIA, B.C.

INDIAN AFFAIRS
AFFAIRES INDIENNES
RG 10, C-11-2, vol. 11298

National Archives of Canada
Archives nationales du Canada

18/35340.

4th July, 1934.

J.F. Tait, Esq.,
Supervisor,
Fisheries,
Nanaimo, B.C.

Dear Sir:-

As I have received several requests to forward Seal noses for bounty, I would be much obliged if you would let me know if this bounty is still in operation.

Your obedient servant,

(C.C. Perry)
Assistant Indian Commissioner for B.C.

RG 10, C-11-2, vol. 11298
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

Form 6102

CLASS OF SERVICE DESIRED	
FULL-RATE MESSAGE	
DAY LETTER	
NIGHT MESSAGE	
NIGHT LETTER	

PATRONS SHOULD MARK AN X OPPOSITE THE CLASS OF SERVICE DESIRED: OTHERWISE THE MESSAGE WILL BE TRANSMITTED AS A FULL-RATE TELEGRAM

CANADIAN NATIONAL TELEGRAPHS

D. E. GALLOWAY, Assistant Vice-President, Toronto, Ont.

Exclusive Connection with WESTERN UNION TELEGRAPH CO.
Cable Service to all the World
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RECEIVER'S NO.	TIME FILED	CHECK
		18/33799

Send the following message, subject to the terms on back hereof, which are hereby agreed to

Victoria, B.C.,
March 16th, 1934.

Secretary,
Department Indian Affairs, Ottawa. Ont.

Reply wire fourteenth unexpended balance E.R. ten hundred eighty-five nineteen dollars (stop) No expenditures by Webb on E.R. four hundred ~~ninth~~ and twenty eight as no advance given him but he spent ninety nine dollars and fifty three cents under E.R. six one seven which might have been charged to four two eight but was not.

C.C.Perry.

TELEPHONE E-7121

RG 10, C-11-2, vol. 11298
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

Form 6123

CLASS OF SERVICE	SYMBOL
Day Message	
Day Letter	D. L.
Night Message	N. M.
Night Letter	N. L.

If none of these three symbols appears after the check (number of words) this is a day message. Otherwise its character is indicated by the symbol appearing after the check.

CANADIAN NATIONAL TELEGRAM

D. E. GALLOWAY, ASSISTANT VICE PRESIDENT, TORONTO ONT.

Exclusive Connection with WESTERN UNION TELEGRAPH CO.
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STANDARD TIME

RECEIVED AT
606 VIEW STREET
TELEPHONE E-7121

70VR 11 COLLECT

VERNON BC 1158A MAR 15 1934

C C PERRY

ASSISTANT INDIAN COMMISSIONER VICTORIA BC

AGENT AWAY ADVISED DEPARTMENT RECENTLY BALANCE NINETEEN DOLLARS THIS ENCUMBRANCE

D HEELAS CLERK

1202P

E. R. 1086
7 ist Screens
Okanagan Dist

COMMISSIONER'S OFFICE
MAR 15 1934
VICTORIA, B. C.

INDIAN AFFAIRS
AFFAIRES INDIENNES
RG 10, C-11-2, vol. 11298

National Archives of Canada
Archives nationales du Canada

Form 6123

CLASS OF SERVICE	SYMBOL
Day Message	
Day Letter	D. L.
Night Message	N. M.
Night Letter	N. L.

If none of these three symbols appears after the check (number of words) this is a day message. Otherwise its character is indicated by the symbol appearing after the check.

CANADIAN NATIONAL TELEGRAM

D. E. GALLOWAY, ASSISTANT VICE PRESIDENT, TORONTO ONT.

Exclusive Connection with WESTERN UNION TELEGRAPH CO.
Cable Service to all the World
Money Transferred by Telegraph

STANDARD TIME

111V ED 35 NL XU

OTTAWA ONT MAR 14 1934

C C PERRY

ASST INDIAN COMMISSIONER VICTORIA BC

DEPARTMENT WISHES TO TRANSFER ALL UNEXPENDED BALANCES OF ENCUMBRANCE REQUISITIONS FOR SPECIAL PURPOSE ADVISE BY WIRE THE UNEXPENDED BALANCES OF THE FOLLOWING REQUISITIONS STOP TEN HUNDRED AND EIGHTY SIX STOP FOUR HUNDRED AND TWENTY EIGHT 1086 & 428.

A F MACKENZIE

1086. Fish Scows Chehalis $44.00 540P 3 ch 18.

COMMISSIONER'S OFFICE MAR 15 1934 VICTORIA, B.C.

428 - $470.00 Maintenance Hydro. Station 30 Kw

RECEIVED AT 606 VIEW STREET TELEPHONE E-7121

RG 10, C-11-2, vol. 11298
INDIAN AFFAIRS
AFFAIRES INDIENNES

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Archives nationales du Canada

Form 6108

CLASS OF SERVICE DESIRED	
FULL-RATE MESSAGE	X
DAY LETTER	
NIGHT MESSAGE	
NIGHT LETTER	

PATRONS SHOULD MARK AN X OPPOSITE THE CLASS OF SERVICE DESIRED; OTHERWISE THE MESSAGE WILL BE TRANSMITTED AS A FULL-RATE TELEGRAM

CANADIAN NATIONAL TELEGRAPHS

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Send the following message, subject to the terms on back hereof, which are hereby agreed to

Victoria, B. C., March 15, 1934.

18/337 65

James Coleman,
Indian Agent,
Vernon, B. C.

Advise by wire amount of unexpended balance Encumbrance Requisition Ten Hundred Eighty Six Fish Screens Okanagan Reserve Number One.

C.C. Perry.

Day Message.
Charge Indian Office Victoria.

TELEPHONE E-7121

INDIAN AFFAIRS
AFFAIRES INDIENNES
RG 10, C-11-2, vol 11298

National Archives of Canada
Archives nationales du Canada

18/32244.

December 9, 1933.

Dear Major Motherwell:-

I wish to acknowledge receipt of your letter of December 8th, File 31-1-01, in regard to the installation of fish screens in all outlets affected by irrigation works on Okanagan Indian Reserve No. 1 for the protection of spawning areas.

In this matter I beg to say that my Department at Ottawa approved the expenditure of $44.00 and the Indian Agent was authorized on November 7th to incur the expenditure in co-operation with your officer Mr. Gartrell, at Vernon. I would suggest, therefore, that you be good enough to have your officer confer with the Indian Agent if he has not already done so.

Your obedient servant,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

Major J.A. Motherwell,
Chief Supervisor of Fisheries,
Winch Building,
Vancouver, B. C.

RG 10, C-II-2, vol. 11298

INDIAN AFFAIRS
AFFAIRES INDIENNES

National Archives of Canada
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18/32244.

December 9, 1933.

Dear Major Motherwell:-

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In this matter I beg to say that my Department at Ottawa approved the expenditure of $44.00 and the Indian Agent was authorized on November 7th to incur the expenditure in co-operation with your officer Mr. Cartrell, at Vernon. I would suggest, therefore, that you be good enough to have your officer confer with the Indian Agent if he has not already done so.

Your obedient servant,

F/KD.

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

Major J.A. Motherwell,
Chief Supervisor of Fisheries,
Winch Building,
Vancouver, B. C.

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CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE CHIEF SUPERVISOR

WINCH BUILDING,

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF SUPERVISOR

IN YOUR REPLY PLEASE QUOTE

FILE No. 31-1-01

VANCOUVER, B.C., December 8, 1933.

Dear Sir,

I would refer to your letters of the 5th and 21st of September last, and other correspondence on your file 18-31127, in connection with the installation of fish screens in the intakes of irrigation ditches on Six Mile, Siwash, and White Man Creeks, in the Okanagan district.

In my letter of the 11th of October last, you were advised that the estimated cost of screening the three creeks mentioned would be $44.00. Will you kindly advise on what date you expect to commence installation of the screens mentioned, as it would be advisable to have an officer of this Department inspect the screens while installation was actually in progress.

I would appreciate having your reply as soon as convenient.

Yours truly,

a. MacRae

For J. A. Motherwell
Chief Supervisor of Fisheries.

C. C. Perry, Esq.,
Ass't Indian Commissioner for B. C.
Victoria, B. C.

COMMISSIONER'S OFFICE
DEC 9 1933
VICTORIA, B. C.

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DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER

CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE CHIEF SUPERVISOR

WINCH BUILDING,

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF SUPERVISOR

IN YOUR REPLY PLEASE QUOTE

FILE No. 31-1-01

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Dear Sir,

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In my letter of the 11th of October last, you were advised that the estimated cost of screening the three creeks mentioned would be $44.00. Will you kindly advise on what date you expect to commence installation of the screens mentioned, as it would be advisable to have an officer of this Department inspect the screens while installation was actually in progress.

I would appreciate having your reply as soon as convenient.

Yours truly,

a. MacRae

For J. A. Motherwell
Chief Supervisor of Fisheries.

C. C. Perry, Esq.,
Ass't Indian Commissioner for B. C.
Victoria, B. C.

COMMISSIONER'S OFFICE
DEC 9 1933
VICTORIA, B. C.

REPEAT
REPETITION

RG 10, C-II-2, vol. 11298

INDIAN AFFAIRS
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National Archives of Canada
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18/31766.

November 7, 1933.

Dear Sir:

With reference to previous correspondence concerning the installation of fish screens in the irrigation streams on the Okanagan Reserves I am sending you herewith copy of letter dated October 11th received at this office from the Chief Supervisor of Fisheries together with copy of Departmental letter dated November 2nd authorizing the installation of the screens in the outlets referred to in the letter of the Chief Supervisor. Kindly quote the number of Encumbrance Requisition on accounts forwarded to the Department for the above-mentioned service.

Your obedient servant,

Encl
P/AC

C. C. Perry,
Asst. Indian Commissioner for B.C.

James Coleman, Esq.,
Indian Agent,
Vernon, B.C.

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(COPY)

No. 12150-1A

DEPARTMENT OF INDIAN AFFAIRS
CANADA

November 2, 1933.

Dear Sir:-

I wish to acknowledge the receipt of your letter of the 13th ultimo, your ref. 18/31473, advising of screens required and to be installed in all outlets affected by irrigation works on the Okanagan Reserve No.1, for protection of the spawning areas.

In reply I beg to say that you may arrange for the purchase and installation of the above mentioned screens as suggested in your communication.

I am enclosing herewith Encumbrance Requisition No. 1086, amounting to $44.00, authorizing this expenditure and I would ask you to quote this number on all accounts in the purchase of materials as well as the work.

Encl.

Yours very truly,

"A. F. MacKenzie"

Secretary.

C. C. Perry, Esq.,
Assistant Indian Commissioner
for B.C.,
Victoria, B.C.

RG 10, C-11-2, vol. 11298

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0021 1250

ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

IN YOUR REPLY REFER TO
No. 12150-1A
ALSO TO THE DATE OF THIS LETTER
PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS
CANADA

November 2, 1933.

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In reply I beg to say that you may arrange for the purchase and installation of the above mentioned screens as suggested in your communication.

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Encl.

Yours very truly,

A. F. MacKenzie,
Secretary.

C. C. Perry, Esq.,
Assistant Indian Commissioner
for B. C.,
Victoria, B. C.

COMMISSIONER'S OFFICE
NOV 7 1933
VICTORIA, B. C.

INDIAN AFFAIRS
AFFAIRES INDIENNES
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88 1528

REQUISITION FOR ENCUMBRANCE CERTIFICATE

DEPARTMENT OF INDIAN AFFAIRS

NOT VALID UNLESS SIGNED BY THE REPRESENTATIVE OF THE TREASURY

REQUISITIONS WILL BE NUMBERED IN ONE GENERAL SEQUENCE IN THE ACCOUNTS BRANCH

BRANCH Architect's and Engineer's DATE October 26, 1933.

VOTE No. 188 YEAR 1933-1934.

ACCOUNTS BRANCH
E. R. No. 1086
QUOTE THIS No. ON ALL VOUCHERS

PRIMARY AND SUB ALLOTMENT I-EXP 514 AGENCY Okanagan Ag.

TO THE COMPTROLLER OF THE TREASURY:—

AN ENCUMBRANCE CERTIFICATE IS REQUESTED FOR THE SERVICE ARTICLES DETAILED BELOW.

FILE No. 12150-1

DESCRIPTION OF CONTRACT, AGREEMENT, OR UNDERTAKING, IN RESPECT OF WHICH THE ENCUMBRANCE IS SOUGHT. (ATTACH EXPLANATORY DOCUMENTS IF, AND WHEN, NECESSARY.)	ESTIMATED EXPENDITURE
Purchase of screens to be installed in all outlets affected by irrigation works, Okanagan Reserve No 1, for protection of spawning areas.	$44.00

DATE OF INVOICE	INVOICE OR VOUCHER No.	PAYEE	DETAILS	AMOUNT

COMPTROLLER'S OFFICE NOV 7 1933 VICTORIA, B. C.

DEPT. OF INDIAN AFFAIRS	TREASURY CERTIFICATE	FINAL ADJUSTMENT
RECOMMENDED— J D McLean DEPUTY SUPERINTENDENT GENERAL	CERTIFIED AS REQUIRED BY SECTION 29 (1) OF THE CONSOLIDATED REVENUE AND AUDIT ACT.	
APPROVED— Harold McGill	VERIFIED NOV 8 1933 ENTERED A. F. Basta LEDGERKEEPER	AUTHORIZED / EXPENDED / ADJUSTMENT — DEBIT / CREDIT
DEPUTY MINISTER	FOR COMPTROLLER OF THE TREASURY	POSTED LEDGERKEEPER

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AFFAIRES INDIENNES
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Archives nationales du Canada

18/31473.

October 13, 1933.

Sir:

I have the honor to report that my attention has been called by the Dominion Chief Supervisor of Fisheries at Vancouver to Section 20 of the Fisheries Act which provides as follows:-

"Every slide, dam or other obstruction across or in any stream where the Minister determines it to be necessary for the public interest that a fish-pass should exist, shall be provided by the owner or occupier with a durable and efficient fishway, or canal around the slide, dam or other obstruction, which shall be maintained in a good and effective condition by said owner or occupier, in such place and of such form and capacity as will in the opinion of the Minister satisfactorily permit the free passage of fish through the same. If it be determined by the Minister in any case that the provision of an efficient fishway or canal around the slide, dam or other obstruction is not feasible, or that the spawning areas above such slide, dam or other obstruction are destroyed, the Minister may require the owner or occupier of such slide, dam or other obstruction to pay to him from time to time such sum or sums of money as he may require to construct, operate and maintain such complete fish hatchery establishment as will in his opinion meet the requirements for maintaining the annual return of migratory fish."

He has further pointed out, by letter dated September 1st, ultimo, that owing to the prosecution by this Department of certain irrigation works in the Okanagan No.1 Reserve, Okanagan Agency, efficient screens should be installed in all outlets affected by our works, for the protection of the spawning areas. Copy of Major Motherwell's letter is sent herewith.

He has further informed me by letter dated October 11th upon further inquiry, that the estimated cost of screens on three creeks will be $44.00. Copy of this letter also is sent herewith for the Department's further information.

In view of the circumstances, I would recommend that the sum of $44.00 be granted by the Department for the cost of installing these screens, from the Irrigation portion of the B.C. Special Vote. When the encumbrance requisition is received I shall be pleased to advise the Chief Supervisor of Fisheries so that his officer may be instructed to oversee the work in concert with our Indian Agent to whom I have written concerning the matter.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

Encl
P/AC

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

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18/31473.

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Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

Encl
P/AC

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

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Canada

Department of Fisheries

Office of the Chief Supervisor

Winch Building,

Vancouver, B.C., October 11, 1933.

File No. 31-1-01.

Dear Sir:

In reply to your letter of September 21st, file 18/31127, in which you requested to be informed of the amount of grant that would be necessary to install fish screens in the intakes of the irrigation ditches of Irish, Six Mile, Siwash, and Whiteman Creeks. I may state that I am informed now that there will be no construction on Irish Creek this year. The Department's estimate for screening the other three creeks is $44.00.

Will you please notify me when you have obtained this grant so that I can instruct our local officer, Mr. Gartrell, to get in touch with your local Agent and arrange for this installation.

Yours truly,

"A. Mackie"

For J. A. Motherwell
Chief Supervisor of Fisheries.

C. C. Perry, Esq.,
Ass't. Indian Commissioner for B.C.,
Victoria, B.C.

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DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER

CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE CHIEF SUPERVISOR

WINCH BUILDING,

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF SUPERVISOR

IN YOUR REPLY PLEASE QUOTE

FILE No. 31-1-01

VANCOUVER, B.C., October 11, 1933.

Dear Sir,

In reply to your letter of September 21st, file 18/31127, in which you requested to be informed of the amount of grant that would be necessary to install fish screens in the intakes of the irrigation ditches of Irish, Six Mile, Siwash, and Whiteman Creeks. I may state that I am informed now that there will be no construction on Irish Creek this year. The Department's estimate for screening the other three creeks is $44.00.

Will you please notify me when you have obtained this grant so that I can instruct our local officer, Mr. Gartrell, to get in touch with your local Agent and arrange for this installation.

Yours truly,

a. MacRae

For J. A. Motherwell
Chief Supervisor of Fisheries.

C. C. Perry, Esq.,
Ass't Indian Commissioner for B. C.,
Victoria, B. C.

COMMISSIONER'S OFFICE
OCT 13 1933
VICTORIA, B. C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Vernon, B. C.

File F-3.
Ok.1-1.

October 2nd 1933.

Sir:

re: File No.18/31128.

I beg to acknowledge receipt of your letter of the 25th ultimo with referenne to installation of fish screens in our irrigation intakes.

Our headgate construction will be of such nature as to make it a simple matter for any person to instal the necessary screens. Presumably, there is no urgency in the matter, as I am not aware of any one of the large number of intakes throughout this district being provided with screens.

Your obedient servant,

James Coleman

(James Coleman)
Indian Agent.

JC/DH.

C.C.Perry Esq.
Ass't.Indian Commissioner for B.C.
VICTORIA, B.C.

COMMISSIONER'S OFFICE
OCT 10 1933
VICTORIA, B. C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Vernon, B. C.
September 7th 1933.

File Ok.1-1.

Dear Sir:

re: Your File No.18/30920.

I beg to acknowledge receipt of your letter of the 5th instant with reference to fish screens on our diversions from various creeks on Okanagan Indian Reserve No.1.

This matter has already been discussed at length with the local fishery inspector, Mr.G.Gartrell, and it was pointed out to him that in place of a number of individual diversions on each creek as now exists I was endeavouring to have a single dam to take their place, which alone would reduce considerably the risk of small fry getting into ditches.

Fish screens have been found almost useless as they clog with refuse so rapidly that few people will go to the trouble of keeping them clear and they generally finish up by being thrown out entirely. I agree with you that if they are desired, they should be provided by the Fisheries Department, and I will be only too pleased to see that they are properly installed and endeavour to have the Indians give them attention.

Your obedient servant,

(James Coleman)
Indian Agent.

JC/DH.

C.C.Perry Esq.
Indian Commissioner for B.C.
Victoria, B.C.

COMMISSIONER'S OFFICE
SEP 8 1933
VICTORIA, B. C.

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Archives nationales du Canada

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File Ok.1-1.

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Your obedient servant,

James Coleman

(James Coleman)
Indian Agent.

JC/DH.

C.C.Perry Esq.
Indian Commissioner for B.C.
Victoria, B.C.

COMMISSIONER'S OFFICE
SEP 8 1933
VICTORIA, B. C.

RG 10, C-II-2, vol. 11298

INDIAN AFFAIRS
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18/31128.

September 21, 1933.

Dear Mr. Coleman:

With further reference to my letter to the Chief Supervisor of Fisheries as referred to in my letter to you of September 5th, I am advised by the Chief Supervisor that Section 20 at page 6 of the Fisheries Act provides that remedial measures for the prevention of obstruction of fish is chargeable to the owner or occupier of land through which the water passes, under which circumstances I am sending you herewith copy of a letter which I have today addressed to Major Motherwell, which will be self explanatory. When I receive his reply I shall at once communicate with the Department. In the meantime I would suggest that you act in conjunction with the local Fisheries officer in seeing that there is no preventable obstruction until such time as the Department can be heard from and the proposed screens be installed. I will let you know when I hear from Major Motherwell and the Department.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

Encl
P/AC

James Coleman, Esq.,
Indian Agent,
Vernon, B.C.

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18/31128.

September 21, 1933.

Dear Mr. Coleman:

With further reference to my letter to the Chief Supervisor of Fisheries as referred to in my letter to you of September 5th, I am advised by the Chief Supervisor that Section 20 at page 6 of the Fisheries Act provides that remedial measures for the prevention of obstruction of fish is chargeable to the owner or occupier of land through which the water passes, under which circumstances I am sending you herewith copy of a letter which I have today addressed to Major Motherwell, which will be self explanatory. When I receive his reply I shall at once communicate with the Department. In the meantime I would suggest that you act in conjunction with the local Fisheries officer in seeing that there is no preventable obstruction until such time as the Department can be heard from and the proposed screens be installed. I will let you know when I hear from Major Motherwell and the Department.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

Encl
P/AC

James Coleman, Esq.,
Indian Agent,
Vernon, B.C.

RG 10, C-11-2, vol. 11298

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18/31127.

September 21, 1933.

Dear Major Motherwell:

Referring to your letter of September 7th, file 31-1-01, in regard to the proposal to install fish screens at Irish, Six-Mile, Siwash and Whitemans creeks, tributary to Okanagan Lake, at Okanagan Indian Reserve No.1, may I request you to be good enough to advise me as to the amount of grant which you should desire be made by this Department to enable you to install the above-mentioned screens. It is presumed that if the Indian Department makes the grant it would be your wish to install the screens in such manner as would be satisfactory to yourselves and, therefore, it is thought that the cost should be covered completely so that arrangements can be made between your officer and our Agent at Vernon to have the screens installed in conjunction with the work which we are undertaking on the creeks for the irrigation of the Reserve.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

Major J. A. Motherwell,
Chief Supervisor of Fisheries,
Winch Building,
Vancouver, B.C.

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INDIAN AFFAIRS
AFFAIRES INDIENNES
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Archives nationales du Canada

18/31127.

September 21, 1933.

Dear Major Motherwell:

Referring to your letter of September 7th, file 31-1-01, in regard to the proposal to install fish screens at Irish, Six-Mile, Siwash and Whitemans creeks, tributary to Okanagan Lake, at Okanagan Indian Reserve No.1, may I request you to be good enough to advise me as to the amount of grant which you should desire be made by this Department to enable you to install the above-mentioned screens. It is presumed that if the Indian Department makes the grant it would be your wish to install the screens in such manner as would be satisfactory to yourselves and, therefore, it is thought that the cost should be covered completely so that arrangements can be made between your officer and our Agent at Vernon to have the screens installed in conjunction with the work which we are undertaking on the creeks for the irrigation of the Reserve.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

Major J. A. Motherwell,
Chief Supervisor of Fisheries,
Winch Building,
Vancouver, B.C.

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CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE CHIEF SUPERVISOR

WINCH BUILDING,

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF SUPERVISOR

IN YOUR REPLY PLEASE QUOTE

FILE NO. 31-1-0 1

VANCOUVER, B.C., Sept. 7th 1933

Dear Mr. Perry,

I would acknowledge receipt of your communication of the fifth instant, file 18-30917, regarding Irish, Six-Mile, Siwash and Whitemans creeks, tributary to Okanagan Lake.

It is suggested by you that there would be no objection to our Department installing fish screens but my first communication was for the purpose of pointing out that under the Regulations it will be necessary for your Department to look after this matter.

I am enclosing copy of the Fisheries Act and Regulations and would refer you to Section 20, Page six.

I have no doubt that with this information you will be taking the matter up with your Department.

Yours truly,

J. A. MOTHERWELL,
CHIEF SUPERVISOR OF FISHERIES.

C. C. Perry, Esq.,
Asst. Indian Commissioner for B.C.,
VICTORIA, B. C.

COMMISSIONER'S OFF... SEP 9 1933 VICTORIA, B.C.

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RG 10, C-II-2, vol. 11298

INDIAN AFFAIRS
AFFAIRES INDIENNES

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18/30920.

September 6, 1933.

Dear Sir:

Please find herewith copy of letter dated September 1st received from the Chief Supervisor of Fisheries together with copy of my reply of today's date, in regard to the necessity for providing screens to prevent the escapement of fry from the spawning areas affected from our irrigation works from Irish and other creeks in Okanagan No.1. Reserve. Kindly report on this matter at your convenience.

Your obedient servant,

Encl
P/AC

C. C. Perry,
Asst. Indian Commissioner for B.C.

James Coleman, Esq.,
Indian Agent,
Vernon, B.C.

RG 10, C-11-2, vol. 11298

INDIAN AFFAIRS
AFFAIRES INDIENNES

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18/30920.

September 8, 1933.

Dear Sir:

Please find herewith copy of letter dated September 1st received from the Chief Supervisor of Fisheries together with copy of my reply of today's date, in regard to the necessity for providing screens to prevent the escapement of fry from the spawning areas affected from our irrigation works from Irish and other creeks in Okanagan No.1. Reserve. Kindly report on this matter at your convenience.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

Encl
P/AC

James Coleman, Esq.,
Indian Agent,
Vernon, B.C.

RG 10, C-II-2, vol. 11298
INDIAN AFFAIRS
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National Archives of Canada
Archives nationales du Canada

18/30917.

September 5, 1933.

Dear Major Motherwell:

I desire to acknowledge, with thanks, receipt of your letter of September 1st, file 31-1-0 1, pointing out that having been advised that this Department is contemplating the diversion of water from Irish, Six-Mile, Siwash and Whitemans Creeks, tributary to Okanagan Lake, for the purpose of irrigation and that these streams are spawning areas for Kamloops trout and contain a considerable number of eggs and fry in season under which conditions your Department requires that efficient screens in all outlets from these streams be placed in order to prevent the escapement of fry. In reply thereto I beg to say that your information on this subject is correct insofar as our irrigation arrangements are concerned but I had not previously been made aware that our activities in the Okanagan Reserve No.1 would require the attention you mention nor that the said streams were spawning areas for Kamloops trout. Had I known this I would have been most pleased to have our Indian Agent confer with your local officers on the matter.

There will be no objection to your Department installing these screens for the protection of Kamloops trout but I should point out that it is my personal view that this Department could not reasonably be expected to provide the cost of the screens inasmuch as we have licenses to take and use the water mentioned and the protection to be given to the trout does not appear to be primarily for the benefit of the Indians. I shall be pleased to discuss this matter further with you should this be necessary. In the meantime I am sending copy of your communication to our Indian Agent, Mr. James Coleman, at Vernon.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

Major J. A. Motherwell,
Chief Supervisor of Fisheries,
Winch Building,
Vancouver, B.C.

P/AC

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RG 10, C-II-2, vol. 11298

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18/30917.

September 5, 1933.

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Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

Major J. A. Motherwell,
Chief Supervisor of Fisheries,
Winch Building,
Vancouver, B.C.

P/AC

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(C O P Y)

CANADA
DEPARTMENT OF FISHERIES

Office of The Chief Supervisor

WinchBuilding,

File No.31-1-0 1. Vancouver, B.C., September 1st,1933.

Dear Sir,

This office has been informed that your Department is contemplating the diversion of water from Irish, Six-Mile, Siwash and Whitemans creeks, tributary to Okanagan Lake, for the purpose of irrigation.

I am advised by the local officers of this Department that these streams are spawning areas for Kamloops trout and contain a considerable number of eggs and fry each season.

Under conditions as suggested there would appear to be no alternative but to require efficient screens in all outlets from these streams for the purpose of irrigation. These screens should be of a mesh not greater than one-quarter inch in order to prevent the escapement of fry.

I would appreciate hearing from you in connection with the above.

Yours truly,

"J. A. Motherwell"

CHIEF SUPERVISOR OF FISHERIES.

Commissioner of Indian Affairs,
VICTORIA, B.C.

RG 10, C-II-2, vol. 11298

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DO[redacted]ITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETT[redacted]

CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE CHIEF SUPERVISOR

WINCH BUILDING,

VANCOUVER, B.C., September 1st 1933

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF SUPERVISOR

IN YOUR REPLY PLEASE QUOTE

FILE No. 31-1-0 1

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Yours truly,

J. A. MOTHERWELL,
CHIEF SUPERVISOR OF FISHERIES.

Commissioner of Indian Affairs,
VICTORIA, B. C.

COMMISSIONER'S OFFICE
SEP 2 1933
VICTORIA, B.C.

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Archives nationales du Canada

C-7951

(C O P Y)

CANADA
DEPARTMENT OF FISHERIES

Office of The Chief Supervisor

WinchBuilding,

File No.31-1-0 1. Vancouver, B.C., September 1st,1933

Dear Sir,

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I am advised by the local officers of this Department that these streams are spawning areas for Kamloops trout and contain a considerable number of eggs and fry each season.

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Yours truly,

"J. A. Motherwell"

CHIEF SUPERVISOR OF FISHERIES.

Commissioner of Indian Affairs,
VICTORIA, B.C.

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beginning, They knows that
at this certain place, us
Indians gets our clams
to sell. So They have purposely
closed this to prevent us
from getting a little money
for our needs. We do not
get rich on clams but we
get our clothing and meat
I'm not speaking for myself
alone but all my friends
are hard up. They need
as we do thanks

Yours Truly

Jos Andrew Bill

This has been settled by Mr Ewbank Indian allowed to take clams for personal use

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COMMISSIONER'S OFFICE
NOV 30 1933
VICTORIA, B. C.

Sidney B.C.
Nov 28th 1933

Dear Sir!

Sorry I couldn't get their to see you myself. My husband has been notified, by a certain person, that was sent from the Indians Commissioner, that we weren't allowed to dig any more clams inside Saanich Arm as far as from Hatch point to James point, to sell. And do see no reason why we couldn't keep on doing so. As for myself I'm as being alone, My husband being sickley. he isn't suppose to do any more hard work by the doctors orders, Heart-
trouble

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and I've children to care for and feed. and father-in-law sick will never get over with his troubles. My father-in-law not well, but her & I are the only ones have to get some way of getting money to keep from slaving and keep clothed, I do not say, that I don't get helps, I very much appreciate what helps I get from the Goverment; But we cannot altogether depend on that can we? What I mean is theirs others have to be helped. So I can't ask for all I need. The clam canning by buying clams helps

therefor I ask your help that you may ask the Minister of Fisheries, as I've heard he is going to be around the first part of the week. And I want or we want to get our rights to keep on doing as we have always been doing. We cannot go out on the Islands to dig we have no boats to do so besides clams are very scarce out there to many white people digging I think it real foolish of them to try in every way to prevent us from catching all what belonged to us in the

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and five children to care for and feed, and father-in-law sick will never get over with his troubles. My other -in-law not well, but her I are the only ones have to get some way of getting mon to keep from starving and clothed, I do not say, that don't get help, I very much appreciate what help I get from the Government, But we must get together depend on that can we? What I mean is there others have to be helped. So I can't ask for all I need. The clam canning by big clams helps

REPEAT
REPETITION

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beginning, They knows that at this certain place, no Indians gets our clams to sell. So They have purposely closed this to prevent us from getting a little money for our needs. We do not get rich on clams but we get our clothing and meat I'm not speaking for myself alone but all my friends are hard up. They need as we do thanks

Yours Truly

Yes Andrew Bill

This has been settled by Mr Ewbank Indian allowed to take clams for personal use

REPEAT
REPETITION

INDIAN AFFAIRS
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RG 10, C-II-2, vol. 11298

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Saanichton P.O.
West Rd. Saanich
Nov 20th 1933

Mr Commissioner Perry.
Indian Office
Victoria B.C.

Dear Sir.

Johnnie Samson, of the Tsartlipt Reserve, Saanich, asked me to ask for a Fishing License, for him, if possible could same be given to. Mr Denny. I will forward to Johnnie Samson, who wants to go to Goldstream, to-morrow.

I have the honor to be
Your Obedient Servant
Rose. A. Hagan
Nurse.

COMMISSIONER'S OFFICE
NOV 21 1933
VICTORIA, B. C.

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AFFAIRES INDIENNES

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CANADA

INDIAN OFFICE

copy

At Alert Bay, B.C.,

October 18, 1933.

MEMO.

N O T I C E

As a result of representations made to the Minister of Fisheries by the Department of Indian Affairs, the local Fisheries Inspector has been instructed by telegram that Sub-section 13, Section 16, Special Fisheries Regulations for Province of B.C. will be waived until further orders, and as a special privilege Indians will be permitted to bring fish - for their own and their families' use only - from the Kluxsiwi and Nimpkish Rivers below the Commercial boundary, to be cured in the village at Alert Bay.

On no account must fish so caught be sold, traded, or given to anyone not an Indian.

E.G. NEWNHAM
(A/Indian Agent)

COMMISSIONER'S OFFICE
OCT 24 1933
VICTORIA, B. C.

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18/31375.

October 7, 1933.

Dear Sir:

I beg to refer to your letter dated August 7th, file 182/33.P 1, in regard to the matter of proposed clemency for Indians of your Agency who were convicted of infractions of the Fisheries regulations, and in this connection to transmit herewith for your perusal and information copy of letter dated September 28th received from the Department together with copy of the enclosure referred to. These communications will be self explanatory.

Your obedient servant,

Encl
P/AC

C. C. Perry,
Asst. Indian Commissioner for B.C.

E. E. Frost, Esq.,
Indian Agent,
Port Alberni, B.C.

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(C O P Y)

No.40-159

Department of Indian Affairs
Canada

Sept. 28, 1933.

Sir:-

I am enclosing herewith for your information copy of a letter that has been received from the Department of Fisheries with reference to confiscation of canoes, skiffs, leads and lines in connection with the illegal use of a salmon seine by Indians of the Port Alberni District.

Your obedient servant,

"A. F. MacKenzie"

Secretary.

C. C. Perry, Esq.,

Asst. Indian Commissioner,

Victoria, B.C.

RG 10, C-II-2, vol. 11298

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0001357

715-16-1.

(C O P Y)

DEPARTMENT OF FISHERIES

OTTAWA, September 26, 1933.

Sir:-

I wish to revert to your communication of the 15th of August last forwarding a copy of a letter from the Assistant Indian Commissioner, C.C. Perry of Victoria, asking that, if possible, canoes, skiffs, leads and lines be returned to Indians in the Port Alberni district, which were confiscated in connection with the illegal use of a salmon seine.

For some years past great difficulty has been experienced with Indians in the Port Alberni district and, notwithstanding many complaints, the local officers have been unable, until this year, to apprehend those who have been doing much to deplete the supply of steelhead trout as well as interfering to a large extent with the migration of salmon to their spawning grounds.

It is felt that the lesson that the Indians will have learned will prove of great benefit to the protection of the fisheries and that the full penalty should stand. The local officers are of opinion that the remission of any portion of the penalty would increase their difficulties and encourage the Indians to continue their violations. In the circumstances, the Department is not prepared to give favourable consideration to the returning of a portion of the equipment.

I am, Sir,

Your obedient servant,

(Sgd.) Wm. A. Found,

Deputy Minister.

A. F. MacKenzie, Esq.,
Secretary, Department of Indian Affairs,
O ttawa.

RG 10, C-II-2, vol. 11298

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

IN YOUR REPLY REFER TO
No. 40-159
ALSO TO THE DATE OF THIS LETTER
PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS
CANADA

Sept. 28, 1933.

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Your obedient servant,

A. F. MacKenzie

A.F.MacKenzie.
Secretary.

COMMISSIONER'S OFFICE
OCT 4 1933
VICTORIA, B. C.

C.C.Perry,Esq.,
Asst.Indian Commissioner,
Victoria,B.C.

encl

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Archives nationales du Canada

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COPY

715-16-1

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(Sgd.) Wm. A. Found,

Deputy Minister.

A. F. MacKenzie, Esq.,
Secretary, Department of Indian Affairs,
O t t a w a.

RG 10, C-II-2, vol. 11298

INDIAN AFFAIRS
AFFAIRES INDIENNES

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Archives nationales du Canada

18/30614.

August 9, 1933.

Dear Sir:

With reference to Departmental letter dated July 27th, ultimo, No.40-159, I have the honor to transmit herewith copy of report furnished by Mr. H.E. Frost, Indian Agent, of West Coast Agency, in regard to the recent prosecution of Indians and confiscation of fishing gear in connection with illegal fishing on the West Coast.

In view of the representations made by Mr. Frost I would recommend that the Department be good enough to request the Fisheries Department to consider the return of the canoes, skiff, leads and lines, which were seized from the Indians at the time of their prosecution.

Your obedient servant,

Encl
P/AC

C. C. Perry.
Asst. Indian Commissioner for B.C.

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

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(C O P Y)

Your file No.18/30545.

Department of Indian Affairs
Canada
182/33.P 1.

Office of Indian Agent
West Coast Agency,
Port Alberni, B.C.
August 7th 1933.

Sir:-

I have the honour to acknowledge receipt of your letter of 4th instant re clemency for Indians of this Agency, convicted of infractions of the Fishery Regulations, and calling for report on same.

I beg to advise you that the Magistrate,(Mr.W.Harry Boothroyd) before whom the cases referred to above were heard, has shown decided lieniency to Indians charged with similar offences in the past and has warned them that should they persist in failing to comply with the laws, conviction must inevetably follow with punishment.

I had an inkling that infractions of the Fishery Regs were contemplated by the Indians of the Sheshaht Reserve and sent Constable H.P. Nightingale to the Reserve to warn the Indians not to use nets or other methods of fishing that were contrary to the regulations, if they did prosecution must surely follow and most likely with severe punishment.

The sentences awarded in the above cases were stiff but in my opinion not unduely severe, but I think in view of the punishment awarded and having due regard to the lack of employment conditions from which the Indians have been suffering, clemency in so far as the return of the canoes, skiff and leads and lines from the confiscated seine net might be asked for without imparing the results of justice aimed at by the Court.

I estimated the value of the canoes and skiff at $85.00. the seine, which was stated by the Fishery Department Officers, to be of illegal dimensions was valued at $150.00, could not be used under any conditions legally but the leads and lines could be used with a seine of legal construction.

The Indians in question completed their terms of imprisonment and returned to Alberni on July 29th.

Your obedient servant,
"Ed. E. Frost"
Indian Agent,

C. C. Perry, Esq.,
Asst. Indian Commissioner for B.C.
Victoria, B.C.

RG 10, C-II-2, vol. 11298
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National Archives of Canada
Archives nationales du Canada

C 11502

Your file
No18/30545

DEPARTMENT OF INDIAN AFFAIRS
CANADA

182/33.P 1.

OFFICE OF
INDIAN AGENT
West Coast Agency,
Port Alberni.B.C.
August 7th 1933.

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COMMISSIONER'S OFFICE
AUG 9 1933
VICTORIA, B. C.

C.C.Perry,Esqr,
Asst.Indian Commissioner for.B.C.
Victoria.B.C.

Your obedient servant,
Ed.E.Frost
Ed.E.Frost, Indian Agent

RG 10, C-11-2, vol. 11298
INDIAN AFFAIRS
AFFAIRES INDIENNES
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18/30562.

August 4, 1933.

Sir,-

I have the honor to acknowledge receipt of Departmental letter dated July 27th, No. 40-159 covering copy of letter that had been received at the Department from Mr. Indian Agent Frost, of the West Coast Agency, with reference to illegal fishing by various members of the Ucluelet Band.

In this connection I beg to transmit herewith copy of letter dated August 4th which I have today addressed to Mr. Frost which will be self-explanatory. When I hear from Mr. Frost I will report further to the Department.

Your obedient servant,

P/KD.

Enclosure:-

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

The Secretary,
Department of Indian Affairs,
Ottawa.

RG 10, C-II-2, vol. 11298
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

18/30562.

August 4, 1933.

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Your obedient servant,

P/KD.

Enclosure:-

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

The Secretary,
Department of Indian Affairs,
Ottawa.

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INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

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18/30545.

August 4, 1933.

Dear Sir:

The Department has referred to me copy of your report dated July 18th addressed to it in regard to the conviction and imprisonment of a number of Indians in your Agency for infractions of the Fisheries regulations requesting that I submit a report and recommendation as to making application for clemency. As your letter to the Department does not appear to me to indicate that you have requested clemency for these Indians I would ask that you kindly write me immediately, letting me know if there are any grounds upon which clemency might properly be sought in behalf of the convicted Indians. You will know my views on the matter and that some time ago I personally warned the Indians in the Court at Alberni before Magistrate Boothroyd in regard to the law relating to Fisheries and I am not prepared to recommend clemency in these cases unless it can be shown that the ends of justice have not been properly served.

Your obedient servant,

C. C. Perry.
Asst. Indian Commissioner for B.C.

P/AC

E. E. Frost, Esq.,
Indian Agent,
Port Alberni, B.C.

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

IN YOUR REPLY REFER TO

No. 40-159

ALSO TO THE DATE OF THIS LETTER

PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS
CANADA

July 27,1933.

Sir:-

I am enclosing herewith for your attention, report and recommendation as to making application for clemency, copy of a letter that has been received from Indian Agent Frost, of the West Coast Agency, with reference to illegal fishing by various members of the Ucluelet Band.

Your obedient servant,

A. F. MacKenzie

A.F.MacKenzie.
Secretary.

C.C.Perry,Esq.,
Asst. Indian Commissioner,
Victoria,B.C.,

encl

COMMISSIONER'S OFFICE
AUG 1 1933
VICTORIA, B. C.

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COPY

40-159

DEPARTMENT OF INDIAN AFFAIRS
CANADA

Office of
Indian Agent

149/33.P.I.

West Coast Agency,
Port Alberni, B.C.,
July 18th, 1933.

Sir:-

I have the honour to acknowledge receipt of the Department's letter of 12th instant calling for a report on certain Indians of this Agency who have recently been imprisoned for 30 days for illegal fishing, and beg to advise you as under.

The names of the men are Edward Clutesi, Alfred Fred, Henry Bill, and Rochester Peter of the Sheshaht Band, Andrew Clappis of the Ohiat Band and Willie Haipee of the Ucluelet Band, Fred Gus a minor was also charged but his case was dismissed at my request.

The above Indians were charged with operating a salmon net and capturing salmon, in the Somass River at Alberni, B.C. on June 27th, contrary to the provisions of Sections 16 and 16A Special Fishery Regulations for the Province of British Columbia 1933.

The accused all pleaded guilty as charged and a fine of $50.00 or 30 days imprisonment was imposed in each case with the exception of that of Fred Gus the Minor who was dismissed as stated. As the fines were not paid the accused were committed to Okakka Prison Farm.

When the case was called for hearing, Indian Agent Frost, asked the Court for a remand, at the request of Andrew Paull, Indian of Vancouver who has intimated his desire to appear on behalf of the accused, the request for remand was opposed by Mr. Tate, Chief Fishery Overseer of the Dominion Fishery Department and was disallowed by the Court.

Although the accused pleaded guilty, the sentence seem to be heavy, when it is considered the canoes and skiff estimated to be worth about $85.00 and a seine net estimated to be worth $150.00 were ordered confiscated. The Seine is stated by the Fishery Officers to be of illegal construction and would probably be claimed as valueless by them.

I have to state that the Magistrate who tried the above cases has previously been very lenient when trying similar cases. Name of Magistrate, W. Harry Boothroyd, Government Agent, Alberni, B.C.

Since the above cases, 7 Indians of the Nitinaht Band have been convicted of similar offenses at Nitinaht Lake, B.C. and fined $10.00 and costs or 30 days in each case, all fines were paid and no gear was confiscated. The names are: Chief Dick, Simon Chester, Joshua Edgar, Martin Johnson, Robert Joseph, George Gibbs and Jimmy Chester, and I am informed there are other cases of a similar nature awaiting disposal at Kildonan, B.C.

Your obedient servant,

(Sgd.) Ed. E. Frost,

Indian Agent.

COMMISSIONER'S OFFICE
AUG 1 1933
VICTORIA, B.C.

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA
126/33/R 1.

OFFICE OF
INDIAN AGENT
West Coast Agency,
Port Alberni.B.C.
July 4th,1933.

Sir;-

I have the honour to make the following general report on conditions in this Agency,for the month of June,1933.

1. Crime. 1 man Andrew Moses was arrested on 29th and charged with attempted murder,and remanded pending the complainant being in fit condition to testify.
   7 men charged with illegal fishing on 27th,awarded a fine of $ 50.00 each or 30 days imprisonment,except one of the accused, a juvenile who was released after being repremanded,the 6 were committed to Okalla Prison Farm.
   1 man charged with intoxication and assault,not yet tried.
2. Health, The general health on Reserves has improved during the past month and the health in schools has been good.
3. Schools,All Residential Schools in the Agency are now closed for summer holidays.
4. Employment, Relief issues were very heavy for the month,nearly all relief is issued during the first part of the month,and since that t ime considerable improvement has occurred in the general fishing conditions,and a large number that have been on relief for the past several months are now making enough to provide food for their families and I believe there are indications of further improvement,
   One of the chief problems at present id the providing od clothing,boots,blankets and more especially cooking stoves,I have over a dozen applications for cooking stoves which cannot be supplied under $ 25. or 30 each.

5,Launch. The Vessel Duncan Scott was hauled our for cleaning, painting and repairs on 13th of June but owing to continuous wet weather,work was considerably delayed,Some unforseen repairs were found necessary,after the vessel was out of the water,these were ordered rectified ,the cost to be defreyed from the expenditure at present authorized,pending futher authority form the Department,.

On 1st and second of June ,Inspector George,S,Pragnell,visited Whyac,Cloeeose and Pacheenaht Reserves,and after his inspection was conveyed to Victoris,where the vessel,s compass was adjusted and she returned to Port Alberni.

Your obedient servant,

Ed. E. Frost

C.C.Perry,Esqr,
Asst,Indian Commissioner for,B.C.
Victoria.B.C.

Ed.E.Frost,
Indian Agent

COMMISSIONER'S OFFICE
JUL 7 1933
VICTORIA, B. C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Bella Coola,B.C.
September 22,1933.

Dear Sir:-

Replying to your letter No. I8/3I066 of I4th instant,I beg to say a communication has arrived from the Chief Supervisor of Fisheries,from which the following is quoted:

"This matter is being looked into immediately and if it is possible and desirable to take the action you suggest it will be a pleasure to do so.".

When we have the final results your office will be informed.

Obediently yours,

J. Fougner.
Ind.Ag't.

C.C.Perry Esq.,
Asst.Indian Commissioner,
Victoria.

COMMISSIONER'S OFFICE
OCT 3 1933
VICTORIA, B. C.

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18/31105.

September 18, 1933.

Sir:

I have the honor to bring to your attention that portion of the "Report and Evidence, Special Joint Committee of the Senate and House of Commons," dated April 9th, 1927, dealing with Indian affairs in British Columbia, which will be found on page XIV, and in particular reading as follows:-

> "By co-operation between the Department of Indian Affairs and the Department of Marine and Fisheries grievances have gradually disappeared and we would commend to the Government the desirability of having as close co-operation as possible, not only between these two Departments, ...
> In all cases an extremely sympathetic and liberal view of the Indian situation should influence regulations and their enforcement as against Indians. The amelioration of local difficulties must be worked out by local officers, and we are convinced of the importance of leniency in the enforcement of the regulations that might, if rigidly enforced, work hardship and even suffering upon Indians."

Later "It is noted that the Provincial authorities do not exact any license fee from Indians for hunting or trapping, and like exemption of Indians in so far as commerical fishing licenses is concerned might be considered favorably by the Department of Marine and Fisheries."

I beg to report that certain complications have arisen in regard to the license and tax fees collected from Indians in British Columbia. Fees now collectible from Indians are as follows:-

Dominion drag-seine liwense	-	$20.00
Provincial drag-seine tax	-	25.00
Dominion Gill-net license	-	1.00
Provincial Gill-net tax	-	5.00
Dominion purse-seine license	-	20.00
Provincial purse-seine tax	-	20.00

Protests have frequently been made by and in behalf of Indians against the Provincial levy for tax as distinguished from the Dominion license, no objection being taken to the latter. Reasons given being that

1. Such legislation with respect to Indians is ultra vires of the Province by virtue of the British North

Dr. Harold W. McGill,
Deputy Superintendent General,
Department of Indian Affairs,
Ottawa, Ont.

Act...

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Act which gives legislative control to the Dominion only with respect to Indians, such legislation being specified in the Indian Act.

2. That the Indian is a Minor, is not enfranchised, and receives no benefits from the Provincial Government, not even when public rights of way are acquired within Indian reserves when employment is given to white voters and their reserve land to an extent of one twentieth of the reserve unimproved area is resumed by the Province without payment.

3. That where Indians have been thrifty enough to acquire their own independent gear, they should be given encouragement and be dealt leniently with in respect to taxation fees, especially from the Provincial Government of British Columbia.

4. That no personal property, poll, or gun tax is levied against Indians and that Section 103 Indian Act gives the Indians legal protection where they are not owners of personal property subject to taxation. The levy has been made by the Province with respect to equipment owned by the canneries for which they have worked under contract. Where cannery ownership of equipment has been recognized and the tax has been paid by the canneries the tax has been levied by the canneries against the Indians by regulating the prices of fish paid to them for their catches, this practice being held to be contrary to the intent of Section 102 of the Indian Act.

5. In the Nimkish River area of the Alert Bay District, charges have been made this season of fishery taxes by the Province and of the Dominion license fee, and in addition each Indian fisherman not a member of the Nimkish Band was assessed a charge of $10.00 for the use of the Cheslakee Indian Reserve foreshore for pulling in his net, which charge is tantamount to the sum of $50.00 against each seine operated by five Indians. In this case a real hardship has been thrust upon the Indians, inasmuch as at the close of the season they were without funds and they had to be sent to their homes by the Indian Agent and accounts paid as relief.

It should not be overlooked, however, that there have been cases in which no hardships have been experienced. Some of the Northern Indians make good money at the drag-seining during good seasons and are able to meet all the license and taxation fees.

It is, however, especially in the interests of those Indians who find the seining operations so competitive and difficult, that the question should be raised as to the legality of the fees for taxation which are being imposed by the Province of British Columbia. A schedule of these fees is transmitted herewith.

I would recommend that the Department of Justice be requested to give an opinion on this matter, and if it is found

that...

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that there are reasonable grounds for asking the Provincial authorities to either modify or cancel the application of these fees to Indian fishermen especially where they are operating in waters which are adjacent to and pass through their reserves such as at Nimkish River, B.C., this should be done.

It is further thought that the Department should disallow the Nimkish Band of Indians the privilege of imposing more than a reasonably nominal fee for the use of the shore of the Cheslakee Reserve, Kwawkewlth Agency, for the pulling in of their drag-nets whilst fishing. If the largeness of the fee as at present imposed is designed to reduce the number of Indian fishermen outside the Nimkish Band and thereby squeeze them out of that fishing area, it is thought that the question could be more easily and equitably solved by making suitable representations to the Fisheries Department who would have the power to regulate the Nimkish Fishery in such manner as to prevent a recurrence of the pressure made upon the Indians this year, during future seasons, and the fishermen would then be diverted to other waters. I understand that the matter of regulation of the Nimkish fishing was discussed by Acting Agent E. G. Newnham with Mr. Whitmore, of the Fisheries Department, during his recent visit to the Coast, and a word of reminder from the Department would, it is believed, have the desired effect.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

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18/31105. September 18, 1933.

Sir:

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> "By co-operation between the Department of Indian Affairs and the Department of Marine and Fisheries grievances have gradually disappeared and we would commend to the Government the desirability of having as close co-operation as possible, not only between these two Departments, ...
> In all cases an extremely sympathetic and liberal view of the Indian situation should influence regulations and their enforcement as against Indians. The amelioration of local difficulties must be worked out by local officers, and we are convinced of the importance of leniency in the enforcement of the regulations that might, if rigidly enforced, work hardship and even suffering upon Indians."

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Dr. Harold W. McGill,
Deputy Superintendent General,
Department of Indian Affairs,
Ottawa, Ont.

Act...

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Act which gives legislative control to the Dominion only with respect to Indians, such legislation being specified in the Indian Act.

2. That the Indian is a Minor, is not enfranchised, and receives no benefits from the Provincial Government, not even when public rights of way are acquired within Indian reserves when employment is given to white voters and their reserve land to an extent of one twentieth of the reserve unimproved area is resumed by the Province without payment.

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It should not be overlooked, however, that there have been cases in which no hardships have been experienced. Some of the Northern Indians make good money at the drag-seining during good seasons and are able to meet all the license and taxation fees.

It is, however, especially in the interests of those Indians who find the seining operations so competitive and difficult, that the question should be raised as to the legality of the fees for taxation which are being imposed by the Province of British Columbia. A schedule of these fees is transmitted herewith.

I would recommend that the Department of Justice be requested to give an opinion on this matter, and if it is found

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Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

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18/31066.

September 14, 1933.

Dear Sir:-

Replying to your letter of September 2nd, I beg to say that when you have received a reply to your letter sent to Major J.A. Motherwell, on that date in regard to the convictions of Indians for illegal fishing, perhaps you will be good enough to send me a copy so that I may know that attitude the Chief Supervisor of Fisheries has taken. The Indians should be warned by you that if they break fishery laws they must expect to be punished. I will do my best, however, to see that the Indians are dealt with justly at all events.

Your obedient servant,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

Iver Fougner, Esq.,
Indian Agent,
Bella Coola, B. C.

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18/31066.

September 14, 1933.

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Your obedient servant,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

Iver Fougner, Esq.,
Indian Agent,
Bella Coola, B. C.

REPEAT
REPETITION

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81-3-88

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT
Bella Coola,B.C.
Septemebr 2,1933.

Dear Sir:

I enclose herewith copy of a self-explanatory letter sent to Major J.A.Motherwell,Chief Supervisor of Dominion Fisheries,Vancouver, in case you should desire to know contents,or to use your influence on behalf of Indian,Johnny White.

Obediently yours,

L. Tougner.

Indian Agent.

COMMISSIONER'S OFFICE
SEP 12 1933
VICTORIA, B. C.

C.C.Perry Esq.,
Asst.Indian Commissioner,
Victoria.

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Copy

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Bella Coola, B.C.
September 2, 1933.

Dear Sir:-

I beg to present the following to your kindly attention:

Recently three Indians of the Bella Bella band: Johnny White, Paul Windsor, and John Starr, were sentenced by Magistrate, Mr. Hill of Ocean Falls, for illegal fishing. They were each mulcted $100.00, with costs $9.00, and Johnny White's boat was confiscated, and reported taken to Prince Rupert to be sold.

While I do not have full particulars of the nature of the offense, it appears not to have been of a graver nature. Taking into consideration the condition of these Indians, one of whom was on the relief list last winter, it would seem that the fine imposed was a stiff one, and adequate, without confiscation of the boat. Loss of the boat will mean that the Indian will be unable to fish, and this means that he will be deprived of the means whereby to make a living. It is understood that this was his first offense.

The Indian, Johnny White, has through Mr. W.H. Gibson, Missionary at Bella Bella, requested me to use my best endeavors to get the boat restored to him. Believing that it will be to the best interest of all concerned that the boat be given back to its original owner, I hereby most respectfully ask that you to be good enough to use your influence in order that this be accomplished.

Thanking you in anticipation of what you may be able to do on behalf of a poor Indian,

I am, Yours very truly,

Sgd. J. Fougner. Indian Agent.

Major J.A. Motherwell,
Chief Supervisor, Dominion
Fisheries, Vancouver.

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Copy for 18

23
~~18~~
~~23~~/30846.

August 30, 1933.

Dear Mr. Hickman:

Kindly find herewith copy of letter dated August 22nd received from the Acting Indian Agent at Alert Bay, Mr. Newnham. In view of the contents of his letter and of your reference in letter dated August 5th to the provisions made under Section 10 of the Fisheries Act, I would be much obliged if you will be good enough to furnish me with copy of the Orders which have been made by the Lieutenant Governor in Council under the Section 10 quoted as I have no information on file showing the various taxes imposed upon the diffarent modes of fishing. If you have a copy of the Order-in-Council I would be able to show our Agents the classifications relating to Section 10 of part 2 of the Fisheries Act.

Your obedient servant,

Encl
P/AC

C. C. Perry,
Asst. Indian Commissioner for B.C.

C. P. Hickman, Esq.,
Acting Assistant to the Commissioner,
Provincial Fisheries Department,
Victoria, B.C.

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copy for file

197/9/30828. August 30, 1933.

Dear Sir:

The Department has referred to me your letter dated August 10th in regard to the supply of four tons of coarse salt wherewith the Indians of the Pemberton Band wish to put up their winter supply of fish. As your letter does not make a definite recommendation you will readily see that it is most difficult for me to do so without further information, and I would like to know if you consider the supply of this salt to be absolutely necessary for the purpose mentioned. As soon as I receive your report I will report to the Department.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

A. O'N. Daunt, Esq.,
Indian Agent,
New Westminster, B.C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Your file #I8/29826.
Our file #52 & 53.

Alert Bay,B,C.

June,30th,I933.

Dear Sir,-

In reply to your letter dated June,I6th,re the above,I would respectfully call attention to paragraph 2,of my letter dated November,24th,I932,file no,52,addressed to you,which shows that from the time this matter was first brought to my attention,I have acted on the lines which you now instruct.

Not having received a reply to my letter dated June,I3th,addressed to the Manager,Quathiaski Canning Co,Quathiaski Cove,B,C,-copy of which,has been forwarded to you-I take it that he is not prepared to comply with the request of the Cape Mudge Indians and I will not pursue this matter further as it would be entirely a matter of good will on his part,if he were to do so;actually he is not obliged to become involved in the matter at all.

With regard to the suggested imposition of rental upon the visiting Indians temporarily occupying a site in the vicinity of the light-house on the Cape Mudge Reserve I would state that while the Cape Mudge Indians are not unanimous about this,it is,of course,not possible to take a resolution from them and while their attitude does not permit them to record a majority vote,I would imagine that it can be accepted that the visiting Indians-mostly from the Cowichan Agency-are occupying that site with the consent of the Cape Mudge Tribe.

I am informed that Mr Graham,Indian Agent at Duncan,B,C,has recently visited his Indians occupying the site referred to,at Cape Mudge.

Your obedient servant,
E.G.Newnham
(E,G,Newnham.)
A/Indian Agent.

C,C,Perry Esq:
Assistant Commissioner for B,C.
Department of Indian Affairs.
Victoria,B,C.

COMMISSIONER'S OFFICE
JUL 4 1933
VICTORIA, B. C.

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18/29826.

June 16, 1933.

Dear Sir:-

I wish to acknowledge receipt of copy of your letter dated June 13th, No. 53, addressed to the Manager of the Quathiaski Canning Company in regard to the suggested imposition of rental upon Indians from the surrounding district mentioned to the number of about 120, who occupy the Cape Mudge Indian Reserve suring the fishing season.

It is suggested that the greatest care be exercised in dealing with this matter it being quite possible that bad feeling might easily spring up between the several bands of Indians affected. It is suggested further that after you have gathered complete information on the subject you should submit the same to this office for consideration before requesting the Cape Mudge Indians to pass a band resolution endorsing any proposal in connection with the rental of their reserve.

Your obedient servant,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

E.G. Newnham, Esq.,
Acting Indian Agent,
Alert Bay, B. C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

COPY

OFFICE OF
INDIAN AGENT
Alert Bay, B. C.,
June 13, 1933.

File No. 53

Dear Sir,-

During my recent visit to Quathiaski Cove and Cape Mudge, representations were made by the Cape Mudge Indians in regard to a rental being paid by visiting Indians from Ladysmith, Valdez Island, Chemainus Bay and other places to the number of about 120 who occupy the Cape Mudge Indian Reserve during the fishing season.

I was however unable to take a resolution from the Band in connection with this as the Cape Mudge Indians were not unanimous, but they were unanimous in their request that I should approach you with a view to you paying the rental yourself, it being alleged that these Indians deliver most of their fish to you and you therefore derive much profit from it. You will understand that this is not my point of view, but that put up to me by the Cape Mudge Indians. Tehnically, these visiting Indians could be dealt with as trespassers, and the Police are ready to take the necessary steps for their removal should this become necessary, but so far as I can gather they have habitually made use of the site near the lighthouse for a fishing camp for the past nineteen years, and when this matter was first brought to my attention last November I endeavoured to persuade the Cape Mudge Indians to adopt a more hospitable attitude, but there is no question that legally they are within their rights in asking for payment of a rental for the occupation of any portion of their reserve by outsiders. Before taking any further steps I would be glad of your views on the matter.

Yours truly,

EGN/T

(E.G. Newnham)
A/Indian Agent

COAST SALISH CLAIMS OFFICE
JUN 16 1988
VICTORIA, B. C.

The Manager,
Quathiaski Canning Company,
Quathiaski Cove, B.C.

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3/27192.

November 28, 1932.

Dear Sir:-

I beg to acknowledge receipt of your letter No. 52, dated November 24, reporting on your meeting with the Cape Mudge Indians, particularly in regard to the matter of Indians of Chemainus, Cowichan Agency, camping on the reserve of the formen Band, as well as in regard to the selection of a Chief, and further in regard to your visit to the Indian Day School.

I appreciate the information which you have given me in this and other reports, but I would ask that you kindly observe in future a request made in a letter of even date that individual matters be kept separate from others so as to avoid complications in filing at this office.

In regard to the Cowichan Agency Indians paying rental for the use of the Cape Mudge Reserve, I would refer you to the concluding paragraph of my letter dated November 3rd, addressed to Chief Billy Assu which was covered by my letter to you of November 7th in which former letter it was pointed out that rentals must not be collected by Indians, but through the Indian Agent only after a resolution of the Band had first been obtained and approved by the Department. Any rentals collected in this connection would have to be send to the Department to be credited to Band Funds.

Your obedient servant,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

E. G. Newnham, Esq.,
Acting Indian Agent,
Alert Bay, B. C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Alert Bay, B. C.,
November 24, 1932.

52

Sir:-

I have to report that on Friday the 18th of November I held a meeting of the Cape Mudge Indians, when several matters were discussed.

They informed me that other Indians, mostly from Chemainus in the Cowichan Agency, had been camping on their reserve during the fishing season, and they enquired as to what powers they had in regard to ordering them off or charging them rental. I had visited this place of encampment before the meeting was held, and I informed them that they had the full right to have these people ordered off or charge them rental, but I strongly advised them, as they were their own flesh and blood, and they did not know when it would be possible that they might want favours from the Indians from Chemainus or other Bands at some future time, that their best policy would be to adopt a more hospitable attitude. Whether they were in general favour of this or not I cannot say, but the matter dropped.

It was also decided that Chief Chickite should be the recognized leader of the Band.

I visited the Indian Day School and Miss Hill, the teacher, informed me that she had no complaints whatever and a good attendance of pupils was being maintained.

Your obedient servant,

E.G. Newnham

(E.G. Newnham)
A/Indian Agent

EGN/T

C.C. Perry, Esq.,
Assistant Commissioner for B.C.,
Victoria, B. C.

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Form No. 2 XX.

GOVERNMENT TELEGRAPH SERVICE

DEPARTMENT OF PUBLIC WORKS

DOMINION OF CANADA

The following message was received by the Government, for transmission, subject to the terms and conditions printed on the blank form No. 1, which terms and conditions have been agreed to by the sender.

Major J. E. Gobeil, M.C., *General Superintendent.*

Please reply to Govt. Tel. Service

Telephone E mpire 2032

1228 Government St.

3NA MN 15 COLLECT

TOFINO BC JUN 6 1933

INDIAN AGENT

VICTORIA BC

LET US KNOW IF WE CAN SELL SALMON VICTORIA TRY

GET US MARKET ANSWER

HARRY CHARLIE

145P

COMMISSIONER'S OFFICE
JUN 6 1933
VICTORIA, B. C.

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18/29602.

May 31, 1933.

Dear Sir:-

I beg to acknowledge receipt of your letter of the 29th instant enclosing cheque for the sum of $4.50 in favor of the Indian, Jack Dick, of Songhees Indian Reserve, being bounty on hair seal noses.

In reply I am returning herewith the receipt for the same, in quadruplicate, duly signed by Jack Dick, the cheque having been turned over to this Indian today.

Your obedient servant,

KD.

Enclosure:-

Chas. C. Perry,
Asst. Indian Commissioner for
B. C.

J.F. Tait, Esq.,
Supervisor of Fisheries,
Nanaimo, B. C.

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CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE SUPERVISOR OF FISHERIES

37-1. AT NANAIMO B.C., May 29th, 19 33.

C.C.Perry Esq.,
Assistant Indian Commissioner for B.C.,
Victoria, B.C.

Dear Sir:

I enclose herewith seal bounty cheque in favour of Jack Dick as requested in your letter of the 25th instant.

Kindly return receipts to this office in the usual way.

Yours faithfully,

J.F.Tait

J.F.Tait,
Supervisor of Fisheries.

COMMISSIONER'S OFFICE
MAY 30 1933
VICTORIA, B. C.

INDIAN AFFAIRS
AFFAIRES INDIENNES

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18/29487.

May 25, 1933.

Dear Sir:

I am forwarding under separate cover three hair seal noses brought to this office by Jack Dick, of Songhees Reserve. Kindly have the cheque made out to this Indian and send same to this office.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

AVH/AC

J. F. Tait, Esq.,
Supervisor of Fisheries,
Nanaimo, B.C.

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18/29478.

May 23, 1933.

Dear Sir:-

I beg to acknowledge receipt of your letter of the 21st instant enclosing cheque for the sum of $10.50 in favor of the Indian, Ned Williams, of Discovery Island, for hair seal bounty, together with receipt in quadruplicate which you desire should be signed by the above Indian and returned to your office.

In reply I beg to say the cheque has been turned over to Ned Williams and his receipt taken therefor which I herewith beg to enclose.

Your obedient servant,

KD.

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

Enclosure:-

J.F. Tait, Esq.,
Supervisor of Fisheries,
Nanaimo, B. C.

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CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE SUPERVISOR OF FISHERIES

37-1. AT NANAIMO B.C., May 21st 1933.

C.C.Perry Esq.,
Assistant Indian Commissioner for B.C.,
Victoria, B.C.

Dear Sir:

As requested in your letter of the 18th instant I enclose herewith cheque for hair seal bounty in favour of the Indian Ned Williams of Discovery Island.

The bounty payable this year has been reduced to $1.50 per nose destroyed.

Yours faithfully,

H.H.Palmer

per J.F.Tait,
Supervisor of Fisheries.

COMMISSIONER'S OFFICE
MAY 23 1933
VICTORIA, B. C.

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18/29426.

May 18, 1933.

Dear Sir:-

Under separate cover I am forwarding seven hair seal noses brought to this office by Ned Williams, of Discovery Island. Kindly have the cheque made out to this Indian and send same to this office.

Your obedient servant,

KD.

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

J.S. Tait, Esq.,
Supervisor of Fisheries,
Nanaimo, B. C.

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18/29136

April 27, 1933.

Sir:

I have the honor to transmit to you herewith three letters dated April 25th, instant, addressed to you by Mr.Andrew Paull as Secretary of the organization known as the Progressive Native Tribes of B.C., about which I wrote you a few days ago, together with copy of a letter addressed to myself covering the above-mentioned communications. I have acknowledged receipt of these letters today and have advised Mr. Paull that the three letters addressed to you have been forwarded to you. Copy of my letter to Mr. Paull is sent herewith and will be self explanatory.

Your obedient servant,

Encl
P/AC

C. C. Perry,
Asst. Indian Commissioner for B.C.

Dr. H. W. McGill,
Deputy Superintendent General of Indian Affairs,
Ottawa, Ont.

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18/29135.

April 27, 1933.

Dear Mr. Paull:

I desire to acknowledge receipt of your letter of April 25th covering three letters of the same date addressed to the Deputy Superintendent General of Indian Affairs, Ottawa, and in reply I beg to say that these letters have been forwarded to him, as requested by you, and if he desires a report thereon he will no doubt give me instructions and I think I understand the situation sufficiently well to be able to give him my views on the matters of steamship service and the suppression of the liquor traffic. I have no data, however, that would enable me to enlarge upon your observations regarding lack of employment at the canneries for the Indians generally but possibly you may have information that your letter does not contain with respect to the matter.

Yours sincerely,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

Mr. Andrew Paull,
P. O. Box 2444,
North Vancouver, B.C.

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Andrew Paull

SECRETARY SQUAMISH INDIAN COUNCIL
SECRETARY THE PROGRESSIVE NATIVE TRIBES OF B.C.
DIRECTOR SQUAMISH INDIAN BAND AND ORCHESTRA

P. O. BOX 2444
NORTH VANCOUVER, B.C.

April 25 I933.

Mr. C.C. Perry
Asst. Indian Commissioner
Victoria B.C.

Dearb/ Mr. Perry;

I have taken the liberty to send the attached communications through your office, to Dr. McGill which after your perusal I wish you would be good enough to forward to the Deputy Superintendant General.

I am anxouse that you should be apprised of these matters, and also for your co-operation should we succeed in attaining the necessary action, and also you may wish to report on them by concurrent mail.

Perhaps I have not clearly stated the diffirent subjects and any asistance from your wide experience will be appreciated.

Respectfully Yours

Andrew Paull
Secretary
The Progressive Native Tribes of B.C.C.

With enclosure to yourself.

COMMISSIONER'S OFFICE
APR 27 1933
VICTORIA, B. C.

INDIAN AFFAIRS
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1933 - 0057

(C O P Y)

ANDREW PAULL

P. O. Box 2444
North Vancouver, B.C.
April 25 1933.

Dr. Harold W. McGill
Deputy Supt. General of Indian Affairs
Ottawa, Ont.

Sir;

Will you please endeavor to secure assistance from the Minister of Marine and Fisheries, which will compell the C.P.R. and the Union Steamship Companies, in co-operation with the cannerymen, to have Indian fishermen return to their homes immediately after the fishing season, and not have them come to Vancouver, and then catch another steamer to a point which had been close to the course of the steamer that brought them down. Because when the Indians reach Vancouver, they spend their money and return at times with nothing, and whitemen are only to ready to get them drunk to steal their hard earned money.

To illustrate my point; the Sechelt Indians who live about forty miles north of Vancouver pass their reserve only a few miles on the steamer, but they are brought to Vancouver with the above result, and then have to take another steamer belonging to the same company, whereas if that original steamer had the authority or direction of the Minister of Matine, it would have touched port at Sechelt, a diviation of about three miles, and the Indians would have been home.

And if the Klahoose and Churchouse Indians would get on a steamer at some other point instead of at Campbell River or Powell River where there are liquor stores, they probably would save some money.

I have seen Sechelt Indians come to Vancouver to catch the steamer that would take them to the canneries, but if arrangements were made, they could board the steamer at Sechelt which is on the course of all steamers. Of course the steamship company would be deprived of fares, but I disregard that in preference to the well-being of the Indians.

And thanking you for your sympathetic consideration and action in this matter, I am

Respectfully Yours
"Andrew Paull"
Secretary
The Progressive Native Tribes of B.C.

The boats to the canneries are too congested and full of drunks.

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(C O P Y)

ANDREW PAULL

P. O. Box 2444
North Vancouver, B.C.

April 25, 1933.

Dr. Harold W. McGill
Deputy Supt. General of Indian Affairs
Ottawa, Ont.

Sir;

In view of the necessity that Indians should make good use of the money that they earn, especially during these difficult times, I take the liberty to ask that you take such appropriate action necessary to suppress the liquor traffic among Indians during and immediately after the fishing season.

Especially at the diffirent canneries at Rivers Inlet, chinamen sell pints of rum to Indians for $8.00 and $10.00 a bottle, and also on the passenger steamers on the return to their homes, and where the steamers stops at a government liquor store.

The reason that I make this request to you is that I am of the opinion that only the R.C.M.P can do usefull work in this connection, that while one Provincial Policeman has been looking after a large territory, it is not possible to adequately do this work, as the policeman at Rivers Inlet Stone has been referred to, as the biggest bootlegger in the Inlet; I merely mention what the Indians say, so as to indicate to you, their lack of fear for this man.

Indian woman also make wine during the fishing season, and sell for 25 cents a cup to the Indians their product, very profitable no doubt to the manufacturer, but the multiplicity in number of those that suffer is too great.

Last year during the fishermen's strike, former Indian Agent Halliday, in the interests of the cannery owners went from cannery to cannery telling the Indians that if they did not go and fish and break the strike, that they would not get relief. I wish you would command Indian Agents not to do this, as some Indians that went to fish while the strike was in progress were hurt, and if he had suppressed the liquor traffic instead of helping the cannerymen, he would have done his duty right.

Gambling on the boats sponsered by chinamen is another manner of the Indians losing their money, and if a Dominion Policemen was on each boat, it would suppress the liquor and gambling traffic.

I hope you will receive this in the spirit that it is given, which is seeking the Indian's benifit.

Respectfully Yours
"Andrew Paull"
Secretary, The Progressive Native Tribes
of B.C.

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(COPY)

ANDREW PAULL

P. O. Box 2444
North Vancouver, B.C.
April 25 1933.

Dr. Harold W. McGill
Deputy Supt. General of Indian Affairs
Ottawa, Ont.

Sir;

I take the liberty to ask you most sincerely to assist the Indians of British Columbia, by representations to the Minister of Fisheries, to realise for the Indians the securing of their quota of native Indian Fishermen in B.C.

The Parliament of Canada understands that one third are Indians in the fishing industry in B.C. (Special Joint Committee report, page xiv, article (13) of their recommendation), but we do not agree with that to be the situation today.

Since the year 1927 there has been to all appearance a gradual decline in the number of Indian gill net fishermen. The white fishermen through their unions have protected themselves to the exclusion to our belief the Indian fishermen, as is evidenced by the fact, that in some canneries there is not one Indian fishermen, whereas before, there used to be Indian fishermen, and the women are also being replaced in the canneries.

Fishing is the only time that some Indians on the coast earn any money at all, and since we have been compelled to not exercise our aboriginal fishing rights for food, because of the employment that we receive from the fishing industry, according to the evidence of the Deputy Minister of Fisheries, we the Indians should at least receive our quota of the work, as understood by Parliament.

It seems that the cannery interests determine who shall fish for them, but if the government could say to the cannery interests that some Indians must fish for them, then we would know what is happening.

I hope you will agree with me the necessity of securing as much work as possible for the native people, and I trust that you will lend your influence to securing this much needed justifiable priviledge, and I am sure it would result in reducing the cost of assistance to Indians.

And hoping for a reply and most sincerely thanking you in anticipation on behalf of the Indians of this coast, and some of the Interior Indians, I am

Respectfully Yours
"Andrew Paull"
Secretary
The Progressive Native Tribes of B.C.

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18/28347.

February 28, 1933.

Dear Sir:

With further reference to your letter of January 14th and petition in regard to fishing matters I wish to advise you that as Major Motherwell could not give me definite information I sent your petition to Ottawa with a report. I have now received from the Indian Department copy of a letter received by the Department from Mr. W. A. Found, Deputy Minister of Fisheries, in which it is stated that no change was made in the dates of the closed season for blueback fishing along the east coast of Vancouver Island, such as your people were afraid would be done. Nor has any change been made in other regulations affecting the Cape Mudge area as referred to by the petitioners.

Yours sincerely,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

Chief J. Quacksister,
Cape Mudge Indian Reserve,
Quathiaski Cove, B.C.

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

IN YOUR REPLY REFER TO
No. 40-156

ALSO TO THE DATE OF THIS LETTER

PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS
CANADA

February 18, 1933.

Sir:-

I am enclosing herewith for your information copy of a letter that has been received from the Department of Fisheries, with reference to the proposed changes in the fishing regulations applicable to the Cape Mudge district, B.C., also copy of Fishery Regulations.

Your obedient servant,

A.F.MacKenzie.

Secretary.

C.C.Perry,Esq.,

Assistant Indian Commissioner,

Victoria,B.C.,

encl

COMMISSIONER'S OFFICE
FEB 27 1933
VICTORIA, B. C.

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Copy Department of Fisheries,

Ottawa, Feb. 15/33

Sir:-

I am in receipt of your letter of the 9th instant, file 40-156, enclosing correspondence and petition, concerning proposed changes in the fishing regulations applicable to the Cape Mudge district, B.C.

It is the policy of this department as far as possible to have any amendments to the fishery regulations effected as early as possible in each year, so that all concerned may be informed well before hand of the requirements to be enforced for the ensuing year. By Order in Council of the 10th instant the changes for the coming season were adopted and for your information I attach two copies of the notice of the amendment made. For ready reference there are also attached two copies of the British Columbia Fishery Regulations affected by the changes.

No change is made in the dates of the close season for blueback fishing along the east coast of Vancouver Island, the terminating date of which the petitioners were apprehensive would be altered from May 15 to June 1st. No change is made in other regulations affecting the Cape Mudge area, referred to by the petitioners.

I return the enclosures sent with your letter as requested.

Your obedient servant,

(Sgd) Wm.A.Found.
Deputy Minister.

A.F.MacKenzie,Esq.,
Secretary,
Dept.Indian Affairs,
Ottawa.

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DEPARTMENT OF FISHERIES

N O T I C E

By Order in Council of the 10th day of February, 1933, P.C.241, and under the authority of Section 34 of the Fisheries Act, Chapter 42, 22-23 George V, the following changes were made in the Special Fishery Regulations for the Province of British Columbia, which were established by Order in Council of February 17th, 1931, as amended:

1. Subsection 2 of section 4 was rescinded and the following substituted therefor:

> 2. No one shall fish for or catch by any means for commercial purposes, any of the so-called ling cod or cod embraced in the genus sebastodes in any part of the Province except under licence from the Minister. Each person in a boat that is being used in fishing for cod shall be required to have a licence. The fee on such licence shall be One Dollar.

2. The description of sub-division "Naas River", as defined in section 6 was rescinded and the following substituted therefor:

> Naas River, - The estuary of the Naas River, as well as Observatory Inlet, to a straight line drawn across it at a point five miles up said inlet from North point, at the mouth of the Naas River, as well as Portland Inlet, from a straight line drawn across it from Tree Point on Pearse Island to Dogfish Bay on the opposite shore, down to a straight line drawn from the northern side of the entrance to Big Bay on the mainland, to the most northerly point on Middle Dundas Island, and thence northwardly to Whitby Point on Dundas Island; but not including the area in the vicinity of Port Simpson Harbour inside, that is east, of an imaginary straight line drawn from the most westerly point of Kate Island southerly to the most westerly point of Parkins Island, thence to the most northerly point of Finlayson Island, thence following the westerly shore of Finlayson Island to Gordon Point, thence due east to a fishing boundary sign placed on the mainland.

3. The description of sub-division "Area No. 4", as defined in section 6, was rescinded and the following substituted therefor:

> Area No. 4. - Tucks Inlet and that portion of Prince Rupert Harbour lying northerly and easterly of an imaginary straight line drawn between Wolf Island and the Prince Rupert drydock.

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4. The description of sub-division "Area No.5" as defined in section 6, was rescinded and the following substituted therefor:

> Area No. 5. - The waters of that portion of the coast included in the following described boundaries: Commencing at Cape George on Porcher Island, thence to Archibald Point on Banks Island continuing along the west coasts of Banks Island and Estevan Island to Devils Point on Aristazabal Island, thence northerly to Ledge Point on Gil Island, following the west and north coasts of Gil Island to Maple Point, thence to Cape Farewell on Promise Island, following the western shore of Promise Island to Dawson Point, thence to Halsey Point on Douglas Channel, thence westerly along the coast of Stewart Narrows to Camp Point, thence along the northerly coast of Grenville Channel to a point on the mainland due east from the most southerly point of Blaxon Island, thence to Peninsula Point on Porcher Island, following the southerly coast line on Porcher Island to the point of commencement; but not including the North Arm of Kitkatla Inlet; Curtis Inlet; Mikado Bay nor Union Passage.

5. The description of sub-division "Area No.10", as defined in Section 6, was rescinded and the following substituted therefor:

> Area No.10 - The waters of Smith Inlet area, hereinbefore described, but only as provided by sub-section 26 of section 16 of these Regulations; provided that Ah-cla-ker-ho Channel is excluded from this area until 1937.

6. The description of sub-division "Area No.14", as defined in section 6, was rescinded and the following substituted therefor:

> Area No.14 - The waters of that portion of the east coast of Vancouver Island, including Gabriola, Hornby and Denman Islands, between a straight line drawn from Shelter Point to the most southerly point of Cortez Island, and a straight line drawn from the southerly entrance of Boat Harbour on Vancouver Island, to the most northerly point of Valdez Island; but not including within two miles of the mouths of Englishmans River and French Creek; within two miles of the mouths of Oyster and Black Rivers except during August in each year, when not within one-half mile of the mouths of said two streams; within two miles of the mouths of Big Qualicum and Little Qualicum Rivers except as provided in subsection 26 of section 16 of these regulations; nor that portion of Baynes Sound between a straight line drawn from Union Bay Wharf on Vancouver Island to Beak Point at the north end of Denman Island, and a straight line drawn from the most easterly point of Deep Bay due north to a fishing boundary sign placed on the shore of Denman Island, approximately two miles west of Boyle Point; nor Nanaimo Harbour and Departure Bay.

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7. The description of sub-division "Area No.17", as defined in section 6, was rescinded and the following substituted therefor:

> Area No. 17 - The waters of that portion of the east coast of Vancouver Island and of the Gulf of Georgia, included in the following described boundaries; Commencing at the most northerly point of Valdez Island in a straight line to the southerly side of the entrance to Boat Harbour on Vancouver Island; thence following the easterly shore of Vancouver Island in a southerly direction to Graves Point, thence following a straight line through Erskine Point on Salt Spring Island to the head of Ganges Harbour, thence to the western side of the entrance to Active Pass, thence in a straight line to the most westerly point of the international boundary lying on the forty-ninth parallel of north latitude, following such international boundary to the mainland, thence in a northwesterly direction following the shore of the mainland to a fishing boundary sign placed at a point approximately three-quarters of a mile south of Canoe Pass, thence in a straight line to the point of commencement at the most northerly point of Valdez Island; but not including the waters easterly and northerly of Galiano and Valdez Islands except as provided in subsection 26 of section 16 of these Regulations; nor Ladysmith Harbour (Oyster Bay) inside of an imaginary straight line drawn southwest magnetic from Sharpe Point to a fishing boundary sign on the opposite shore, which sign shall be placed in position by a Fishery Officer; nor that portion of Stuart Channel between a straight line drawn from Erskine Point to Graves Point and a straight line drawn from Bare Point lighthouse to Parminter Point on Salt Spring Island. (This area embraces a portion of District No.1)

8. Section 10 was amended by adding thereto the following subsection (7):

> 7. The Chief Supervisor or District Supervisor may authorize, under licence without fee, the use of gill-nets or purse-seines by halibut fishermen of the Province for the taking of herring or pilchards for bait purposes but not for sale or barter.

9. Subsection 1(a), of section 11, was rescinded and the following substituted therefor:

> 1(a). Except as herein otherwise provided, fishing with nets or other apparatus, and the taking of abalone or crabs, except under licence from the Minister, is prohibited, and no one shall leave any port or place in Canada to fish with nets or other apparatus either inside or outside territorial waters adjacent to the Province of British Columbia except under licence from the Minister; and no one shall act as a boat puller or be otherwise employed in a boat used in salmon gillnetting, or as a helper, or in any other capacity in operating a purse-seine or drag-seine that is being used in salmon, herring or pilchard fishing, or in scouting for herring, except under licence from the Minister.

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10. Subsection 1, or section 11, was amended by adding thereto the following paragraph (f):

(f) No licence shall be required for halibut or black cod fishing.

11. Subsection 11(a), of section 16, was rescinded and the following substituted therefor:

11(a). No one shall fish with nets in Saanich Arm or in Finlayson Arm, Vancouver Island, inside of a straight line drawn from Hatch Point to James Point, nor, except with hook and line for grayfish, shall anyone fish with any implement, or dig or take clams, in the said area for commercial purposes.

12. Subsection 11, of section 16, was amended by adding thereto the following paragraph (c):

(c) No one shall fish with nets nor by any other means for commercial purposes in Comox Harbour inside of an imaginary straight line drawn in a south westerly direction from a fishing boundary sign placed near Goose Spit Light to a fishing boundary sign placed near the mouth of Trent River at Royston.

13. Subsection 26 (e), of section 16, was rescinded and the following substituted therefor:

(e) In any portion of Fisheries District No.1 other than the waters included in area No.17 as defined in section 6 of these Regulations.

14. Subsection 26, of section 16, was amended by adding thereto the following paragraph (g):

(g) In the waters of area No.17, as defined in section 6 of these Regulations, lying easterly and northerly of Galiano and Valdez Islands before August 25th in each odd numbered year or before September 1st in each even numbered year, and not after September 30th excepting in years of big runs of late sockeye salmon when not after October 31st.

15. Section 16 was amended by adding thereto the following subsection (28):

28. Fishing for salmon for commercial purposes is prohibited in the waters between Kaien Island and the mainland of the Province bounded on the north by an imaginary straight line drawn from Ritchie Point to Pethic Point and on the south by the Canadian National Railway bridge at Zenardi Rapids.

16. Subsection (g), of section 17, was rescinded and the following substituted therefor:

(g) Ah-cla-ker-ho Channel, Smith Inlet area until 1937.

17. Subsection 4, of section 18, was rescinded and the following substituted therefor:

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4. The mesh of a smelt or sardine drag-seine shall not be less than three-quarters of an inch extension measure when in use.

18. Subsection 6, of section 18, was rescinded and the following substituted therefor:

6. A smelt or sardine purse-seine shall not be more than fifty fathoms in length and the mesh thereof shall not be less than three-quarters of an inch extension measure when in use.

19. Subsection 8(c), of section 19, was rescinded and the following substituted therefor:

(c) No one shall fish for or take sockeye salmon in the Nimpkish, MacKenzie Sound, Port Neville and Hayden Bay areas and in the waters of the west coast of Vancouver Island, from the 1st of October in each year to the 14th of May following, both days inclusive.

20. Subsection 1, of section 22, was rescinded and the following substituted therefor:

1. In District No.1, up to and including August 31st in each year, no one shall fish for salmon, otherwise than by trolling, from Saturday at 6 a.m. in each week to Monday at 6 a.m. following, and thereafter in each year no one shall fish for salmon, otherwise than by trolling, from Saturday at 8 a.m. in each week to Monday at 8 a.m. following; provided that, in the portion of the Fraser River above New Westminster Bridge up to and including August 31st in each year, no one shall fish for salmon by any means from Saturday at 6 a. m. in each week to Monday at 12 noon following and thereafter in each year no one shall fish for salmon by any means from Saturday at 8 a.m. in each week to Monday at 2 p.m. following.

21. Subsection 2, of section 22, was rescinded and the following substituted therefor:

2. In Districts Nos. 2 and 3 no one shall fish for salmon, otherwise than by trolling, from Friday at 6 p.m. in each week to Sunday at 6 p. m. following; provided however, that in the extra-territorial waters in which United States purse-seiners operate, and on whom no close time is enforced, this close period shall not apply so long as there is no such time applied to United States purse-seiners operating in such waters.

Wm. A. Found,
Deputy Minister.

O t t a w a,
14th February, 1933.

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18/27970.

January 27, 1933.

Sir:-

I beg to transmit herewith a Petition which I have received from Indians of the Cape Mudge district, B. C., with a covering letter dated January 14th. The Petition is addressed to the Superintendent General of Indian Affairs and the letter, copy of which is sent herewith, is addressed to this office. Accompanying the Petition and letter kindly find also copy of letter sent from this office on January 20th addressed to the Chief Supervisor of Fisheries, Vancouver, copy of letter dated January 20th addressed to Chief J. Quacksister, and copy of letter dated January 24th received from the office of the Chief Supervisor of Fisheries, all of which will have bearing upon this Petition and will be self-explanatory.

In view of the contents of the above-mantioned communications I would recommend that the Department be good enough to take the question up with Mr. W.A. Found, Deputy Minister of Fisheries, with a view to ascertaining whether or not any changes are likely to be made in the Regulations that will affect the interests of the Indians in the manner apprehended by them and also with a view to seeing if any remedial action cah be taken to ease the way for the Indians in regard to their fishing upon which they have to depend for livelihood.

Your obedient servant,

P/KD.

Enclosures:-

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

Dr. Harold W. MacGill,
Deputy Superintendent General
of Indian Affairs,
Ottawa.

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Your obedient servant,

P/KD.

Enclosures:-

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

Dr. Harold W. MacGill,
Deputy Superintendent General
of Indian Affairs,
Ottawa.

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Copy. Department of Fisheries.

Winch Building,
Vancouver, B. C.,
1-4-3 January 24, 1933.

Dear Sir:-

I have your letter of the 20th instant, file 18/27874, in connection with probable changes in the regulations affecting the opening of blueback fishing.

At present blueback fishing in the ares described in Section 19, sub-section 10, of the Regulations opens on the 16th May but during the visit of the Deputy Minister to the coast this fall it was stated that during the two weeks of May when fishing is permitted many small sized bluebacks are caught by the commercial fishermen and it is difficult to enforce the present regulation in connection with the size of salmon that may be sold.

At the moment this, among other regulations, is under consideration by the Department and although evidently the present is not a desirable time to make any changes along the line suggested, no assurance can be given until the final decision is made known.

Yours truly,

"A. MacKie"
For J.A. Motherwell,
Chief Supervisor of Fisheries.

C.C. Perry, Esq.,
Acting Indian Commissioner,
Victoria, B. C.

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DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER

CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE CHIEF SUPERVISOR

WINCH BUILDING,

VANCOUVER, B.C., January 24th 1933

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF SUPERVISOR

IN YOUR REPLY PLEASE QUOTE

FILE No. 1-4-3

Dear Sir,

I have your letter of the 20th instant, file 18-27874, in connection with probable changes in the regulations affecting the opening of blueback fishing.

At present blueback fishing in the area described in Section 19, sub-section 10, of the Regulations opens on the 16th of May but during the visit of the Deputy Minister to the coast this fall it was stated that during the two weeks of May when fishing is permitted many small sized bluebacks are caught by the commercial fishermen and it is difficult to enforce the present regulation in connection with the size of salmon that may be sold.

At the moment this, among other regulations, is under consideration by the Department and although evidently the present is not a desirable time to make any change along the line suggested, no assurance can be given until the final decision is made known.

Yours truly,

a. MacKenzie

For J. A. MOTHERWELL,
CHIEF SUPERVISOR OF FISHERIES.

C. C. Perry, Esq.,
Acting Indian Commissioner,
VICTORIA, B. C.

COMMISSIONER'S OFFICE
JAN 27 1933
VICTORIA, B. C.

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18/27875.

January 20, 1933.

Sir:-

I have your letter of January 14th covering a Petition regarding fishing matters. I have written to Major J.A. Motherwell, Chief Supervisor of Dominion Fisheries, Vancouver, to see what he has to say about the matter. If no changes are to be made there will be no use sending the Petition to Ottawa. If, however, changes are being contemplated and your Petition will be of value, I shall be most pleased to send it forward to the Department so that the matter can be taken up in Ottawa by the Department with the Fisheries Authorities. I have not heard that any changes are being contemplated apart from the information given in your letter and Petition.

Yours truly,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

Chief J. Quacksister,
Cape Mudge Indian Reserve,
Quathiaski Cove, B. C.

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18/27874.

January 20, 1933.

Dear Major Motherwell:-

I wish to advise you that I have today received a Petition signed by forty-eight Indians of the Cape Mudge district petitioning against what they understand to be the intention of your Department to extend the period of prohibition with respect to fishing for cohoe or blueback salmon from May 15th to June 1st, thereby making the close season from January 1st to June 1st. The Indians have petitioned to have the season for the above mentioned fishing open on May 1st instead of May 15th as now or June 1st as proposed. They have requested me to send their Petition forward to the Superintendent General of Indian Affairs at Ottawa. Before dealing with this Petition, I thought it would be best to refer the matter to you in case some decision may have been reached by your Department in regard to the cohoe or blueback fishing for the next season. Should it happen that no changes are to be made it will not be necessary, of course, to forward the Petition and the Indians could be so advised so that their fears may be allayed. I shall thank you, therefore, to be good enough to let me hear from you in the above connection.

Your obedient servant,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

Major J.A. Motherwell,
Chief Supervisor of Fisheries,
Winch Building,
Vancouver, B. C.

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Cape Mudge B.C.
Jan. I4th . I933.

C.C.Perry. Esq.
Commissioner of Indian Affairs.
Victoria. B.C.

Dear Sir;

The following contents is a petition which we know that you are going to approve of, and we wish you to recommend same and present it to the Superintendent of General of Indian Affairs at Ottawa..

Yours very truly

Chief... J Dudeister

Chief...

Liquatau Tribe.
KwaKwall Agency...

COMMISSIONER'S OFFICE
JAN 20 1933
VICTORIA, B.C.

P.S. This rejection of closing Blue back fishing will effect many of the neighboring tribes. Such as Churchill Squirrel Cove, Sliemon, Comox, Nanaimo, Chemainus + Lady Smith etc they all up here for that Blue back Season. as we have'nt the time + money to have them sign up with us as we want this to read Ottawa for the Parliament setting. J.D.

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Copy.

The Superintendent General of Indian Affairs,
Ottawa.

We the undersigned Indian fishermen of District #3 hereby petition you to look after our interests in regard to our fishing rights. We understand that the Fishery Dept, may make certain amendments in the Fishery Act that will greatly reduce our earning capacity, and as the Fishing Industry is our only source of revenue and our trolling investments amounts to thousands of dollars, any curtailment would be a serious matter to us. For your information the Fishery Act Sect. 19 Sub Sect. 10 reads as follows:-

Please refer to the Special Fishery Regulations for the Province of British Columbia.

We hear that the proposal is, that blueback fishing will not commence until Jun. 1st and this will be after the peak run of bluebacks is over in this district, and we strongly oppose this, as it will cause undue hardship on us.

May we explain briefly the circumstances: as everyone knows in the Fishery Dept. different specie of salmon have their particular run in different areas, annually, punctually. The Blueback peak run is from May 1st to May 27th, and during this few weeks of good fishing, we almost work day and night to make it pay, as prices are small and it is hard to make wages, so therefore we have to have quantity, and that requires lots of time. Under the circumstances, we urgently request you to grant us our request, and open the season for blueback fishing for commercial purposes on May 1st.

In doing this it will greatly help us, as we are trying hard to weather the storm, and we can say, that unless something in this way is not done, we can almost predict that we will have to ask in a body for assistance, as we are finding it very hard to get by. Therefor we urgently request you to again help us out, and open the blueback fishing on May 1st even if only as a relief measure.

We further object to the proposal of an amendment in the Fishery Act and section dealing with our of fishing in the creeks for our own use.

This proposal we understand, is for the Fishery Dept. to charter seine boats to catch fish for us to smoke, and we object to this as we are quite capable of catching fish for our use and needs without any further expense to the Government. Fresh caught fish are of no use for smoking, as they will not keep for the winter, and may we state that the male variety make the best smoked fish, so that we do not bother the female variety. In this way we do not hold ourselves responsible for any shortage of fish.

We will also be grossly belittled if the Government allows seine boats to fish for us in this way and we not allowed to do so in our own way. Custom after custom has been subdued by the white population and now a further old custom (as the above) is to be taken from us. As you are fully aware, smoked creek salmon is our main diet as rice is to China, and wheat to the whites. It is a matter of a few years before we will be of the past, and our growing generation fully understand

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the white man's civilization when calories, and vitimes are supplied, and smoked salmon will cease. We also further object to any further limitation of commercial fishing in District #3, as we hear that there has been several proposals put forward in regard to this district, and we ask you to look into this, and look after our interests and advise us accordingly.

Chief J. Quacksister,
Chief J. Chickite,
W. Roberts,
J. McLean,
Sam Lewis,
Tom Assu,
Fred Dick
Willie Grey
Jack Naknakin his mark X
Sandy Billy
Chas. Joe Robertson his X mark
Oscar Lewis
Frank Assu
Solomon Lewis his x mark
W. Clifton
Frank Charles
Daniel Assu
M. Cliffe
David Moon
J. Galogamia his x mark
Billy Seaweed his x mark
C. Smith his x mark
Chief Joe Monday his x mark
Lewie Wilson his x mark

Chief Billy Assu,
Chas. Peterson,
H. Assu,
Johnny Dick,
James Howell,
Tom Price,
David Dick
Johnny Wilson
Albert Chickite
James Paul his X mark
Billy Williams his X mark
Moses Moon
Paddy Grey his x mark
John Dick his x mark
Tommy Price
Dam Billy his x mark
J. Terry
George Dick
Clark Smith
J. Whale his x mark
Frank Dixon his x mark
Harry Moon
Bob Roberts his x mark
C.W. Wilson his x mark.

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Copy.

Cape Mudge, B. C.,
Jan. 14th, 1933.

C.C. Perry, Esq.,
Commissioner of Indian Affairs,
Victoria, B. C.

Dear Sir:-

The following contents is a petition which we know that you are going to approve of, and we wish you to recommend same and present it to the Superintendent General of Indian Affairs at Ottawa.

Yours very truly,

Chief J. Quacksister,
Liquatau Tribe,
Kwakwatl Agency.

P.S. This sujection of closing blue back fishing will affect many of the neighborting tribes. Such as Churchouse, Squirrel Cove, Sliamon, Comox, Nanaimo, Chemainus & Ladysmith, etc. they all up here for that blue back season. As we have'nt the time and money to have them sign up with us as we want this to reach Ottawa for the parliament sitting.

J.Q.

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Copy.

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18/28183. February 13, 1933.

Dear Sir:

I beg to acknowledge, with thanks, receipt of copy of your special report to the Department dated February 3rd in regard to fishing accounts of James Roberts and crew vs B.C. Packers, and I am pleased to learn therefrom that the Indians were satisfied with the result of the inquiry.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

E. G. Newnham, Esq.,
A/Indian Agent,
Alert Bay, B.C.

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SPECIAL REPORT
Re
FISHING ACCOUNTS

ALERT BAY, B, C.
Feb, 3rd, 1933.

James Roberts and Crew, Alert Bay,
VS
B. C. Packers, Vancouver

Soon after my arrival at Alert Bay in October last on transfer, James Roberts, a Nimpkish Indian, informed me that he had complained to the retiring Agent, Mr. W.M. Halliday, that during the previous fishing season he had been the captain of a drag seine crew operating in the Nimpkish River, and that although he had absolutely instructed Mr. Milo Chambers, the storekeeper of the B.C. Packers Association at Alert Bay not to give credit beyond a certain amount to any of his crew, Mr. Chambers had nevertheless done so, with the result that Roberts had drawn no money for his season's work and while anxious to make a fair settlement to his crew, did not consider that he should be responsible for their debts. Mr. Halliday had already written to the B.C. Packers Association in regard to the matter and in reply Mr. C. Thomas, Managing Director of the B.C. Packers, Vancouver, B.C., had assured him that the matter would receive every attention and of his desire that the Indians should be treated fairly. I continued where Mr. Halliday had left off.

At first Mr. Milo Chambers was inclined to treat me in an "off hand" manner but I eventually succeeded in gaining access to his files dealing with his store accounts in connection with this particular crew. As the Indians had, as usual, kept no useful record of their transactions, there was no means of accurately checking up on these. Mr. Chambers stoutly maintained that Oly Shaughnessy, the Indian contractor for this and other drag seine crews, was responsible as he had authorized all the credit which Mr. Chambers had given.

At this point I would point out that Mr. Chambers once occupied a position of affluence with the B.C. Packers, and is now their cannery caretaker at Alert Bay. He continues to operate a general store, is the local Postmaster, and is credited with having considerable knowledge of the local Indians. (On looking through back files I find that in the past, he has taken part in potlatches.) Nevertheless, his intelligence evidently had not risen above acting upon the authority of an obviously irresponsible Indian like Oly Shaughnessy, and granting James Roberts' Indian drag seine crew thousands of dollars worth of credit during the season. The full crew was ten Indians and the credit which Mr. Chambers had allowed them amounted to $1,280.49 in June, 1932, and in July $860.65. Mr. Chambers received instructions from his Head Office to "shut down" on credit which he ignored until he had received these instructions for a third time, and at the end of the season the crew were in debt to the extent of $457.02. I had my suspicions that some of the crew had not incurred the financial responsibilities thrust upon them by the storekeeper, and Mr. Chambers' dealings with them had been most unsatisfactory.

After some correspondence with Mr. Thomas, who although the whole transaction had not been directly made by the B.C. Packers was very much concerned with the matter, and has co-operated with me in a most gratifying manner, suggested sending Mr. G. Phillips of the B.C. Packers to Alert Bay to attend an enquiry into the matter. Mr. Phillips arrived on Tuesday, January 31st and attended an enquiry which I held on the same date. I would have preferred to have submitted the case to arbitration in accordance with the Digest of

COMMISSIONER'S OFFICE
FEB 10 1933
VICTORIA, B. C.

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Canadian Mercantile Law, but this was not possible. Mr. Chambers was away in Vancouver so his attendance could not be secured.

James Roberts, examined under oath, stated that he had never been settled with, and the only credit he had authorized from Mr. Chambers store was for oil clothing amounting to $112.00 for the whole crew of ten men, and for the whole season. He had authorized groceries to be obtained at the Dong Chong Chinese Store for which he still owed, but could not pay until he received some money. He looked to the Indian contractor Oly Shaughnessy to settle with him but he had said that Mr. Chambers was holding the money. This was corroberated by Carey Newman, one of his crew, who further stated that the only credit he obtained other than for the oil clothing was for $10.00.

Oly Shaughnessy was then examined under oath, and although perhaps considered by some to be an advanced Indian, soon gave evidence of his utter inability to handle any business proposition. After exercising the greatest patience it was found to be quite impossible to get any definite statements in regard to the total credit actually received and actually charged to each individual fisherman. However in a previous preliminary investigation I had made, Mr. Milo Chambers, who was then present had charged Oly Shaughnessy with using the money received for fish which James Roberts turned in, to cover his expenses for a number of trips he had made to Vancouver during the season, and on being counter-charged by Shaughnessy that he (Chambers) had withheld the sum of $200.00 entrusted to him by the Company to pay to James Roberts, Chambers - in my presence - had replied that "of course he had withheld it as it covered his bill", and then he had explained to me that the "bill" referred to his store account during the season. Having Shaughnessy now under oath I asked him how many trips he had made to Vancouver during this period, and where he had obtained the money for his expenses. He answered that he had made three trips by cannery tender to see Mr. Phillips in Vancouver on business, and that Mr. Phillips had advanced money for his expenses. He had also been present in the Head Office in Vancouver when Mr. Chambers had been paid some money - he was told it was $200.00 - to hand over to James Roberts on his return to Alert Bay.

Mr. Phillips then explained the system under which drag seine crews operated, producing figures to show exactly how many fish had been turned in by this particular crew and the amount of credit it had allegedly incurred at Mr. Chambers' store. He emphatically stated that owing to Mr. Chambers failing to comply with the Head Office's instructions in regard to allowing Indians credit, this phase of the matter had become hopelessly confused and in consequence of this, and in order to treat the Indians fairly, the Company had paid off the balance of Mr. Chambers' store account and had handed him the sum of $200.00 with definite instructions to pay this to James Roberts for distribution among his crew. This had not been paid to the Indian contractor, Oly Shaughnessy, as it was considered to be unwise to entrust him with that amount of money in Vancouver. Mr. Phillips also corroborated Shaughnessy's statements regarding his trips to Vancouver and the source of his expenses; he then went on to say that during the discussions he had had with the Managing Director - Mr. Thomas - as a result of the letters I had addressed to him on the subject, also Mr. Halliday, Mr. Thomas and himself had from the first been inclined to the opinion that Mr. Milo Chambers had been entirely to blame.

I then informed Oly Shaughnessy that he had been under suspicion for a long time, and I still was not satisfied as to how that money supposed to have been paid in settlement of the credit of

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James Roberts and his crew had been used, but there was no evidence on which he could be charged with a criminal offence. However I warned him to be very careful in future when handling other people's money, advising him to give up the job of being contractor as he obviously was unfitted for it, and to go fishing or perform some other manual labour along with the majority of the Indians.

Addressing Mr. Phillips I said that the B.C. Packers had undertaken to settle with this Indian drag seine crew by the payment of $200.00 which was under all the circumstances, very magnaminous, but at the same time considerable confusion had been caused by unsatisfactory bookkeeping. This was by no means the fault of the Indian fishermen and it would be most unfair if they did not receive some payment for services rendered in good faith and under strenuous conditions. Mr. Milo Chambers had placed himself in a grave position. It was not a case of debt and therefore one of criminal not civil proceedings, there being definite evidence to support a charge under Section 355, Criminal Code - "Theft by persons required to account, or Agent". However I pointed out that Mr. Chambers was not the Agent of the Department of Indian Affairs but of the B.C. Packers and it was up to the Company to prosecute if it saw fit to do so. The Indian drag seine crew was still entitled to the $200.00 which the Company had undertaken to pay in settlement of the 1932 season's operations.

In replying, Mr. Phillips fully agreed with me and said that it was the earnest desire of the B.C. Packers to see that all their fishermen, which included the Indians, should be fairly dealt with. On his return to Vancouver he would recommend to Mr. Thomas that a cheque for $200.00 be forwarded to me to be distributed to James Roberts and his crew, and what action was taken in regard to Mr. Chambers could be left to the Company.

In conclusion I said that to say nothing of my previous contacts with the B.C. Packers, which had always been satisfactory, I was convinced by the manner in which Mr. Thomas had attended to the matter, that the Company did try to give the Indian fishermen a fair deal, and I was very grateful to him for his assistance. I was also most grateful to Mr. Phillips for his assistance in the matter, and for having incurred the inconvenience to himself of coming to Alert Bay from Vancouver.

The result of the enquiry was made known to James Roberts and he and the other Indians departed in a state of satisfaction. On the date of this report Mr. Chambers has not returned to Alert Bay.

E. G. Newnham.
(E,G,Newnham.)
i/c Kwawkewlth Indian Agency

The Secretary.
Department of Indian Affairs.
Ottawa, Ont:

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OFFICE OF THE INDIAN COMMISSIONER FOR B.C., VICTORIA

BUREAU DU COMMISSAIRE AUX AFFAIRES INDIENNES B.C., VICTORIA

FILE/DOSSIER	TITLE/TITRE	DATES
	RG 10, C-II-2, VOLUME 11298	
	Inspector of Indian Agencies - Indian Commissioner for British Columbia - Farming - Correspondence re Sheep Protection Act and control of Indian dogs	1917-1947
	Indian Commissioner for British Columbia - Fishing - Correspondence re various agencies	1933-1934
→	Indian Commissioner for British Columbia - Fishing - Correspondence re various agencies	1914-1935
	Indian Commissioner for British Columbia - Fishing - Correspondence re various agencies	1919-1930
	Indian Commissioner for British Columbia - Fishing - Correspondence re ban on eating clams and mussels	1942-1943

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000925

CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE SUPERVISOR OF FISHERIES

37-1. AT NANAIMO B.C., December 16th 1932.

Chas.C.Perry Esq.,
Asst.Indian Commission for B.C.
P.O.Box 666,
Victoria, B.C.

Dear Sir:

As requested in your letter No: 18-27410 of the 15th instant, I am enclosing herewith cheque for seal bounty in favour of the Indian Ned Williams for delivery.

Kindly return the receipts to this office in due course.

Yours faithfully,

J.F. Tait.

J.F.Tait,
Supervisor of Fisheries.

COMMISSIONER'S OFFICE
DEC 19 1932
VICTORIA, B. C.

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INDIAN AFFAIRS
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18/27410.

December 15, 1932.

Dear Sir:-

I am forwarding under separate cover six hair seal noses brought to this office by the Indian, Ned Williams, of Discovery Island. Kindly have the cheque made out in favor of this Indian and sent care of this office.

Your obedient servant,

KD.

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

J.F. Tait, Esq.,
Supervisor of Fisheries,
Nanaimo, B. C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Duncan, B. C.

November 12th, 1932.

771-L-3

A. V. Hill, Esq.,
Indian Office,
VICTORIA B. C.

Dear Mr. Hill:-

Will you kindly obtain from Fisheries Inspector permits for Jimmy Frank and William James of Pauquachin and if possible send them in care of General Gwynne, Armore Grange, Sidney, B. C.

For Goldstream.

Yours very truly,

H. Graham.

(H. Graham)
Indian Agent.

Permits Rent.
Not. 19/32. AHM

COMMISSIONER'S OFFICE
NOV 14 1932
VICTORIA, B. C.

COMMISSIONER'S OFFICE
NOV 14 1932
VICTORIA, B. C.

INDIAN AFFAIRS
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RG 10, C-11-2, vol. 11298

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DEPT. OF INDIAN AFFAIRS

No.

$ 4 [illegible]

Duncan Oct 3 1932

Received from Fisheries Department

four [illegible]/100 **Dollars,**

for Bounty on Seal

Clean dated Aug. 1st/1932,

and forwarded through Indian Office.

Witness, Signed in duplicate,

Kate Robertson J. A. Wright

M Clark.

INDIAN AFFAIRS
AFFAIRES INDIENNES

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Duncan, B. C.

October 3rd, 1932.

461-L-3

Your No.2/26498.

C. C. Perry, Esq.,
Assistant Indian Commissioner for B. C.
P. O. Box 666,
VICTORIA, B. C.

Dear Sir:-

In reference to yours of the 30th, ~~inst~~timo, Fisheries Department cheque for $4.00- was handed to Jimmy Knightime to-day and enclosed you will find receipt.

Yours truly,

H. Graham.

(H. Graham)
Indian Agent.

COMMISSIONER'S OFFICE
OCT 5 1932
VICTORIA, B. C.

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INDIAN AFFAIRS
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National Archives of Canada
Archives nationales du Canada

2/26498.

September 30, 1932

Dear Sir;-

I beg to acknowledge receipt of your letter of 21st instant with reference to a cheque for seal bounty in favour of Jimmy Knightime. This cheque was received here and has been held for Jimmy for some time.

The receipts were sent to the Fisheries officer in Nanaimo, signed by the Commissioner for Jimmy. I am enclosing his cheque which you might give him taking his receipt for the same and returning it to this office.

Yours truly

AVH.
Enclosure;-

C.C.Perry.
Asst. Indian Commissioner for B.C.

H. Graham, Esq.,
Indian Agent,
Duncan, B.C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Duncan, B. C.

September 21st, 1932.

419-L-3

C. C. Perry, Esq.,
Assistant Indian Commissioner,
Indian Office,
VICTORIA, B. C.

Dear Sir:-

Jimmy Knighton, Indian of Nitnat, who is staying at Khenipsen reserve here, asked me to write to you to see whether the bounty for 2 seal noses that he left at the Indian Office, Victoria some time ~~&&&~~ ago, had been received.

Yours very truly,

H. Graham

(H. Graham)
Indian Agent.

COMMISSIONER'S OFFICE
SEP 23 1932
VICTORIA, B. C.

RG 10, C-II-2, vol. 11298

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DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER.

CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE CHIEF SUPERVISOR

WINCH BUILDING,

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF SUPERVISOR

IN YOUR REPLY PLEASE QUOTE

FILE No. 10-2-31

VANCOUVER, B.C., Sept. 9, 1932.

Dear Mr. Perry:

I have to acknowledge with thanks receipt of your letter of the 7th instant, together with enclosed copy of communication you received from Mr. G. C. Mortimer, Indian Agent at Hazelton.

Yours truly,

a. MacKay

For J. A. Motherwell
Chief Supervisor of Fisheries.

C.C. Perry, Esq.,
Assistant Indian Commissioner for B. C.,
P. O. Box 666,
Victoria, B. C.

COMMISSIONER'S OFFICE
SEP 12 1932
VICTORIA, B. C.

RG 10, C-11-2, vol. 11298

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E 22 9-6-3 0 0

18/26242.

September 7, 1932.

Dear Major Motherwell:

In my letter to you of August 26th I anticipated that a reply would be received to my letter of August 22nd addressed to Mr. Indian Agent Mortimer on the subject of fishing. I have now received Mr. Mortimer's reply and have pleasure in sending you herewith copy of the same, which will be self-explanatory. In the circumstances I am sure you will concur in the concluding paragraph of Mr. Mortimer's letter.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

Encl.
P/AC

Major J. A. Motherwell,
Chief Supervisor of Fisheries,
Winch Building,
Vancouver, B.C.

RG 10, C-11-2, vol. 11298
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(C O P Y)

BABINE AGENCY

F-5-187

Department of Indian Affairs
Canada

Office of Indian Agent,
Hazelton, B. C.
August 31st, 1932.

Re- Explanation on report of A.R.McDonell,
Fishery Inspector, Smithers, B.C.

Sir:-

I respectfully beg to acknowledge receipt of your letter No. 18/26112 dated August 22nd 1932 with a copy of A.R. McDonell's report to the Supervisor of Fisheries, Prince Rupert. And my reply to same is as follows. At all times I keep in close touch with the Indians of this Agency, more especially when I hear of any dispute affecting their welfare. Every assistance has been rendered to the Fishery Department at all times.

Dealing with the Court case against Chief Jack of the Moricetown Band, may I be permitted to say, that I received the Fishery Inspector's Telegram at 11AM of the morning of the trial, just Three hours before the adjourned case opened at 2 PM of August the 10th, owing to the short notice to proceed 50 miles to attend Court, it was absolutely impossible to reach Smithers in time, I therefore communicated to Sargeant Fairbairn of the Provincial Police at Smithers to render Chief Jack Joseph every assistance. Mr. Perry, had I been in a position to attend court and had spoken on behalf of Jack Joseph, the Fishery Inspector would have complained to his Department that I was there helping an Indian who was breaking the Fishery Laws. Up to the day of the case Chief Jack Joseph promised faithfully to me that he would take out his fishing Permit at once, which led me to believe that this would end the matter, and the case would be withdrawn.

However he did not carry out my instructions re getting his Permit, so therefore deserved the punishment handed out to him by the magistrate.

Hoping my explanation is satisfactory

Your Obedient Servant

"G. C. Mortimer"

INDIAN AGENT

G.C.M./

C. C. Perry, Esq.,
Indian Commissioner for B.C.,
Victoria, B.C.

R6 10, C-11-2, vol. 11298

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BABINE AGENCY .

F-5-187

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

HAZELTON B.C.
AUGUST 31st 1932

Re- Explanation on report of A.R.Mcdonell
Fishery Inspector Smithers B.C.

Sir-

I respectfully beg to acknowledge receipt of your letter No18/26112 dated August 22nd 1932 with a copy of A.R.Mc Donell's report to the Supervisor of Fisheries, Prince Rupert. And my reply to same is as follows. At all times I keep in close touch with the Indians of this Agency, more espicially when I hear of any dispute effecting their welfare, Every assistance has been rendered to the Fishery Department at all times.

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However he did not carry out my instructions re getting his Permit, so therefore deserved the punishment handed out to him by the magistrate.

G.C.M./

Hoping my explanation is satisfactory

Your Obedient Servant

G.C. Mortimer

G.C.MORTIMER .
INDIAN AGENT

C.C. PERRY ESQ
Indian Commissioner for B.C.
Victoria.B.C.

COMMISSIONER'S OFFICE
SEP 6 1932
VICTORIA, B. C.

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DO NOT [redacted] ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER [redacted]

CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE CHIEF SUPERVISOR

WINCH BUILDING,

VANCOUVER, B.C., August 30th 19 32

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF SUPERVISOR

IN YOUR REPLY PLEASE QUOTE 10-2-31

FILE No.....

Dear Mr. Perry,

I would acknowledge, with many thanks, receipt of your communication of the 26th instant, your file 18-26159, re the Moricetown Indian affair.

Yours truly,

J. A. MOTHERWELL,
CHIEF SUPERVISOR OF FISHERIES.

C. C. Perry, Esq.,
Asst. Indian Commissioner for B.C.,
VICTORIA, B. C.

COMMISSIONER'S OFFICE
AUG 31 1932
VICTORIA, B. C.

RG 10, C-II-2, vol 11298

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C 1 2 9 1 0 0 0

18/26159.

August 26, 1932.

Dear Major Motherwell:-

I am somewhat reluctant to labour the matter of the Moricetown Indian fisheries trouble and am disposed to avoid any further controversy on the subject but think I should furnish you with a copy of a letter received from our Indian Agent at Hazelton dated August 20th, together with copy of the letter of Field Matron Miss Menzies which accompanied the foregoing, which correspondence has bearing particularly upon the second paragraph of the letter of Mr. J. Boyd, Supervisor of Fisheries at Prince Rupert, dated July 28th, in which he stated that the Indians interviewed at Kispiox apparently had no objection to the taking out of permits and there were no complaints. The correspondence will bear out the contention which I have held in previous correspondence with you regarding the desirability of making official contacts in fishery matters through our Indian Agents.

I have not yet received Agent Mortimer's reply to my letter addressed to him on August 22nd, instant, but, no doubt, shall be doing so shortly.

Yours sincerely,

P/KD.

Enclosures:-

Chas. C. Perry,
Asst. Indian Commissioner for B. C.

Major J.A. Motherwell,
Chief Supervisor of Fisheries,
Winch Building,
Vancouver, B. C.

RG 10, C-II-2, vol. 11298

INDIAN AFFAIRS
AFFAIRES INDIENNES

National Archives of Canada
Archives nationales du Canada

F-5-185.

Cppy. Office of the Indian Agent

Hazelton, B. C.,
August 20th, 1932.

Sir:- Re-Indian permits.

I beg to acknowledge receipt of your letter No. 18/25999 dated August 15th, 1932. I am quite in accord with your views, that no Interior Indian can obtain a Permit to fish commercially, but that they must obtain a permit to fish for food.

The Indians of Moricetown and Hagwilget Reserves under my advice have nearly all got their permits. On my return from vacation on August 8th, 1932, I was informed of discontent amongst the few remaining Indians of the Kispiox Reserve, on making enquiries I was informed that the Fishery Inspector had been amongst them, gave them permits but never explained the meaningof said permits, resulting in the old Indians remaining at Kispiox going to Miss Menzies the Field Matron at that point, and demanding to know the reason of the permits, the Field Matron stated that they were in a hostile mood, however after a long talk to them Miss Menzies got them subdued until my return from vacation, you will readily understand Miss Menzies feelings, being all alone on the Kispiox Reserve.

I am enclosing herewith a letter received from Miss Menzies Field Matron at the Kispiox Reserve dealing with the matter.

Dealing with the excerpt from the letter of the Chief Supervisor of Fisheries, may I be permitted to say that no mention or no attempt was made by the Fishery Inspector to issue permits, other than the Moricetown Indians, until complaints were made by the Moricetown Indians to you, Miss Menzies letter deals with the unrest at the Kispiox Reserve.

Your obedient servant,

"G.C. Mortimer"
Indian Agent.

Chas. C. Perry, Esq.,
Asst. Indian Commissioner for B. C.,
Victoria, B. C.

0-1-5-28

RG 10, C-II-2, vol. 11298

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AFFAIRES INDIENNES

National Archives of Canada
Archives nationales du Canada

Copy.

Kispiox,
Hazelton, B. C.,
August 14th, 1932.

Captain G.Mortimer,
Hazelton, B. C.

Dear Capt. Mortimer:-

While you were away on your vacation the Fish Warden came to the village and distributed to some of the older peoplw what he said were permits to fish.

As you know the old people understand but little of our language and this action annoyed them. As soon as he had gone they came here and demanded that I take them all and return them, saying that they had always fished when and where they desired on their own reserve and did not see what right anyone had to forbid them.

I spent fully half an hour trying to pacify them, and then only succeeded in persuading them to take the permits home and be content until your return.

Had the man given the things through the proper channel or even come to me first, the trouble might have been avoided and it seems a pity for discontent to be needlessly stirred up in times like these when our people have less than ever.

Trusting you to look into the matter,

I remain,

Yours truly,

"Agnes Menzies"
Field Matron.

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BABINE AGENCY

F-5-185

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Hazelton.B.C.
August 20th 1932

RE- Indian Permits

Sir-

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Encl-I

GCM/

Your Obedient Servant

G.C. Mortimer

Chas.C. Perry Esq
Indian Commissioner for B.C.
Victoria B.C.

G.C. Mortimer
Indian Agent

COMMISSIONER'S OFFICE
AUG 25 1932
VICTORIA, B. C.

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Kispiox
Hazelton B C.
August I4th I932 .

Captain G.Mortimer
Hazelton B.C.

Dear Capt:Mortimer,

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Trusting you to look into the matter
I remain

Yours truly

Agnes Mengies
Field Matron.

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DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER

CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE CHIEF SUPERVISOR

WINCH BUILDING,

VANCOUVER, B.C., August 22nd 19 32

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF SUPERVISOR

IN YOUR REPLY PLEASE QUOTE

FILE No. 10-2-31

Dear Mr. Perry,

Many thanks for your letter of the 16th instant, file 18-26021, regarding the Indians up country in the vicinity of Moricetown.

You were recently forwarded information as to the prosecution of the Indian chief and the result and it is felt that conditions at that point should give no difficulty in the future.

A copy of your communication is being forwarded to the Supervisor at Prince Rupert for his information.

Obviously the Department cannot permit the sale of fish taken by the Indians above the commercial fishing boundaries for their own use. The privilege is only given to the Indians and for the reason that they have always been accustomed to this variety of food. In places we have had in the past, and still have, considerable difficulty in preventing the sale of fish so caught but I am glad to say that the practice is not so prevalent as at one time due, to some extent undoubtedly, to the assistance received from the officers of the Indian Department.

The attention of local officers is being directed particularly to the suggestion of issuing licenses through the local Indian Agent, which system, of course, has its merits.

In conclusion I wish to state that I am not at all satisfied with the way this Indian matter has been handled in the Moricetown district in the past and am prepared to go to very considerable lengths if found necessary in the way of training of any Fishery Officer who may be concerned in the administration of the regulations in the vicinity or by having him replaced by someone who can tactfully and with good sense enforce the requirements of the Department.

Yours truly,

J. A. MOTHERWELL,
CHIEF SUPERVISOR OF FISHERIES.

C. C. Perry, Esq.,
Acting Indian Commissioner,
VICTORIA, B.C.

COMMISSIONER'S OFFICE
AUG 24 1932
VICTORIA, B.C.

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DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER

CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE CHIEF SUPERVISOR

WINCH BUILDING,

VANCOUVER, B.C., August 22nd 19 32

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF SUPERVISOR

IN YOUR REPLY PLEASE QUOTE

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Yours truly,

J. A. MOTHERWELL,
CHIEF SUPERVISOR OF FISHERIES.

C. C. Perry, Esq.,
Acting Indian Commissioner,
VICTORIA, B.C.

COMMISSIONER'S OFFICE
AUG 24 1932
VICTORIA, B. C.

REPEAT
REPETITION

INDIAN AFFAIRS
AFFAIRES INDIENNES
RG 10, C-11-3, vol 11298
B2211 [10-2-31]

National Archives of Canada
Archives nationales du Canada

18/26112. August 22, 1932.

Dear Sir:

Please find herewith copy of a report dated August 10th, instant, made by Fisheries Inspector McDonell to Supervisor J. Boyd, in regard to the prosecution of Chief Jack Joseph.

I have been urging upon the Chief Supervisor of Fisheries at Vancouver that his officers should make official contacts with the Indians through our Indian Agents, and it seems to me that unless our Agents are able to keep closely in touch in matters of Fisheries disputes, we cannot reasonably expect to go far in our persuasions.

Kindly report what difficulty, if any, you experienced in making prompt reply to the Inspector's telegram of August 10th; also why you asked for a further remand, since you had already advised the Chief to take out a permit as the other Indians had done. I have noted that you were represented at the Court by the Police, in asking for remand, but it is thought that you should make explanation regarding the above mentioned matters. It is also felt that you should have made every possible effort to appear personally at the Court provided of course that reasonable notice was given you of the pending trial.

Your obedient servant,

C. C. Perry.
Asst. Indian Commissioner for B.C.

P/AC

C. C. Mortimer, Esq.,
Indian Agent,
Hazelton, B.C.

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AFFAIRES INDIENNES
National Archives of Canada
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(C O P Y)

Smithers, B.C.
August 10, 1932.

RE FISHERIES VS JACK JOSEPH

Sir:

I beg to advise you that this case came up before Magistrate Gale this morning, the Police acting for the Indian Agent wished another remand of eight days. I objected to this as Guardian Millar and myself were losing too much time over the case and that there was no good reason why the Indian Agent was not present. The Magistrate agreed to remand the case until 2 p.m. on condition that I would wire the Indian Agent giving him a chance to be there.

I wired the Agent as follows:

Smithers, B.C.
Aug. 10th 1932

Capt. Mortimer, Indian Agent, Hazelton, B.C.
"Case Jack Joseph remanded from 10 a.m. till 2 p.m. this afternoon to allow your presence if you desire acknowledge receipt"
Signed A.R.McDonell.

He would not acknowledge the receipt of wire but the Telegraphs confirmed the receipt of same by him.

Sargeant Fairburn then called him up at 2 p.m. asking him whether he was coming or for what reason he wished a remand. I understand that he stated that he was expecting word from Ottawa in connection with the case and wished the case remanded for this reason. I objected as this case was being carried along too long and was having a very demoralizing effect on the Indians. The Magistrate upheld my objection and the case was proceeded with.

Jack Joseph pleaded guilty of having fished without a Permit.

The Magistrate then asked him if he were going to take a Permit and conform with the Regulations. I informed the court that as far as the Prosecution was concerned that we would be satisfied with a minimum sentence but that if he did not take out a Permit we had full intentions of arresting him on the next offence and asking for the maximum sentence.

Jack Joseph then told the Magistrate that he was going to take a Permit and conform to the Regulations.

The Magistrate then sentenced him to a fine of $1.00 and costs or a day in Jail and allowed today as the day.

After the case was over Sargeant Fairburn and I had a meeting with the Indians and explained the law to them until everyone of them understood it and had no more questions to ask. They were perfectly satisfied, although Paddy Isaac started to tell us about Mr. Moore telling them not to take a Permit unless his name was on it. I stopped that right away as I had some correspondence with Mr. Moore in regard to some of his Fraser Lake Indians attempting to sell fish, which I produced and it showed them that Mr. Moore was not going to tolerate any nonsense from them in not obeying the Regulations.

After the meeting was over the Indians all thanked us and told us that there was going to be no more trouble at Moricetown.

I am, Sir,
Your obedient servant,

A. R. McDonell,

James Boyd, Esq.,
Supervisor of Fisheries,
Prince Rupert, B.C.

D-0-1545

RG 10, C-II-2, vol. 11298

INDIAN AFFAIRS
AFFAIRES INDIENNES

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18/26111.

August 22, 1932.

Dear Sir:

I desire to thank you for your letter of August 17th, instant, covering copy of official report of your Inspector McDonell to your Supervisor of Fisheries, Mr. Boyd, and dated August 10th.

In reply I am sending you herewith copy of a letter addressed today to Mr. Agent Mortimer which will be self-explanatory. Possibly Mr. Mortimer may be able to give good reasons for his attitude, but I want to be quite satisfied that the officers will work harmoniously towards an effective course in handling the permit system. I shall write you again after I have heard from our Agent.

Your obedient servant,

Encl.
P/AC

C. C. Perry,
Asst. Indian Commissioner for B.C.

Major J. A. Motherwell,
Chief Supervisor of Fisheries,
Winch Building,
Vancouver, B.C.

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DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER

CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE CHIEF SUPERVISOR

WINCH BUILDING,

VANCOUVER, B.C., August 17th 19 32

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF SUPERVISOR

IN YOUR REPLY PLEASE QUOTE

FILE No. 10-2-31

Dear Sir,

You will be interested in the enclosed copy of a report under date of the 10th instant received from Inspector A. R. McDonell of Smithers regarding the trial of the Indian, Jack Joseph.

Yours truly,

J. A. SUTHERWELL,
CHIEF SUPERVISOR OF FISHERIES.

C. C. Perry, Esq.,
Asst. Indian Commissioner for B.C.,
VICTORIA, B. C.

COMMISSIONER'S OFFICE
AUG 22 1932
VICTORIA, B. C.

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DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER

CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE CHIEF SUPERVISOR

WINCH BUILDING,

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF SUPERVISOR

IN YOUR REPLY PLEASE QUOTE

FILE No. 10-2-31

VANCOUVER, B.C., August 17th 19 32

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Yours truly,

J. A. [illegible],
CHIEF SUPERVISOR OF FISHERIES.

C. C. Perry, Esq.,
Asst. Indian Commissioner for B.C.,
VICTORIA, B. C.

COMMISSIONER'S OFFICE
AUG 22 1932
VICTORIA, B. C.

REPEAT
REPETITION

INDIAN AFFAIRS
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RS 10, C-11-3, vol. 11298

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COPY

Smithers, B.C.,
August 10th, 1932.

RE FISHERIES VS JACK JOSEPH

Sir:

I beg to advise you that this case came up before Magistrate Gale this morning, the Police acting for the Indian Agent wished another remand of eight days. I objected to this as Guardian Millar and myself were losing too much time over the case and that there was no good reason why the Indian Agent was not present. The Magistrate agreed to remand the case until 2 p.m. on condition that I would wire the Indian Agent giving him a chance to be there.

I wired the Agent as follows:

Smithers, B.C.
Aug. 10th 1932

Capt. Mortimer, Indian Agent, Hazelton, B.C.
"Case Jack Joseph remanded from 10 a.m. till 2 p.m. this afternoon to allow your presence if you desire acknowledge receipt"
Signed A.R.McDonell.

He would not acknowledge the receipt of wire but the Telegraphs confirmed the receipt of same by him.

Sargeant Fairburn then called him up at 2 p.m. asking him whether he was coming or for what reason he wished a remand. I understand that he stated that he was expecting word from Ottawa in connection with the case and wished the case remanded for this reason. I objected as this case was being carried along too long and was having a very demoralizing effect on the Indians. The Magistrate upheld my objection and the case was proceeded with.

Jack Joseph pleaded guilty of having fished without a Permit.

The Magistrate then asked him if he were going to take a Permit and conform with the Regulations. I informed the court that as far as the Prosecution was concerned that we would be satisfied with a minimum sentence but that if he did not take out a Permit we had full intentions of arresting him on the next offence and asking for the maximum sentence.

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Mack Joseph then told the Magistrate that he was going to take a Permit and conform to the Regulations.

The Magistrate then sentenced him to a fine of $1.00 and costs or a day in Jail and allowed today as the day.

After the case was over Sargeant Fairburn and I had a meeting with the Indians and explained the law to them until everyong of them understood it and had no more questions to ask. They were perfectly satisfied, although Paddy Isaac started to tell us about Mr. Moore telling them not to take a Permit unless his name was on it. I stopped that right away as I had some correspondence with Mr. Moore in regard to some of his Fraser Lake Indians attempting to sell fish, which I produced and it showed them that Mr. Moore was not going to tolerate any nonsense from them in not obeying the Regulations.

After the meeting was over the Indians all thanked us and told us that there was going to be no more trouble at Moricetown.

I am, Sir,

Your obedient servant,

A. R. McDonell,

James Boyd, Esq.,
Supervisor of Fisheries,
Prince Rupert, B.C.

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18/26028.

August 16, 1932.

Dear Sir:

I desire to acknowledge, with thanks, receipt of your letter of August 12th with enclosures with further regard to the trouble at Moreicetown over Fisheries and herewith enclose for your perusal copy of my letter of today's date addressed to the Chief Supervisor of Dominion Fisheries at Vancouver. A copy of Mr. Agent Mortimer's letter of August 9th, mentioned therein, is also sent herewith for your perusal.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

ENCL
P/AC

G. S. Pragnell, Esq.,
Inspector of Indian Agencies,
Kamloops, B.C.

H 0 1951

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18/26021.

August 16, 1932.

Dear Major Motherwell:

With reference to the fishing troubles in the vicinity of Moricetown, I have received a letter dated August 9th from our Indian Agent and send you copy herewith as I thought the same would be of interest to you.

In the same connection I have received a letter from Mr. C.E. Pragnell, Inspector of Indian Agencies, at Kamloops, dated August 12th, covering copy of his letter sent to you on August 12th after reviewing the copy of the report dated July 28th, ultimo, of your Supervisor of Fisheries, Mr. J. Boyd. I have carefully perused all the correspondence in connection with this matter and feel that if the Indian permits to the Interior Indians are handled through the office of the Indian Agent at Hazelton, exactly in the same matter as that in which they are handled at the Vancouver Indian Agency, considerable difficulty might be obviated for the future. I may say I have advised Inspector Pragnell that your Mr. Mackie has recently given me very definitely the information that licenses to the Indians of the Interior to sell their fish can not be made available on account of the spawning areas existing there.

You will in all probability have received a copy of Resolution No.11 passed recently by the Associated Boards of Trade of Central British Columbia in which it is stated that the Indians, presumably in that district, are in the habit of offering fish for sale and allegedly unfair competition with white traders appears to be resented. A further Resolution, No.12, of the same group asks that white men who are unable to support their families should be allowed to fish in waters running through Indian Reserves. These Resolutions are seemingly inconsistent and incongruous. I have advised our Indian Agent at Vanderhoof, who forwarded the Resolutions after receiving them from the Secretary of the Associated Boards, that the administration of Fisheries and their regulations are in the jurisdiction of your Department and that the Indians must be governed thereby.

I note that the Inspector of Indian Agencies seems to think that it would be in the interests of everybody to make legal the sale of fish by Indians to an extent limited only by their customary practices to sell locally but if as pointed out in your previous correspondence it is important that all fish caught in spawning areas should be prohibited from sale it can hardly be expected that your Department would be in a position under existing regulations to allow even the limited sale of fish by the Indians and unless legal machinery is provided for such a purpose the sale of fish by Indians will apparently of necessity have to be forbidden.

Major J. A. Motherwell,
Chief Supervisor of Fisheries,
Vancouver, B.C.

I may....

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INDIAN AFFAIRS
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I may say I do not agree with your Mr. Boyd in his remark:- "McDonell is rather blunt and to the point in explaining to the Indians what will happen to them should they break the regulations and this some of them resent, but due to the fact that the biggest percentage of them are illiterate, it is in my opinion the only way to impress upon them the necessity for abiding by the regulations, and I do not think McDonell went too far in taking the course he did." There is in my opinion a better way for your officers to deal on major Fisheries questions with the Indians and that is by making overtures to the Indians through the office of the Indian Agent to whom the Indians look naturally for explanations and advice in such matters. I may say that when Mr. Indian Agent Mortimer was in Victoria recently he informed me that Inspector McDonell had told him that he was acting in concert with Mr. Boyd who was giving him support in all phases of his work. This may account for Mr. Boyd's observation regarding Inspector McDonell quoted above. I am fully aware that if success is to be attained among the officers of both Departments individually or otherwise there must be co-operation between them but it would seem quite needless for any of your officers to have trouble with the Indians when it can be so easily avoided by making official contacts through the Indian Agent who is appointed by the Department of Indian Affairs for that specific purpose. In regard to the alleged obstinacy of Chief Jack Joseph as recorded by Mr. Boyd I think this can be broken down if he is handled diplomatically but as inferred in my previous letter it is doubtful if his coercion by methods previously complained of would be possible. I have tried to deal with this matter fully and carefully, information having reached me to the effect that this Chief had threatened that if there was much more trouble with Inspector McDonell he would watch for an occasion when near the river to throw his arms around him and go with him into the river and settle for what he believed to be indignities offered to his tribe by this Inspector. I am exceedingly anxious to prevent anything in the nature of an overt act. For this reason I do not agree with Mr. Boyd or Inspector McDonell and consider it would be much more effective to have our Indian Agent use his powers of persuasion in inducing them to accept the permit system for food fishing.

Your obedient servant,

Encl.
P/AC

C. C. Perry,
Asst. Indian Commissioner for B.C.

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Chief Supervisor of Fisheries,
Vancouver, B.C.

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Encl.
P/AC

C. C. Perry,
Asst. Indian Commissioner for B.C.

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(C O P Y)

5-168.

Department of Indian Affairs
Canada

Office of Indian Agent
Hazelton, B.C.
August 9th, 1932.

Sir:-

re - Fishing Permits.

On August 6th, whilst returning to Hazelton, I spent the day in Moricetown and I am pleased to say that I found conditions much better than they had been. Apparently the Indians have taken my advice and all have applied for their fishing permits with the exception of Chief Jack Joseph.

I have had several interviews with Chief Jack Joseph and fully warned him of his folly in refusing to take up his permit. I am of opinion this difficulty will be overcome after having advised Chief Joseph that the Department would frown on his actions in not showing a better example to the Indians of his Band.

On my return to Hazelton I was informed that Inspector A.R. McDonell had been to the Tsitsk and Kispiox Reserves, much to the indignation of the Indians at the latter point. Had Inspector McDonell used a little horse-sense and awaited my return from vacation I would certainly gone with him and explained everything fully to the Indians and thereby eliminated a lot of unrest amongst them.

Your obedient servant,

"G. C. Mortimer"

Indian Agent.

GCM/SM.

C. C. Perry, Esq.,
Asst. Indian Commissioner for B.C.,
Victoria, B.C.

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BABINE AGENCY

DEPARTMENT OF INDIAN AFFAIRS
CANADA

F-5-168.

OFFICE OF
INDIAN AGENT

Hazelton, B.C.

August 9th, 1932.

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re - Fishing Permits.

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Your obedient servant,

G. C. Mortimer

GCM/SM.

G. C. Mortimer,
Indian Agent.

C. C. Perry, Esq.,
Asst. Indian Commissioner for B.C.
Victoria, B. C.

COMMISSIONER'S OFFICE
AUG 15 1932
VICTORIA, B. C.

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DEPARTMENT OF INDIAN AFFAIRS

OFFICE OF
INSPECTOR OF INDIAN AGENCIES
BRITISH COLUMBIA

P.O. Box 752
KAMLOOPS, B.C.

August 12th, 1932.

S-G-1255

Dear Mr. Perry:-

Further to the trouble which recently occurred at Moricetown in connection with the fisheries and the permit question, I beg to enclose a copy of a report which I have just received from Major Motherwell, the Chief Supervisor of Fisheries, in connection with the matter. This report is written by J. Boyd, Supervisor of Fisheries at Prince Rupert. I also enclose a copy of my answer to Major Motherwell.

You will notice in this copy that I am recommending to you that Indian Agent Mortimer be allowed to issue these fishing permits. It also explains a possible misunderstanding on the part of the Chief in what I said to him. I have not, of course, flatly contradicted Mr. Boyd's statements, but in my own mind I feel absolutely assured that he did say that they could get permits for the sale of fish within reason. Why I feel sure of this is because at the time we talked the matter over I pointed out that there were lots of destitute white settlers around Smithers and that they often passed along the road through the reserve, and seeing abundance of fish being caught they would offer the Indian twenty-five cents or so on the spot for a fish. I pointed out that such sales really did not amount to any quantity, and that it would be in the interests of everybody to make such sales legal. At the same time I suggested that actual peddling of fish in Smithers itself should not be allowed.

Yours very truly,

G S Pragnell

(Geo. S. Pragnell)
Inspector of Indian Agencies.

GSP/B

Encls.

C. C. Perry, Esq.,
Asst. Indian Commissioner,
P. O. Box 666,
Victoria, B. C.

COMMISSIONER'S OFFICE
AUG 15 1932
VICTORIA, B. C.

INDIAN AFFAIRS
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Copy for Mr. C. C. Perry, Asst. Indian Commissioner,
Victoria, B. C.

S-G-1254 August 12th, 1932.

Dear Major Motherwell:-

I am in receipt of your 10-2-31 of the 1st instant for which I beg to thank you.

Mr. Boyd's explanation to you, a copy of which was enclosed, is quite satisfactory to me. He apparently is quite able to handle the Indians and maintain friendly terms with them. This, however, bears out my contention which I still hold that Inspector McDonell does not seem to be able to do so, and causes friction. The very fact that Mr. Boyd can do so, and apparently all the other Inspectors, is proof of the fact to my mind that McDonell is far too dictatorial in his ways, and apparently unable to restrain his temper. I know it is exceedingly hard to do that when dealing with Indians particularly in connection with fishing and hunting, but we have found from experience that all is eventually plain sailing if a little tact and discretion is used to begin with. McDonell started the whole thing wrongly, and then when opposition started he unfortunately put himself in the position of being legally prosecuted by an Indian, and I am afraid that despite what the Indians have told Mr. Boyd this very fact will always make it difficult for him to deal with the Indians in that area. I sincerely hope that my prediction will not be true.

The suggestion of Mr. Boyd that permits be issued by Captain Mortimer, the Indian Agent at Hazelton, is I think a good one, and I will recommend to the Assistant Commissioner that this be arranged for.

Referring to the last paragraph in your letter, I certainly think there was a misapprehension on my part regarding the sale of fish. I think it was already explained to you that I understood Mr. Boyd to say that permits could be got for the sale of fish by paying for same. He probably was referring to whatever places such permits pertain to, and I probably thought that he meant in that area.

Thanking you very much for the trouble you have gone to in this matter, results of which I am communicating to the Assistant Commissioner, I remain

Yours very truly,

(Geo. S. Pragnell)
Inspector of Indian Agencies.

GSP/B

Major J. A. Motherwell,
Chief Supervisor of Fisheries,
Winch Building,
Vancouver, B. C.

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COPY

Prince Rupert, B. C.,
July 28th, 1932.

Dear Sir,

I beg to refer to your wire of the 22nd instant, suggesting that I visit Inspector McDonell's area in connection with the issuing of Indian Permits. Before receipt of your wire I had concluded to visit this area in regard to this matter, leaving here on the 24th instant. This programme was carried out.

I arrived at Hazelton on the evening of the 24th instant and on the forenoon of the 25th I called at the Glen Vowell and Kispiox Indian villages in the Kispiox Valley, accompanied by Inspector McDonell. About twelve Indians had obtained permits between the two villages. Most of the population of course are engaged at this time in the lower Skeena area in gillnetting for the canneries. The Indians interviewed at these two villages apparently had no objection to the taking out of permits and there were no complaints.

From Kispiox we went to Moricetown where a large number of Indians were engaged in obtaining sockeye and spring salmon for their own use. All the Indians at this point so engaged (67) have taken out permits, with the exception of Jack Joseph the Chief, who asserts he will not do so. This man has, in defiance of the regulations, taken three or four fish with a spear at the Moricetown Falls. He was informed by myself that if he persists in refusing to take out a permit he will be summoned for this offence, and Inspector McDonell has been instructed to prosecute him should he not do so, but that before this action is taken every opportunity should be given the man to comply with the regulations.

The Indians at the Moricetown village seem to be, to a large extent, against the permit system and at the meeting held therebetween them and myself, it was suggested by several that the permits issued be handed back. After assuring them however, it was not the intention of the Department to curtail their food supply the idea of handing in the permits was apparently abandoned. The Indians in general at this point claim that they did not fully understand the permit system and believed the issuing of same was a means of curtailing their food supply, but as already stated, after it had been fully explained that this was not the intention of the Department, most of the Indians present seemed more or less satisfied.

Jack Joseph, the Chief, was absent from Moricetown when the permits were first introduced and when he arrived back at

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his home thirty-two Indians had been issued permits. As far as I can gather after his arrival he intended to influence the other Indians in the village to refuse to take out such permits, also suggesting to those that had them to turn them back to the Department. The Chief, however, would not admit this, but stated Inspector McDonell was too crude in his explanation covering the issuing of the permits. He alleges McDonell told him he would go to jail if he secured salmon without a permit of sold salmon caught under permit, as this was "crooked work". The Chief, on being given this information, asked if the Inspector was insinuating that he disposed of salmon in previous years by selling them. McDonell replied that such was his belief. There is no proof that this Indian actually sold salmon in previous years due to the fact that any person purchasing salmon caught by the Indian for his own sustenance is as liable to prosecution as the Indian himself. Such being the cause, it is of course impossible to prove that salmon were sold. However, I do not doubt in the least but that this Indian has sold salmon for several years when the opportunity offered, but never, of course, in large numbers.

Chief Joseph is an arrogant type of Indian with a fair education and understanding of the regulations but I am inclined to believe the reason he will not take out a permit is due to the fact that this action on his part will put upon him the onus of the proof of dis osal of the salmon caught by him. You will also remember that McDonell was prosecuted last year in Smithers for assaulting two Indian boys, by switching them, when he found them engaged in spearing salmon at Moricetown, maiming large numbers of them and not catching any. One of the boys happened to be the son of Joseph and I do not doubt but that this man holds considerable rancor against the Inspector for his action at that time.

McDonell is rather blunt and to the point in explaining to the Indians what will happen to them should they break the regulations and this some of them resent, but due to the fact that the biggest percentage of them are illiterate, it is in my opinion the only way to impress upon them the necessity for abiding by the regulations, and I do not think McDonell went too far in taking the course he did.

Some of the Indians expressed the opinion that the issuing of the permits should be left to the Indian Agent at Hazelton, and to this I explained that although the issuing of such permits was entirely our concern, it could very possibly be arranged with the Indian Department that their officials issue same. I would appreciate your taking this matter up with a view to arranging, if possible, that Captain Mortimer the Indian Agent at Hazelton, issue the permits to the Indians

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residing in his area. I could not take this matter up myself at the time as Captain Mortimer was absent from Hazelton on his annual vacation. I am convinced that thorough co-operation with the Indian Agent will completely eliminate all trouble in this connection.

Another point that Jack Joseph brought up with myself was to the effect that sometimes prior to the sockeye run arriving at Moricetown, Captain Pragnell, Inspector of Indian Agencies, visited Moricetown, informing the Chief that it was the intention of the Fisheries Department to issue permits this year covering the obtaining of salmon for food purposes by the Indians, but that in addition to this privilege, if any surplus salmon were caught they could sell same. The Chief was very much vexed about this question, as sometime before the permits were available he told the Indians of his tribe what Colonel Pragnell had given him to understand. As soon as Inspector McDonell heard of this he of course informed the Indians that such was not the case and that no fish could be sold, which of course displeased them. There is no doubt but that Colonel Pragnell made this or some similar statement through a misapprehension as to just what the permits allowed.

The general opinion of the white people who are acquainted with Chief Joseph is that he is being encouraged to refuse a permit by some white person or persons although it was impossible for me to obtain information as to whom the party might be.

The situation is not at all serious. I have no fault to find with Inspector McDonell's methods of handling the permit question and believe, as stated before, that with thorough co-operation with the Indian Department no more difficulty with reference to the distribution of such permits in the Upper Skeena area will be encountered.

It would be well I think to take this matter up with Colonel Pragnell, suggesting that the permits be issued by Captain Mortimer of Hazelton, as the Indians in that locality are apparently under the impression that if this matter is attended to by him very little, if any, trouble will result.

Yours truly,

J. Boyd,
Supervisor of Fisheries.

Major J. A. Motherwell,
Chief Supervisor of Fisheries,
Vancouver, B. C.

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INDIAN AFFAIRS
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18/26000.

August 15, 1932.

Dear Mr. Mackie:-

I desire to thank you for your letter of August 6th, instant, in regard to fishing by Moricetown Indians in the Babine Indian Agency.

In reply I beg to say that you have satisfactorily answered that portion of my letter to Major Motherwell of August 2nd, instant, in regard to licences for commercial purposes. I was not previously sure whether or not commercial fishing licences were absolutely confined to coast waters. At the same time, I certainly did not think for a moment that your Department should allow the taking of parent spawning fish for commercial purposes. As you know, I am fairly familiar with fishing matters on the Coast, but as the fishing in the Interior is rather different inasmuch as other species of fish than the canning varieties belong to Interior waters, I was not quite sure whether or not any of these species would be cured for sale or be deemed of insufficient value to justify restrictions regarding such sale by Indians under licence. Your letter, however, makes the situation quite clear.

I recently discussed the matter with our Indian Agent, and I am advising him now that the Interior Indians cannot obtain licences to sell fish of any variety as such licences only apply to tidal waters.

Your inference that the previous suggestion that the Moricetown Indians were being forced to take out permits while other Indians of the district were not so required, may not be correct, leads me to ask our Indian Agent who made the suggestion, for further report. I have given him the excerpt from your letter on this matter for his further comment.

The previous report is either true or untrue. If the latter we shall most certainly offer your Department our regrets. Both the Inspector of Agencies and the Agent himself appeared quite satisfied that the Moricetown Indians were being required to take permits while others were not and such representations were made in official correspondence. I shall be sorry if our officials have erred in this matter as we wish to be quite fair and above board in dealing with such matters.

Yours sincerely,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

A. Mackie, Esq.,
For Chief Supervisor of Fisheries,
Winch Building,
Vancouver, B. C.

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18/25999.

August 15, 1932.

Dear Mr. Mortimer:-

I have received word from the Chief Supervisor of Fisheries that the areas where salmon may be fished for, for commercial purposes, are located in the tidal waters well away from the mouths of streams and rivers and fishing operations for sale are not allowed in spawning areas. I had thought there may be some species of fish of insufficient value to justify restrictions regarding sale other than the canning varieties, under licence. The Indians, therefore, cannot obtain licences to sell fish caught in Interior waters and must therefore confine their operations to fishing for food purposes under Indian permit. Please advise them to this effect.

In view of the recent charge that Moricetown Indians were being discriminated against in being required to take out permits while other Indians in the district were not so required, will you please be good enough to make comment upon the following excerpt of a letter received Here from Mr. Adam Mackie, writing for the Chief Supervisor of Fisheries:-

> "You mention that only the Indians at Moricetown
> "were being forced to take out permits. I regret
> "if this impression is being permitted to obtain
> "among the Indians at Moricetown as all Indians
> "taking salmon for food, as far as it is possible
> "to reach them, are expected to take out permits
> "and the Indians of the Kispiox tribe are also
> "taking out permits without complaint."

Your obedient servant,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

G.C. Mortimer, Esq.,
Indian Agent,
Hazelton, B. C.

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DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER

CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE CHIEF SUPERVISOR

WINCH BUILDING,

VANCOUVER, B.C., August 6th 1932

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF SUPERVISOR

IN YOUR REPLY PLEASE QUOTE

FILE No. 10-2-31

Dear Sir,

I have to acknowledge receipt of your letter of the 2nd instant with reference to the issuing of permits to the Indians in the upper Skeena area and first wish to express my appreciation for the co-operation of the officers of your Department in connection with the issuing of these permits.

I note in the second paragraph of your letter that you mention that only the Indians at Moricetown were being forced to take out permits. I regret if this impression is being permitted to obtain among the Indians of Moricetown as all Indians taking salmon for food, as far as it is possible to reach them, are expected to take out permits and the Indians of the Kispiox tribe are also taking out permits without complaining.

Regarding the issuing of commercial licenses authorizing commercial operations in the interior waters of the Province, I presume that you refer to the taking of parent salmon from the spawning grounds to be used for commercial purposes. As you are aware, the areas

W. E. Ditchburn, Esq.,
Indian Commissioner,
VICTORIA, B.C.

COMMISSIONER'S OFFICE
AUG 12 1932
VICTORIA, B. C.

RG 10, C-II-2, vol. 11298

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where salmon may be fished for for commercial purposes are located in tidal waters and the tidal boundaries or fishing boundaries are set well away from the mouths of all the smaller streams and in the larger rivers well below the actual tidal boundaries. You realize, of course, that it would be quite impossible to suggest that there should be no limit set for commercial fishing and that such operations could be conducted on the spawning areas.

Yours truly,

a. Mackie

For J. A. MOTHERWELL,
CHIEF SUPERVISOR OF FISHERIES.

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18/25904.

August 2, 1932.

Dear Major Motherwell:-

I desire to thank you very much for your letter dated July 30th, ultimo, file 10-2-31, in regard to the trouble with the Moricetown Indians.

In reply I wish to say I received a letter from Inspector Pragnell, of this Department, dated July 22nd in which he informed me of his interview with you in which the various issues were verbally discussed by him with you. There appears to be some excuse for the attitude of Chief Joseph in that your Inspector McDonnell is reported to have acted with great indiscretion in the pursuit of his official duties amongst the Indians in that district. I do not think Inspector McDonnell was justified in beating an Indian boy whom he found fishing and the Court's decision on which he was fined for so doing is my sole criterion for this statement. The Moricetown Indians complained that they alone were being forced to take permits, and I am informed by Inspector Pragnell and the Indian Agent that they were the only Indians who were required to take out these permits, the Hagwilget and Hazelton Indians being exempted which naturally looked as though Inspector McDonnell was seeking an opportunity to retaliate against the Moricetown Indians by way of a grudge as a result of his prosecution.

I wrote a letter on August 1st to Chief Jack Joseph telling him that we had found the permit system worked satisfactorily on the Coast where the same had been issued under the Fisheries Act and governed strictly by the Fisheries Regulations and that the Moricetown Indians should accept these permits if issued under such conditions and without discrimination. I also redently met the Indian Agent who informed me that he has been urging the Indians to accept the permits in accord with your Regulations.

I do not know whether or not the Interior Indians could obtain licences such as are issued on the Coast under which they could sell their fish, but I recently asked our Indian Agent to find out from your Inspector whether or not this could be done for it seems to me that if it were possible to obtain such licence, as long as the same was not allowed to conflict with their fishing under food permits, we should advise the Indians to take out these licences in addition to accepting the food permits. I would greatly appreciate your advice as to whether such licences could be obtained. In making this enquiry, however, I should make it quite clear that I have not been informed that the Indians have been selling fish caught under

their....

Major J.A. Motherwell,
Chief Supervisor of Fisheries,
Winch Building,
Vancouver, B. C.

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their food permits. We would certainly warn the Moricetown Indians against such a practice as we have been doing in every other district.

Your obedient servant,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

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CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE CHIEF SUPERVISOR

WINCH BUILDING,

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF SUPERVISOR

IN YOUR REPLY PLEASE QUOTE

10-2-31

FILE No.....

VANCOUVER, B.C., July 30th 19 32

Dear Sir,

I would refer to your wire of the 27th instant regarding the contemplated prosecution of the chief of the Moricetown Indians.

Supervisor Boyd, on instructions from the writer, recently investigated this matter and now wires on his return from the interior that he has arranged to go no further with the prosecution of Chief Josepn providing he will agree to accept the usual fishing permit. Otherwise no stay in proceedings is recommended.

Mr. Boyd informs me that all the other Indians of Moricetown and Hazelton have taken out fishing permits but it appears that Chief Joseph is defiant and is making things rather difficult.

My Department is very reluctant to prosecute any Indian but in view of the situation at Moricetown it would seem that if the Indian chief is to be permitted to openly flaunt the Fisheries Regulations it would not be in the interests of the Indians themselves or of the Fisheries Department.

Yours truly,

J. A. MOTHERWELL,
CHIEF SUPERVISOR OF FISHERIES.

C. C. Perry, Esq.,
Acting Indian Commissioner,
VICTORIA B. C.

COMMISSIONER'S OFFICE
AUG 2 1932
VICTORIA, B.C.

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CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE CHIEF SUPERVISOR

WINCH BUILDING,

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF SUPERVISOR

IN YOUR REPLY PLEASE QUOTE

10-2-31

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Yours truly,

J. A. MOTHERWELL,
CHIEF SUPERVISOR OF FISHERIES.

C. C. Perry, Esq.,
Acting Indian Commissioner,
VICTORIA B. C.

COMMISSIONER'S OFFICE
AUG 2 1932
VICTORIA, B.C.

REPEAT
REPETITION

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18/25874.

July 30, 1932.

Dear Mr. Mortimer:-

I herewith send you copy of letter I have written to Chief Jack Joseph regarding the fishing situation at Moricetown. If you will examine the Fisheries Regulations and particularly those clauses which stipulate the manner in which Indian food permits are to be made out, following closely every particular, you will be in a position to advise the Moricetown Indians if these permits are made out correctly or otherwise. It is important that you should insist that where permits are to be issued to any of the Indians, the requirements of the Regulations as to their preparation should be carried out meticulously so as to avoid any ambiguity or trouble in connection with Indian fishing. We found it necessary at the Coast to insist upon these permits being correctly made out and strictly according to the letter of the Regulations. This is essential since the methods, time and place are particularized in the Regulations.

Your obedient servant,

P/KD.

Enclosure:-

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

G.C. Mortimer, Esq.,
Indian Agent,
Hazelton, B. C.

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18/25873.

August 1, 1932.

Dear Chief:-

I have received your letter of July 22nd, addressed to Mr. Ditchburn. Mr. Ditchburn has left the Department for good so I am answering the letter instead.

I may say that Paddy Isaac wrote me on July 23rd about the matter of fisheries and I wrote him on July 27th explaining the situation. I asked the Chief Inspector of Fisheries by telegram on July 27th to stop the Court cases called for August 3rd so that the matter could be fully investigated. I also had the Inspector of Indian Agencies, Colonel Pragnell, interview the Chief Inspector of Fisheries and he has promised to send at once an officer to investigate the whole trouble. I have also discussed the situation with Mr. Indian Agent Mortimer in my office and if you will keep in touch with Mr. Mortimer and take his advice, I think you would do well. I have further asked the Department of Indian Affairs at Ottawa to speak to Mr. Found, the Deputy Minister of Fisheries, to see that something is done that will put a stop to the trouble.

Now in regard to the permits to fish for food, these have worked well on the Coast and are issued strictly for food purposes and do not give the right to sell fish. If the Indians want to sell fish they must be governed by the Fisheries Regulations which so far as the Coast is concerned provide for the issuance of a licence to fish for commercial purposes. This holds good for a year. I have asked Mr. Agent Mortimer to find out whether or not such licences can be obtained in the Interior. I am a little afraid, however, that such licences are only issued on the Coast.

Under the Indian permits the Indians are often given permission to take fish for their own food by gaffing, spearing or by other methods such as are not allowed in connection with fishing for commercial purposes. I feel, however, that if the Indians at Moricetown are required to take out these permits, the permit system should also apply to the Indians of Hagwilget, Hazelton and other places without distinction. We are trying to find out whether Inspector MCDonnell forced the permit system upon the Moricetown Indians only and not upon other bands as a result of a grudge he may bear against the Indians of Moricetown because of his prosecution in the Court for beating a boy who was found fishing. The Inspectors are now dealing with the matter and I hope that we shall be able to get at the bottom of the matter. You can rest assured that we shall do everything in our power to straighten out this matter and in the meantime I would advise you to take the permits provided they are made

Chief Jack Joseph,
Moricetown Indian Reserves,
Moricetown, B. C.

out.....

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out according to Fisheries Regulations, of whihh Mr. Agent Mortimer will fully advise you. He will know if they are made out right or not.

Yours truly,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

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D 0 1 5 7 4

Moricetown B.C.
July 22nd 32.

W. E. Ditchburn Esq.
Indian Commissioner
Victoria · B.C.

Dear Sir.

Just a few lines to tell you that I have been served with a summons, to appear before magistrate Gale on the 3rd day of august 1932. This is for fishing with out a permit, now I must tell you this is the first time in history we have had to have a permit to get our food, and we have, and my fore fathers lived in this country for many generations, long before the white man came. Why is it, I would like you to answer this question, not any of the other Reserves have permits to fish, only Moricetown, I can get no one to answer me that, & I have ask, the fish Inspector and Indian Agent Mortimer. — Now when this case comes up I have no money to get a lawyer to help me, also I have a sick wife and large family, who will feed and clothe my family, who will attend to my sick wife and help her, as if I am found guilty must go to prison, as I cannot pay any fine. So then no one to help us, and would it be in my favour if I send in a requisition to Ottawa for food, would my children get it. All the help I ever got from the Govt was $16.00 in the year.

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W E Ditchburn
Victoria

The same man made all the trouble for me last year and we cannot afford to keep this up, and now it is time to get my fish, they wont let me get it, and 38 more besides me have no permits, yet they do not bother those people. If you want to know the full particulars of all this trouble I can forward it to you. This fish business has been upset since Col Pragnell was here, when he told me that we would be allowed to sell our fish, and to catch all we need, and that he would send permits for same, then we got these permits to fish but could not sell or barter, also that white people could not stay on the reserve, yet white man is here, there was 50 fish stolen on the 20th inst. Please write a letter to the magistrate for me and tell him what is to be done about this business as it must be fixed, we do not want any trouble of any kind, so please answer my letter as quickly as you can

and oblige Yours obedient servant

Jack Joseph
Chief of Moricetown Indians
Moricetown BC.

INDIAN COMMISSIONER'S OFFICE
JUL 30 1923
VICTORIA, B. C.

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Form 6102, replacing Form 2A-T.W.

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Victoria, B.C., July 27, 1932.

Major J.A. Motherwell,
Chief Supervisor of Fisheries,
Vancouver, B. C.

15/25836

Inspector Pragnell advises me you are having Officer Boyd investigate fishing trouble Moricetown Indians (STOP) Indians report new prosecution Chief August third (STOP) Strongly advise you stay proceedings pending full enquiry (STOP) Kindly advise.

RUSH

C. C. PERRY.

CHARGE INDIAN OFFICE VICTORIA.

Telephone Empire 7121

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18/25847.

July 27, 1932.

Sir:-

I have your letter of July 23rd, addressed to Mr. Ditchburn, who has now left the Department for good, in regard to fishing matters in the vicinity of your reserve.

Colonel Pragnell was here some days ago and I discussed the matter fully with him. The following day Colonel Pragnell talked the matter over with Major Motherwell, of the Fisheries Department in Vancouver, and Major Motherwell is sending an officer of the Fisheries Department to look carefully into the matter of your complaint. Kindly tell your Chief and people not to worry because we are doing everything possible to try and remedy the causes of your complaint. I have asked the Chief Inspector of Fisheries to hold off the trial set for the third day of August against the Chief so that the fullest opportunity may be given to investigate carefully all phases of the situation. Colonel Pragnell says he thinks the Indians did not quite understand when he spoke about the permits. What he had in mind was that on the Coast the Indians can take out a special licence to fish so that they can sell their fish. The permit is good from January 1st to December 31st and costs $1.00. The permits, however, are given to the Indians so that they may take fish for food only and not to sell. The reason for this is that sometimes the Fisheries permit shows Indians how they can be allowed to fish and sometimes the method employed under these permits is different to what is allowed to persons fishing commercially.

Please tell your people I have also discussed the matter with Mr. Indian Agent Mortimer who was here a few days ago and you can rest assured that we shall do everything possible to protect the rights of the Indians. The permit system has proved to be very good on the Coast and I think they would be equally good in the Interior provided all the Bands are treated the same as each other and that there is no favoritism shown in issuing the permits. Your complaint that favoritism has been shown by Inspector McDonnell will be carefully looked into. Please take the advice of your Indian Agent who will be sure to guide you aright in these matters.

Yours sincerely,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

Mr. Paddy Isaac,
Indian,
Moricetown, B. C.

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81-82-08

Mr E. Dittebrun
Victoria B.C.

Micelotown BC.
July 23rd 32.

Dear Sir:-

For the past five hundred years we have fished here, and we never required a permit for same. In the first place Col Pragnell pooled us about these permits, and he told us we could sell or trade our fish, then will be very hard times this winter, when these permits were given to us we said alright, as we believed they were to help us, but who does not have a permit will not get fish, and they thought it was alright too to take these permits, but the permits are no good to us, and we refuse to take them, for all our life time. If he gives us these permits again next year there will be more trouble, but we do not want. this so you had better have this fixed right away. We had a meeting today July 23rd the chief got caught with his salmon, now we want to stop this business all together, now we want no trouble and all the Indians will stand together, I am sending you the names of the people who are against these permits. There will be a trial on the 3rd day of August against the chief and all the Indians will be there with him. Wire Smithers if you will help, there is no Indian agent here now

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Please send us help we cannot get a lawyer and must have some one to fight this case for us. so if you will write to Smithers or send us a lawyer down to help we would be gratful. Let us know right away please as we will be waiting to hear from you. All these people on this list belong to the Reserve at Moricetown, but we do not live there all the time, as we have farms away down as far as Burns Lake & Francois Lake, some have chickens cows horses and pigs, now we cannot leave the farms too long, and as our stay in Moricetown is short we must catch all the fish we can, yet the fish warden will not let us take our fish home, and the Canyon is closed on a Thursday, and we kick against that, Now please help us as we must have something to eat, or if we let them take our fish away will the Department feed us, all our children as well. when we catch fish we are only allowed to take four or five fresh salmon, now I live 150 miles from here, and last year when I took my fish home Ray MacDonnel followed me all the way home, and tried to take that fish away, but the Indian agent stopped him, we want that kind of busness stopped at once Yours Truly. Paddy Isaac

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James × 13 attain
Mr & Mrs Alex Dennis
Agnes + Dennis
Ed Vivian 2

7 months except
Ezekiel + Hallard
Sarah Brown
Augustus + Mary Jane
Lewis + Julius
Lydia Robertson
Josephine + Thomas
Betty + Pius
Alex + Sam
Catherine + Sam
Matthew Gibson
Willie Wilson
Mr & Mrs Wilson
Miss Louis Tommy
Lucy + Pius
Mrs Lucy + Holland
Beaston × Tommy
Mr & Mrs Mitchell
Maryellen + Simmons

Sam Pius
Mary + Joseph
Susan × William
Pius Marie
Saint Isaac
Mr + Mrs Emmanuel
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Mrs Alexander X
Lucy + Lucy
Mary
Sam
Angus X Maurice
Dorothy + Tom
Sarah X Alexander
Isaac X Patrick
Mary X Sam
Christine Sam
Sam
Kevin + Carol
Leonie + Charles
Emma X Tony
Philip +
Marian Sam
Sarah + Isaac
Marian + Charles
Lucy + Jim
Christian Catherine
Selina + Thomas
Cammy + Chuck Mary
Theresa + David
Christine
Mary + Peter
Annie + Alex
Mary + Sam
Theresa X Joe
Agnes + Alphonse
Cecile + Joe
+ Vincent Charles
Dominic + Mabel
Theresa + Dennis
Christie + Dennis
Emile + Bella
Denis + Angus
Marion + Vincent
Sarah X Leo
Josephine + Gabriel
Estelle + Michel
Mabel + Marie
Connelia Joe

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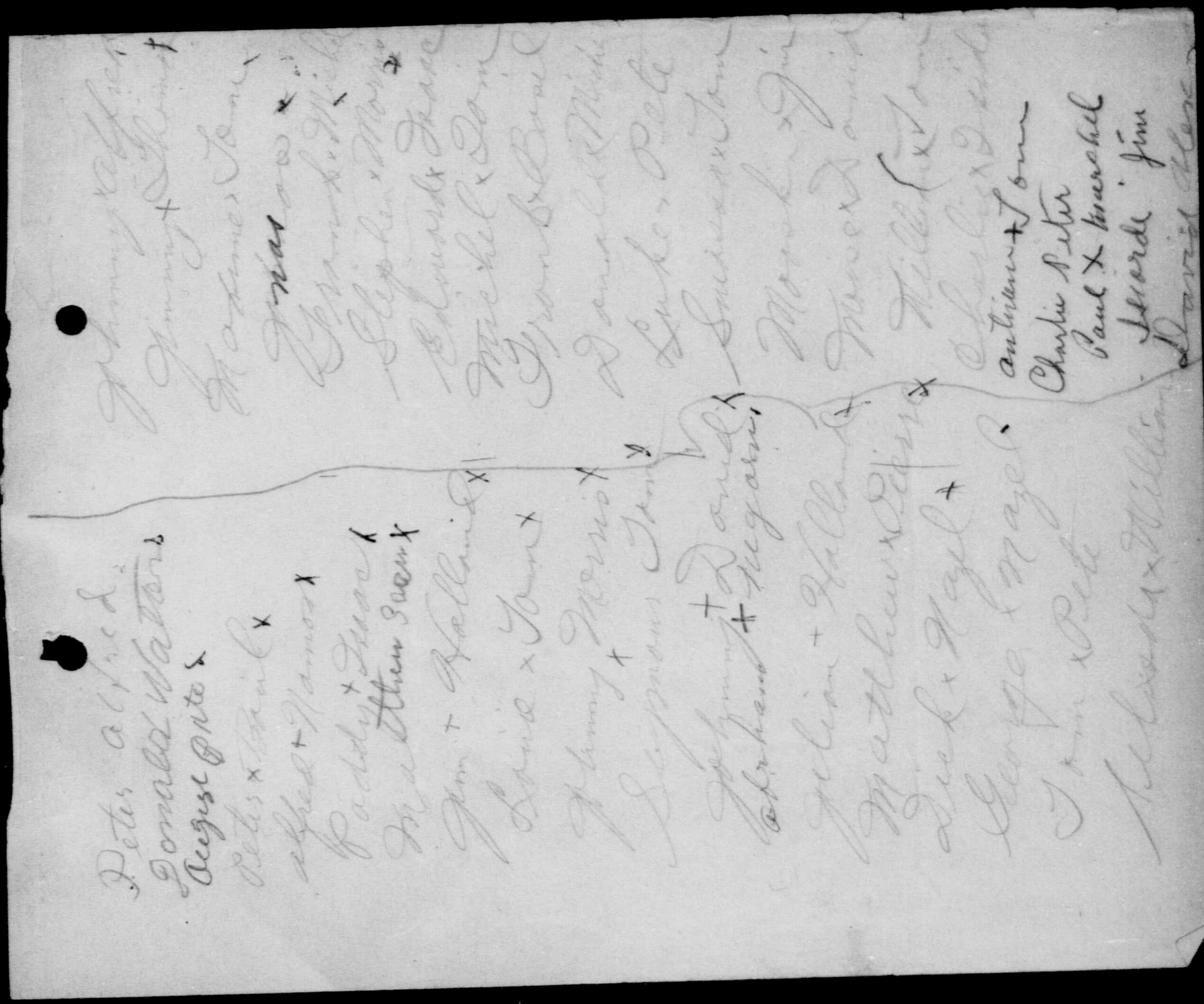
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18/25816. July 26, 1932.

Dear Colonel Pragnell:-

Thank you very much for your letter of July 22nd, written to me at the Vancouver Office, in connection with the fishing situation at Moricetown. I am pleased that you were able to have such a satisfactory interview with Major Motherwell and Mr. Mackie.

I read your letter to Mr. Indian Agent Mortimer who was here when it arrived. He seemed somewhat apprehensive regarding the sending of Mr. Boyd to investigate the situation for he says that Inspector McDonnell has claimed to be taking his instructions from Mr. Boyd all along and if such is the case, particularly as there was trouble with this same Mr. Boyd on the Nass a few years ago, any report that is received should be made the subject of careful scrutiny. I may say I had already reported to the Department before your letter reached me and the same was in line with our conversation in which I said I would suggest that Mr. Pound be asked to transfer Inspector McDonnell where he can have no contact with these or any other Indians.

Your obedient servant,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for B. C.

Colonel G.S. Pragnell,
Inspector of Indian Agencies,
Box 752,
Kamloops, B. C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

822 Metropolitan Bldg.,
Vancouver, B.C.,
July 22, 1932.

Dear Mr.Perry:-

In accordance with your instructions and our conversation upon the matter, I had an interview this morning with Supervisor of Fisheries, Major Motherwell, also Mr.Mackie. I gathered from their conversation that they were just as heartily fed up with this man McDonell, Inspector of Fisheries at Moricetown, as we are. They quite agree that he is most undiplomatic, hot tempered, and a quibbler, and I think they are rather pleased that the Indians have reported the matter of the assault by this man on an Indian boy last year direct to the Department. Major Motherwell informed me that he had just instructed Mr.Boyd, the Supervisor of Fisheries at Prince Rupert, to go and try to handle the matter himself with the Indians.

I told Major Motherwell that I was of the opinion that as long as this Inspector was in charge at Moricetown there would be trouble and that we did not want the Indians to get into trouble by using physical violence as was quite possible. I stated, as my own opinion, I thought that this man should at least be removed. I also pointed out that the very fact that fishing permits were only insisted upon at Moricetown and not at the other reserves on the Skeena and Buckley Rivers that the Indians most naturally would consider it a direct come-back by this Inspector on account of his conviction for assault.

Major Motherwell is going to write you immediately he hears from Mr.Boyd in the matter and I think he is writing you to-day stating that he will be in possession of certain information which you might like to forward to the Department before you make the report asked for by the Department upon the matter.

It looks to me, therefore, as though the Department of Fisheries would be glad of the excuse to either remove this man altogether or transfer him somewhere else. Naturally they want good grounds for his removal which undoubtedly the assault gives as they do not want the Indians to think that he was removed because he tried to enforce the law even though done in such an undiplomatic way.

I had a lovely trip across in the plane; the views were lovely and it is certainly much the nicest way of getting from Vancouver to Victoria or vice versa.

GSP/HM.

Yours very truly,

G.S.Pragnell

C.C.Perry, Esq.,
Assistant Indian Commissioner
for B.C.,
Victoria, B.C.

(G.S.Pragnell).
Inspector of Indian Agencies.

COMMISSIONER'S OFFICE
JUL 23 1932
VICTORIA, B.C.

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CONFIDENTIAL

18/25757. July 21, 1932.

Dear Sir:

Further to my letter to you dated July 18th in reply to your letter of the 12th instant in regard to the matter of fishing at Moricetown, I wish to inform you that Inspector Pragnell and I have discussed together the correspondence regarding this matter and we have decided to ask Major Motherwell, and through the Department at Ottawa, the Deputy Minister of Fisheries, Mr. Found, to transfer Fisheries Inspector McDonell from contact with the Moricetown or any other Indians, as he is not considered to be a fit person to deal with the Indians. We have asked that he be replaced with a man who has some common sense.

Your obedient servant,

C. C. Perry.
Asst. Indian Commissioner for B.C.

P/AC

G. C. Mortimer, Esq.,
Indian Agent,
Hazelton, B.C.

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(Extra Copy)

18/25756. July 21, 1932.

Dear Sir:

I have the honor to acknowledge receipt of Departmental letter dated July 14th, No.40-151, with enclosed original letter addressed to Dr. Scott by Chiefs Jack Joseph and James Michel, of Moricetown, Babine Agency, B.C., dated July 6th, 1932, the said letter containing certain complaints in regard to their fishing in waters adjacent to their Reserve. In reply to your letter I beg to refer to the Department's letter No.77-151, dated 5th of July, instant, in which the Department expressed its satisfaction, after reading Inspector Pragnell's report No.7 of June 15th, ultimo, that the trouble at Moricetown had been settled by cooperation with the Fisheries Department. I have today consulted with Inspector Pragnell in regard to the letter received at the Department which I am now returning herewith for filing in the Department. He says that while inspecting the Agency he had been led to believe that the trouble was settled but points out that during the conversations of Fisheries Inspector McDonell with the Indian officials and others which were somewhat vociferous Inspector McDonell had to be subdued by others, his attitude being somewhat offensive.

I would advise the Department that prior to receipt of its letter of July 14th, instant, this office had been furnished by the Indian Agent, Mr. Mortimer, under cover of his letter dated July 12th with copies of his communication and enclosures of that date as sent to the Department. I addressed a letter to Mr. Agent Mortimer on July 18th, instant, copy of which is sent herewith for the Department's perusal. Since writing the enclosed letter Inspector of Agencies, Col. G.S. Pragnell has visited this office and has shown me a letter received by him from Indian Agent Mortimer in which the latter feels satisfied that the attitude of Fisheries Inspector McDonell is the result of a prosecution and conviction of Inspector McDonell for having beaten an Indian boy whom he found fishing, as mentioned in the letter of complaint sent by the Indians. This theory is emphasized by the fact also related in the Indians' letter that the Moricetown Indians are being compelled to take out permits while those of Hagwilget and Hazelton in the near vicinity have not been required to do so.

Most of our troubles with the Fisheries Department have been on account of employment by the Fisheries Department of certain ill-bred, improperly balanced men lacking in tact and diplomacy, and utterly unfit to mingle with or have transactions with the Indians. We had a similar unpleasant case with the Indians of North Vancouver a few years ago which gave a great deal of trouble to both Departments. Most of the Fisheries men are very well balanced, diplomatic and kindly

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

officials...

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officials, understanding the nature and needs of the Indians and are always ready to give the Indians the benefit of their good judgment, but a few individuals like Inspector McDonell can work a great deal of damage and are doing so, and in the opinion of Inspector Pragnell and myself Mr. Found, the Deputy Minister of Fisheries at Ottawa, should be asked to transfer Mr. McDonell before some overt act is committed by the Indians. The transfer of Inspector McDonell and the substitution of a reasonably minded man will, it is thought, put an end to the trouble which has created a great deal of unrest and dissatisfaction among the Indians at Moricetown. I may add that I have asked Inspector Pragnell to interview Chief Inspector Motherwell of the Fisheries Department at Vancouver and make to him similar representations to those now being made in this letter to the Department.

Your obedient servant,

ENCL
P/AC

C. C. Perry,
Asst. Indian Commissioner for B.C.

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The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

officials...

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Your obedient servant,

ENCL
P/AC

C. C. Perry,
Asst. Indian Commissioner for B.C.

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(C O P Y)

DEPARTMENT OF INDIAN AFFAIRS
CANADA

18/25723.

Commissioner's Office,
P.O. Box 666.

Victoria, B.C., July 18, 1932.

Dear Sir:

I beg to acknowledge receipt of your letter dated July 12th, instant, file F-5-148, with enclosures, being the copies of correspondence with the Department on the subject of fishing permits to Moricetown Indians. It is noted that you have asked the Department for advice which they may probably give you.

My own experience over many years as Indian Agent gives me an opportunity to advise you that if these Indians are under the impression that the permits are being forced upon the Moricetown Indians only, they are in error, for the permit system has been in operation for a number of years in the various parts of the Province including the Nass River area, and where the Indians have accepted them and have followed their direction, provided they have been issued according to the Fisheries Regulations, there has been no trouble whatever. The difficulty seems to be that the Indians want to sell fish but the permits are intended to cover their own food requirements and do not give authority to sell the fish caught under these permits. The reason for this is that Indians are often given permits to take fish for their own food by gaffing, spearing or by other methods such as are not allowed in connection with fishing for commercial purposes. Along the Coast, Indians are granted fishing licenses for commercial purposes at the rate of $1.00 per year which holds good from January 1st to December 31st, subject of course to commercial fishing regulations. The Indians can sell the fish caught under these licenses anywhere and I have found that where Indians took out such licenses in addition to obtaining the food permit they never ran into trouble of any kind. Of course, a few of the Indians would have to be watched to prevent their selling fish caught under their food permits which action you can readily see would not be fair from any point of view where fish conservation and regulation are reasonably considered. I think it would be advisable for you to consult with the Fisheries Officer in the vicinity of Moricetown to see if such licenses can be issued to Interior Indians to dispose of their fish as is done on the Coast. As you know, Fisheries Regulations are changed from time to time and it may be possible for the Indians to obtain a license, and if they can they should be advised to do so and thus save any misunderstanding.

In the statement of excerpts from the speeches made at the meeting of Moricetown Indians it is noted that Inspector McDonell did not deny the statement of Chief Jack Joseph to the effect that the Inspector had accused them of being crooked and that the Indians would have to take the permit or go to jail, also that the Indians got no satisfaction from him. From this there is a slight apprehension that the Inspector may not have

C. C. Mortimer, Esq.,
Indian Agent,
Hazelton, B.C.

made.....

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made a diplomatic approach to the Indians on the occasion mentioned by the Chief and I think he should be advised to deal with the Indians through the office of the Indian Agent wherever possible so as to prevent any misunderstanding that may possibly arise in interviews with the Indians on this subject as in the present instance. Most of our troubles in the south have been the result of undiplomatic procedure on the part of Fisheries men in certain localities.

At the same time I think it is a good thing for the Indian Agent and Fisheries Officer in company to have occasional talks with the Indians in explaining to them what is required of them under the regulations. I have found that nothing is lost and much is gained by frank and free discussion of these questions with the Indians wherever necessary and possible.

I also think that the best results would follow application by the Indian Agent each year in behalf of his Indians for the individual permits to be issued to the heads of the several families and these permits distributed by the Indian Agent or his Constables to the Indians in whose names they are issued. This has been done in other Agencies as it has been considered that the Indian Agent knows the Indians individually better than the Fisheries Officer, particularly as he is the custodian of the Indian Census, and numerous difficulties can be overcome if the census list is closely followed. One of these is the prevention of food permits being issued to halfbreeds representing themselves as Indians who would fish in waters where bona fide Indians were being allowed to fish.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

YOUR REPLY REFER TO
No. 40-151

ALSO TO THE DATE OF THIS LETTER

PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS
CANADA

July 14,1932.

Sir:-

I am enclosing herewith for your attention and report a letter that has been received from Chief Jack Joseph and Chief James Michel of Moricetown, B.C., with reference to various matters pertaining to the Indians of the Moricetown Band.

Kindly return the letter with your report.

Your obedient servant,

A.F.Mac-enzie.
Secretary.

C.C.Perry Esq.,
Assistant Indian Commissioner,
Victoria,B.C.,

encl

COMMISSIONER'S OFFICE
JUL 20 1932
VICTORIA, B. C.

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Copy.

Moricetown, B. C.,
July 6th, 1932.

Duncan Scott,
Head of Indian Dept.,
Ottawa, Ont.

Dear Sir:-

I would like know why it is we were given permits to fish in the Canyon at Moricetown, on the 26th day of May, Colonel Pragnell from Victoria came to Moricetown, and told us we were allowed to catch fish and also that we could sell our fish when on these permits we are told if we sell or barter fish, we shall go to jail, why did we not get the permits to sell, that Col. Pragnell told us of, and do we go to jail or not. How is it that the Indians from Hagwilget, Kispiox or Hazelton were not given permits, only to the Indians at Moricetown. -- Inspector McDonell told us if we do not get a permit to fish he will send us all to jail, we have always had fish here, many generations back, our fathers and their fathers before them, they did not need any permits and there was no trouble in the early days. Why is it this man makes trouble for us all the time, we do not make any trouble for white men who fish along side of us. I want you to rectify what Col. Pragnell told me about us being able to sell our fish, when this white man who is one of the heads of the Indian Dept. came and told me how he wanted us to sell our fish, I got my people in front of the church and told them all he had said, now this McDonell he comes along and says we all go to jail if we sell fish, my people of whom I am the chief tell me I am lying. I do not want that, I do want the truth and if he has told me the true law I want it from you as well. Then Col. Pragnell says no white man allowed on Indian Reserve, on the same day May 26th Indian Agent Mortimer himself drove Robt. Mackin who is married to Indian Catholic woman, also to Oscar John Roseberg who is also married to an Indian Catholic woman, he told them to get off from the Indian Reserve by eleven o'clock on the 27th and I was put there to see they went, they went off alright that day. Now I want to know why it is a white man can camp right in the middle of our village, when these other people were given so much time to get out. This man he stayed here without my permission or the Indian Agent. Now my people say I am lying about this law, as well. Please let me know if the law Col. Pragnell told me regarding white man was true law, as I want to tell my people the truth and they wont say I am lying to them. We have tried to talk to Inspector McDonell of the Skeena Div. for the past few years, but he wont do anything only quarrel with us, and he has had several fights with my people. We do not want this kind of thing, on the 15th day of Aug. 1931 my boy was fishing and Inspector McDonell gave him a beating with a club, then I ask why did you beat that boy, and he then threw off his coat and he called me a son of a -- and his language was something terrible, there was a crowd of white people there, Jack Carr from Smithers an old lady and gent from Edmonton and some young people, also brother and sisters of Inspector McDonell they all turned away from such a disgusting scene. I took him to court at Smithers and he was fined for assault before Magistrate Gale, he then appealed his case and was found guilty again before Judge Young. I was told this case was brought up before the Indian Dept. in Ottawa and that you said It was not sufficient for you to take any interest in the matter or to see he was moved away from this Division.

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Inspector McDonell said he had been fourteen B--- years on the job and he defied anyone to put him from his job. Is this true. On the 5th day of July, 1932, I called a meeting to my people and this man said I was crooked and he says we must do as I say to you. Now I say to you before any more trouble in Moricetown, I want that moved at once, and put a man in to whom we can talk, and one who will help us and not put us down because we are Indians. This last two or three years we cannot make money no price for fur and no work, you can not sell a thing, then we are not fit to be in trouble, people from Burns Lake, Forestdale, Topley, Telkwa, Smithers. Moricetown must to get fish. When this permit trouble comes up the Inspector says we cannot fish unless we have got this permit, he told us we will go to jail everyone of the people of this Reserve got up and said, Take us to jail then and raised up there hands, the people said we cannot remember how long our people have fished in these waters, from generation to generation until today, there was never any permit and never any trouble, and we still intend to fish these waters untill the end of all our people. Fish was placed in the waters by God, Birds of the air, Beasts of the field, was given to us for our daily food, why is it one man can make so much trouble when we want to live, and we have to eat to live on this earth, as it tells us in the Bible. Everybody is poor, poor houses, poor clothes, no money, to anything, we are up against big odds, if you cant believe me come down and see for yourself, come down and speak to my people and you will see how much comforts we have got, then you turn around and see how the Inspector is living in comfort and ease with lots to eat. Why is it we who have lived in this country all our lives and our fore bears before us, cannot have as much comfort and good things to eat as the Inspector has. White man came in to this country, and we let them take it from us, today we are living on two mile Reserves, there is not enough land for all these people to stay on this Reserve, and not enough houses to live in, all our young sons are growing up, getting married and no houses or land for them to go to, so the trouble is too many people living in one house, and others having to move away from the reserve, the consequence is we cannot stand together when any trouble comes along, the white man has taken our moose, deer, fish and other meat given by God for our food, yet we have to bear so much sorrow and hard ships and no one to look to for help and I want you to send a letter to Capt. Mortimer he wont listen when we tell him and also a copy to myself of what you tell him. Please write to me as soon as you receive this letter, and do not place this letter in the waste paper basket because an Indian wrote it, some of us are educated and some are not, and those who have the education must stand by those who have not had it. This people who are in town or reserve will soon be scattered again some to go haying and other work, they are here to fish and live a long way from here, as I before explained there is not enough room here for us, but we can make arrangements for another meeting in the near future and then I can tell them your rules and laws which I know will be the true law when I get it in writing from you. When they go home the Inspector wont let them take it as he says they are selling it which is not truthful. Please will you explain to me what this McDonell

meant.....

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Your obedient servant,

(sgd) 1st Chief Jack Joseph, 1st Chief

2nd Chief James Michel, 2nd Chief.

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18/25723.

July 18, 1932.

Dear Sir:

I beg to acknowledge receipt of your letter dated July 12th, instant, file F-5-148, with enclosures, being the copies of correspondence with the Department on the subject of fishing permits to Moricetown Indians. It is noted that you have asked the Department for advice which they may probably give you.

My own experience over many years as Indian Agent gives me an opportunity to advise you that if these Indians are under the impression that the permits are being forced upon the Moricetown Indians only, they are in error, for the permit system has been in operation for a number of years in the various parts of the Province including the Nass River area, and where the Indians have accepted them and have followed their direction, provided they have been issued according to the Fisheries Regulations, there has been no trouble whatever. The difficulty seems to be that the Indians want to sell fish but the permits are intended to cover their own food requirements and do not give authority to sell the fish caught under these permits. The reason for this is that Indians are often given permits to take fish for their own food by gaffing, spearing or by other methods such as are not allowed in connection with fishing for commercial purposes. Along the Coast, Indians are granted fishing licenses for commercial purposes at the rate of $1.00 per year which holds good from January 1st to December 31st, subject of course to commercial fishing regulations. The Indians can sell the fish caught under these licenses anywhere and I have found that whe where Indians took out such licenses in addition to obtaining the food permit they never ran into trouble of any kind. Of course, a few of the Indians would have to be watched to prevent their selling fish caught under their food permits which action you can readily see would not be fair from any point of view where fish conservation and regulation are reasonably considered. I think it would be advisable for you to consult with the Fisheries Officer in the vicinity of Moricetown to see if such licenses can be issued to Interior Indians to dispose of their fish as is done on the Coast. As you know, Fisheries Regulations are changed from time to time and it may be possible for the Indians to obtain a license, and if they can they should be advised to do so and thus save any Misunderstanding.

In the statement of excerpts from the speeches made at the meeting of Moricetown Indians it is noted that Inspector McDonell did not deny the statement of Chief Jack Joseph to the effect that the Inspector had accused them of being crooked and that the Indians would have to take the permit or go to jail, also that the Indians got no satisfaction from him. From this there is a slight apprehension that the Inspector may not have

G. C. Mortimer, Esq.,
Indian Agent,
Hazelton, B.C.

made.....

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INDIAN AFFAIRS
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made a diplomatic approach to the Indians on the occasion mentioned by the Chief and I think he should be advised to deal with the Indians through the office of the Indian Agent wherever possible so as to prevent any misunderstanding that may possibly arise in interviews with the Indians on this subject as in the present instance. Most of our troubles in the south have been the result of undiplomatic procedure on the part of Fisheries men in certain localities.

At the same time I think it is a good thing for the Indian Agent and Fisheries Officer in company to have occasional talks with the Indians in explaining to them what is required of them under the regulations. I have found that nothing is lost and much is gained by frank and free discussion of these questions with the Indians wherever necessary and possible.

I also think that the best results would follow application by the Indian Agent each year in behalf of his Indians for the individual permits to be issued to the heads of the several families and these permits distributed by the Indian Agent or his Constables to the Indians in whose names they are issued. This has been in other Agencies as it has been considered that the Indian Agent knows the Indians individually better than the Fisheries Officer, particularly as he is the custodian of the Indian Census, and numerous difficulties can be overcome if the census list is closely followed. One of these is the prevention of food permits being issued to halfbreeds representing themselves as Indians who would fish in waters where bona fide Indians were being allowed to fish.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

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BABINE AGENCY

DEPARTMENT OF INDIAN AFFAIRS
CANADA

F-5-148.

OFFICE OF
INDIAN AGENT
Hazelton, B.C.
July 12th, 1932.

Sir,-

re - Fishing Permits to Moricetown Indians.

I beg to enclose herewith a copy of my letter to Ottawa reporting on the above mentioned subject. Also copies of enclosures attached to the said letter.

The letter is self explanatory but, as I intend visiting Victoria during my vacation, the subject can be more fully discussed at that time.

Encls.

Your obedient servant,

G. C. Mortimer,
Indian Agent.

GCM/SM.

W. E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
Victoria, B. C.

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BABINE AGENCY

COPY

F-5-147.

Hazelton, B.C.
July 12th, 1932.

Sir,-

re - Fishing Permits to Moricetown Indians.

I respectfully beg to inform you that on July 7th, 1932 in company with S. Mallinson, Clerk of this Agency, I attended a fully representative meeting of the Moricetown Indians including quite a number of Indians from the Stuart Lake Agency. Nearly all the Indians present were those who obtain fish from the Moricetown Canyon of the Bulkley River, the said Canyon being situated in the centre of the Moricetown Reserve.

I was called to this meeting by A. R. McDonell, Inspector of Fisheries in this district, who was also present, to explain to the Indians that they must be in possession of permits in order to fish for their food supply. I was informed by the Fisheries Inspector that he had issued many of these permits, all of which were returned to him.

Although the Fisheries Act calls for permits to be issued to Indians of all reserves, this has never been enforced before and the application of same to the Moricetown Indians only has caused a great deal of unrest amongst that Band.

I may say that the Indians at the meeting were amenable to the law in every way and would do everything to assist the Inspector of Fisheries to carry through the Fisheries Act at the Canyon, but they would sooner go to jail than take the permits. I explained to the Indians that the permits would place no difficulty in obtaining their food supply and that they must abide by the law. I am using every endeavour to get the Indians to take the permits but, so far, I have had very little success.

Needless to say I am extremely sorry that this permit system has been enforced only on the Moricetown Indians and it has caused the Moricetown Band to resent the action of the Fisheries Inspector to single them out in this respect.

I questioned many of the leading Moricetown Indians on the matter and explained to them the futility of refusing the permits and it would appear from their answers that they resented the actions of the Fisheries Inspector on the Moricetown Reserve last year.

I must say that the Moricetown Indians have always been a hard-working, law-abiding Band, and has worked continuously in the bush taking out ties and poles but, owing to the general depression has earned nothing during the last two years. I feel this is a very inopportune time to cause unnecessary unrest amongst the Indians of this Reserve which might spread to other reserves of the Hagwilget Tribe. However, I feel it is my duty to co-operate with the Fisheries Department in a tactful way and therefore would welcome any advice from the XXXXXX Department in dealing futher with the matter.

In conclusion I must say that the Indians emphatically deny the sale of fish to Whites but state that they have occasionally given a salmon to destitute Whites. Apparently the Fisheries Department has seen no wrong in doing this as they have a Guardian stationed at the Moricetown Canyon and, to my knowledge, no prosecution has ever taken place in this connection.

Letter from A. R. McDonell, Insp. of Fisheries, of the following for your information:-
Excerpts from speaches taken at the meeting by Mr. Mallinson.

Encls.
GCM/SM.

Your obedient servant,

G. C. Mortimer,
Indian Agent.

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

DEPARTMENT OF INDIAN AFFAIRS VICTORIA, B.C. JUL 18 1932

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Excerpts from speeches made at Meeting of Moricetown Indians, Indian Agent, and A.R.McDonell, Fisheries Inspector.

Indian Agent.

Meeting of Moricetown Indians only for permits to fish at Canyon and in the river on the Moricetown Reserve.
Whitemen will not be allowed permits and therefore will be liable to prosecution if fishing in same manner as Indians.
It is the wish of the Department of Indian Affairs and the Fisheries Department that Indians will be issued with permits giving full rights to fish for their own supply of food.
At Hagwilget and on the Skeena River White people do not fish in the same way as Indians, nor do they buy from the Indians.
At Moricetown there is a possibility of white people wanting Indians to sell fish to them which is not allowed by law.
These permits, issued by the Fisheries Department to the Fisheries Inspector for the Moricetown Indians, show who have the right to fish.
There is no charge for these permits and the Indians are allowed to take all the fish they require for food for themselves.
In 1926, when the Allied Indian Tribes of B.C. were in conference with a special Joint Committee of Canada, arrangements were made to protect the B.C. Indians of their fishing rights by permits, and this was agreed to.
I advise you all to obtain permits from the Fisheries Inspector or his Assistant and you can leave them with me if you wish.
Your Agent will help you in every way but will not uphold you if you do wrong.
Everyone knows that it is wrong to sell fish and it is also wrong for White people to buy fish from Indians.
So you obtain these permits and take all the fish you require for yourselves for the next year.

Baptiste.

Is law made for everybody or for one place?
A man is here to see law is kept and therefore no papers are needed.
If we take ~~XXX~~ fish for food without paper we steal it and we go to jail.
Before paper come we have no trouble; but now that paper come we have a lot of trouble.
We let Watchman stay with us to see that we do right and no harm ~~XXXX~~ come to him. We do not need paper with Watchman here.

Chief Jack Joseph.

When you, Mr. McDonell, spoke to us before you did not explain to us. You only said we should have to take permit or go to jail. You would not let us speak and you said we were crooked. We get no satisfaction from you.

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COPY.

DEPARTMENT OF FISHERIES

OFFICE OF THE FISHERIES INSPECTOR.

At Smithers, B.C. June 4th, 1932.

Sir:-

Owing to the trouble experienced with the Indians at Moricetown to keep them within the law last season, it has been deemed advisable by the Department of Fisheries to issue Indian Permits to Indians desiring to secure their food supply this season, at that point.

These Permits will be issued as the fishing season advances and in plenty of time for them to secure their food supply.

It is not the intention of the Department in the issuing of these Permits to place any obstacles in the way of the Indians in securing their food supply but to enable us to control the situation.

These Permits will not be issued to any miner who has someone else capable of securing their food supply in their family and it is the intention of the Department to prosecute all breaches of the act by minors.

The Weekly close season for securing food supply will be from 12 A.M. Thursday to 10 P.M. Thursday and from Saturday at 9 P.M. till Sunday 9 P.M.

I may say that with the issuing of Permits the onus of proof is laid on the Indian that he is using his food supply and catch legitimately and is not engaged in trade or barter of same.

The Guardian appointed at Moricetown this season is a young man and I hope possesses common sense and tact, but he will be instructed to check every family's catch every day and their total every so often and it will be up to the Indian to account for any undue disappearance of his food supply.

Trusting to receive your co-operation and that we have a quiet season with no friction at this point this year.

I am Sir,

Yours very truly,

(Signed) A. R. McDonell.

Captain Mortimer,
Indian Agent Babine Agency,

Hazelton, B. C.

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Arthur Michell.
We do not like the way that Moricetown people must take out permits when other reserves do not need them.

Gabriel Louie.
We sometimes go fish at Hagwilget because salmon have not come to Moricetown. We do not need permit to fish at Hagwilget, but when we come back to Moricetown we must have permit to fish.
We know the law that we must not sell fish but because someone tell untruth about Indians selling fish we have to have permit.

August Pete.
Can not Indians do as they wish when fishing inside their own reserves so long as they do as law says?

A. R. McDonell.
These permits have been sent to me by the Fisheries Department, my Superiors, to be issued to the Moricetown Indians.
(THE ACT WAS THEN READ AND EXPLAINED)
These permits are for twelve months or for such time until the Indians are asked to take out new ones.
When one man catches sufficient fish to be put up in one day he must stop and let another take his place. There must not be fish taken and left to go bad.
You streng people will be allowed to catch fish for those who are unable to catch for themselves - such as the old and sick - but you must tell the Assistant Inspector how many fish are given away and to whom.
Louie Tommy is allowed a trap on account of being nearly blind. If he give fish to, say, Old Lucy he must say how many.
Inspector or Assistant Inspector can stop the catching of fish in order to allow many to get through to the spawning grounds so that there will always be fish coming up the rivers in future years. When this order is given it must be obeyed as it is for the benefit of all Indians in the years to come.
If Indians do not respect these points Cannerymen and others will try and make the Gover nment stop all fishing by Indians and will ask that smoked or dried fish be provided to them for food.

QUESTIONS ASKED.

Q. Can any Indian take fish for food if here only for haymaking?
A. Yes, if they ask for permit.

Q. Can fish be taken away to another reserve from Moricetown?
A. Yes, if it is to be used only for food and neither sold nor given away.

The Indian Agent again emphasised the necessity of complying with the Fisheries Act and advised all Indians of Moricetown to take out the permits.

HOWEVER, EVERY INDIAN PRESENT VOTED AGAINST TAKING THE PERMITS.

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18/25911. August 3, 1932.

Dear Sir:-

I beg to acknowledge receipt of your letter of the 2nd instant enclosed in which was cheque for $4.00 in favor of the Indian, Mrs. J. Knightime, of Clo-oose, being bounty on two hair seals. Receipt, in quadruplicate, in connection with the above are returned herewith.

Your obedient servant,

KD.

Enclosure:-

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

J.F. Tait, Esq.,
Supervisor of Fisheries,
Nanaimo, B. C.

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DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER

CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE SUPERVISOR

ALL COMMUNICATIONS TO BE ADDRESSED TO THE SUPERVISOR
IN YOUR REPLY PLEASE QUOTE

FILE No. 37-1.

NANAIMO B.C., August 2nd, 1932

C.C.Perry Esq.,
Assistant Indian Commissioner for B.C.
Box 666,
Victoria, B.C.

Dear Sir:

As requested in your letter No: 18/25853 of the 27th ultimo, I enclose herewith cheque for $4.00 in favour of Mrs J.Knightime, of Clo-oose. Kindly return the receipts to this office in due course.

Yours faithfully,

for J.F.Tait,
Supervisor of Fisheries.

COMMISSIONER'S OFFICE
AUG 3 1932
VICTORIA, B.C.

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18/25853

July 27, 1932.

Dear Sir;-

I am sending to you under seperate cover two seal noses which were brought into this office by Mrs Jimmy Knightime.

Please have cheque for the bounty on these noses made out to Mrs. Knightime and sent to this office.

Yours truly,

AVH.

C.C.Perry.
Asst. Indian Commissioner for B.C.

J. S. Tait, Esq.,
Supervisor of Fisheries,
Nanaimo, B.C.

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C 011 800

18/25699.

July 15, 1932.

Dear Mr. Ross:-

A copy of the Petition of the Nitinat Band, dated June 25th, was submitted by Mr. Ditchburn to Major Motherwell on June 29th with a strong recommendation that the same be acceded to. A reply has been received from Major Motherwell, copy of which is sent you herewith in accordance with my wire to you of today's date.

Yours sincerely,

P/KD.

Enclosure:-

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

Rev. J.T. Ross,
Missionary,
Clo-oose, B. C.

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Copy.

Department of Fisheries.

Winch Building,
Vancouver, B. C.,
July 14, 1932.

10-3-31.

Dear Sir:-

I have to acknowledge receipt of your letter of the 29th ultimo, with reference to petition submitted by the Indians of Nitinat Lake in which they request permission to fish for commercial purposes in salmon purse-seine area No. 22 (Nitinat Arm), during the closed season. I regret delay in replying to this communication but the reason is that it was desirable to obtain all possible information in this connection in view of existing conditions, as explained in your covering letter.

This request has received careful consideration but it is now found that the catch of sockeye taken in that area this year was almost double the catch of average years and that during the fishing season operations were intensive. In addition to this the water in the stream was low and it was considered imperative that the area be closed in order that a sufficient number of parent salmon might be permitted to reach the spawning grounds.

You are aware, of course, that the present conditions are affecting all classes of fishermen and it would be difficult to open that area to one class of fishermen for commercial fishing only and exclude other commercial fishermen, and in view of all conditions existing there at the present time, the request to throw open this area could not receive favourable consideration.

Under present conditions the needs of all classes of fishermen have to receive every possible consideration but you will agree that notwithstanding immediate difficulties, it is imperative that future requirements be taken care of.

Yours truly,

"A. Mackie"
For J.A. Motherwell,
Chief Supervisor of Fisheries.

W. E. Ditchburn, Esq.,
Indian Commissioner for B. C.,
P. O. Box 666,
Victoria, B. C.

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GOVERNMENT TELEGRAPH SERVICE

Form No. 1

DEPARTMENT OF PUBLIC WORKS
DOMINION OF CANADA

☛ Write Plainly — Give Full Address — Use no Figures or Abbreviations

All Messages are received subject to the following conditions: The Government shall not be liable for damages arising from failure to transmit or deliver, or for any error in the transmission or delivery of any telegram, whether happening from negligence of its servants or otherwise, or for delays from interruptions in the working of its lines, or for errors from illegible writing, beyond a refund of the amount received for sending the same, except in the case of error in a repeated telegram. To guard against errors, the Government will repeat back any message for a payment of twice the regular rate for transmission, and in that case it shall not be liable for damages exceeding fifty times the amount received for sending and repeating any such message. In no case will the Government be responsible for the correctness of cipher or obscure telegrams, whether repeated or not.

The Government shall not be liable for any act or omission occurring beyond its own lines, but will endeavour to forward telegrams by any other lines necessary to reach their destination.

J. E. Gobeil, *General Superintendent.*

Sent No.	Sent by	Received by	Time Sent	Time Filed	Check

Send the following Message subject to the above terms which are agreed to:

To Rev. J.T. Ross,
Clo-oose, B. C.

Victoria, B.C., July 15, 1932.

Fisheries Department will not agree Petition of Indians dated June Twenty Fifth STOP Writing.

C.C. Perry.

Day Message.

Charge Indian Office Victoria.

18/25695

☛ READ THE NOTICE AND AGREEMENT AT THE TOP ☚

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DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER

CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE CHIEF SUPERVISOR

WINCH BUILDING,

VANCOUVER, B.C., July 14, 1932.

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF SUPERVISOR

IN YOUR REPLY PLEASE QUOTE

FILE No. 10-3-31

Dear Sir:

I have to acknowledge receipt of your letter of the 29th ultimo, with reference to petition submitted by the Indians of Nitinat Lake in which they request permission to fish for commercial purposes in salmon purse-seine area No. 22 (Nitinat Arm), during the closed season. I regret delay in replying to this communication but the reason is that it was desirable to obtain all possible information in this connection in view of existing conditions, as explained in your covering letter.

This request has received careful consideration but it is now found that the catch of sockeye taken in that area this year was almost double the catch of average years and that during the fishing season operations were intensive. In addition to this the water in the stream was low and it was considered imperative that the area be closed in order that a sufficient number of parent salmon might be permitted to reach the spawning grounds.

You are aware, of course, that the present conditions are affecting all classes of fishermen and it would be difficult to open that area to one class of fishermen for commercial fishing only and exclude other commercial fishermen, and in view of all conditions existing there at the present time, the request to throw open this area could not receive favourable consideration.

Under present conditions the needs of all classes of fishermen have to receive every possible consideration but you will agree that notwithstanding immediate difficulties, it is imperative that future requirements be taken care of.

Yours truly,

a. MacKay

For J. A. Motherwell
Chief Supervisor of Fisheries.

W. E. Ditchburn, Esq.,
Indian Commissioner for B. C.,
P.O. Box 666,
Victoria, B. C.

COMMISSIONER'S OFFICE JUL 15 1932 VICTORIA, B. C.

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18/25651.

July 12, 1932.

Sir:

A letter was addressed to you on June 29th covering a petition signed by Indians of Nitinat Lake, West Coast. As no reply has been received from you and the Rev. Mr. Ross, of Clo-oose, when handing in the petition requested that we should wire him the substance of your reply for the information of the Indians, I would be greatly obliged to have a line from you in this connection.

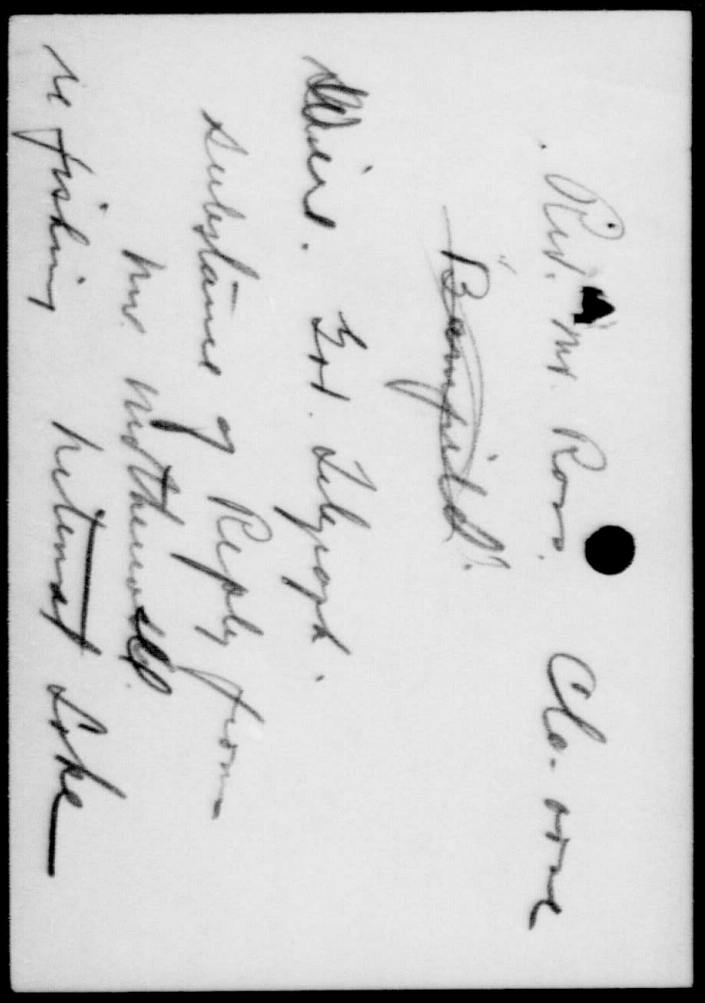
Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

Major J. A. Motherwell,
Chief Supervisor of Fisheries,
Winch Building,
Vancouver, B.C.

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18/25475.

June 29, 1932.

Dear Major Motherwell:-

I am enclosing herewith a petition brought to me by Rev. Mr. Ross, of Clo-oose, on the West Coast of Vancouver Island, signed by a number of the Indians of Nitinat Lake in which they ask to be allowed to net fish in the Nitinat Lake and sell the same.

In this connection I beg to say that if at all possible I would strongly recommend that the petition be acceded to in view of the fact that these Indians are and have been very hard up and practically the whole band have been on relief issued by this Department for many months which has entailed a very heavy expenditure on the Government of Canada. If the Indians are allowed to net fish and sell the same it will help them out very materially and enable us to remove many of the names from our relief list. I understand there is a run of salmon on now and the Indians could easily dispose of any that they might catch. Trusting that you will give this your sympathetic consideration and an early reply, I am,

Yours respectfully,

WED/KD.

W. E. Ditchburn.
Indian Commissioner for B. C.

Enclosure:-

Major J.A. Motherwell,
Chief Supervisor of Fisheries,
Winch Building,
Vancouver, B. C.

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Copy.

Clo-oose, B.C.,
June 25th, 1932.

Mr. W.E. Ditchburn,
Indian Commissioner for B. C.,
Victoria, B. C.

Dear Sir:-

We, the undersigned Indians of the Nitinat Band, desire to petition the Fisheries Department for permission to net fish on Nitinat Lake during the month of July for commercial purposes.

Those of us who are still remaining on at Clo-oose and Whyak during the summer without means to travel to outside places to procure work, find that the usual relief order in some cases is not a sufficient supply of food for one month, especially when there are several children in the family.

Some of us have gill nets and Danny George is the only Indian here with a seine net license. There were so many boats fishing on Nitinat Lake for sockeye salmon in June that Danny's catch was small indeed as compared with many of the large boats.

We would like to fish just off the Hobarton Reserve on Nitinat Lake. We are not assured that the canner on Nitinat Lake will be operating this coming fall for dog salmon, and we feel that we are entitled to catch and sell fish in the very neighborhood of our own reserves.

Hoping that you will give this your earnest consideration as there was never a time when we realized such a shortage of money to procure the necessities of life.

Wm. Jackson,
Martin Johnson His X mark
Gillette Chipps
Ralph Edgar,
Jimmie Knighton his x mark
Frank Shaw
Henry Tate
Kelly Peter his x mark
Sam Edgar his x mark
D. George
Willie Jack his x mark
Mack Chief his x mark
Jimmy Chester his x mark
Harry Johnson his x mark
Alfred Livingstone
Willie Jones
Gilbert Livingstone
Gallic Dick
Peter Dick
George Gibbs
Wm. Gibbs
David Dick his x mark
Chief Dick his x mark
Ernest Johnson
Wilfred Robinson
Mac Robinson x
James Thomas
John Thomas.

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C 11711

Clo-oose, B.C.,
June 25th.1932.

Mr. W. E. Ditchburn,
Indian Commissioner for B.C.,
Victoria, B.C.

Dear Sir:-

We, the undersigned Indians of the Nitinat Band, desire to petition the Fisheries Department for permission to net fish on Nitinat Lake during the month of July for commercial purposes.

Those of us who are still remaining on at Clo-oose and Whyak during the summer without the means to travel to outside places to procure work, find that the usual relief order in some cases is not a sufficient supply of food for one month, especially when there are several children in the family.

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Hoping that you will give this your earnest consideration as there never was a time when we realized such a shortage of money to procure the necessities of life.

and

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011008

Wm Jackson
Marten Johnson + his mark
Gillette Chipps
Ralph Edgar
Jimmie Knighton X his mark
Frank Shaw
Harry Tate
Kelly Tate X his mark
Sam Edgar X his Marks
D. George
Willie Jack X his mark
Mack Thief X his mark
Jimmy Okalee X his mark
Harry Johnson X his mark.
Alfred Livingstone
Willie Jones
Gilbert Livingstone
Gallic Dick
Peter Dick
George Gibbs.
Wm Gibbs.
David Dick X his Mark
Cliff Dick X his Mark.
Ernest Johnson

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Wilfred Robinson
Mrs Robinson
Jessie Thomas
John Thomas

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0211 000

18/25648.

July 12, 1932.

Sir:-

I have the honor to acknowledge receipt of your letter of July 6th, File 40-157, covering copy of the Pacific Halibut Regulations adopted by Order-in-Council on February 13th and May 10th last. Thanking you for the same.

Your obedient servant,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for B. C.

The Secretary,
Department of Indian Affairs,
Ottawa.

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

IN YOUR REPLY REFER TO

No. 40-157

ALSO TO THE DATE OF THIS LETTER

PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OTTAWA, July 6, 1932.

Dear Sir:-

I am enclosing, for your information, copy of the Pacific Halibut Regulations adopted by Order in Council of February 13th and May 10th last.

Yours very truly,

A. F. MacKenzie,
Secretary.

The Commissioner,
Department of Indian Affairs,
Victoria,
B. C.

COMMISSIONER'S OFFICE
JUL 12 1932
VICTORIA, B. C.

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(*Extract from* THE CANADA GAZETTE *of Saturday, May 21, 1932*)

CANADA

DEPARTMENT OF FISHERIES

NOTICE

BY Order in Council of May 10, 1932, P.C. 1085, and under the authority of Subsection 2 of Section 5 of the Northern Pacific Halibut Fishery Protection Act, chapter 75, R.S.C. 1927, the Pacific Halibut Fishery Regulations, which were adopted by Order in Council of February 13, 1932, were amended by adding thereto the following section:

6. Any person who violates any provision of the regulations made under authority of the Northern Pacific Halibut Fishery Protection Act shall be guilty of an offence and shall be liable upon summary conviction to a penalty of not less than one hundred dollars and not more than one thousand dollars or to imprisonment for a term not exceeding one year, or to both fine and imprisonment.

WM. A. FOUND,
Deputy Minister of Fisheries.

Ottawa, May 12, 1932.

OTTAWA—Printed by FREDERICK ALBERT ACLAND, Printer to the King's Most Excellent Majesty.

COMMISSIONER OF INDIAN AFFAIRS JUL 12 1932 VICTORIA, B. C.

vol. 11298, file 420-11-2, C-II-10, RG 10,
INDIAN AFFAIRS
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8211-8

(Extract from THE CANADA GAZETTE *of Saturday, February 20, 1932.)*

CANADA

DEPARTMENT OF FISHERIES

NOTICE

BY Order in Council of February 13, 1932, P.C. 251, and under the authority of Section 5 of the Northern Pacific Halibut Fishery Protection Act, Chapter 75 of the Revised Statutes of Canada, the following regulations for the halibut (Hippoglossus) fishery of the North Pacific ocean and Bering sea, in respect of which a convention between the Dominion of Canada and the United States of America was signed May 9, 1930, were adopted:

As these regulations have been agreed to and approved by the President of the United States of America, as provided for by the Convention aforementioned, they are effective forthwith.

Pacific Halibut Fishery Regulations

1. The convention waters shall be divided into the following areas, all directions given being magnetic.

(*a*) *Area Number 1* shall include all convention waters southeast of a line running northeast and southwest through Willapa Bay light on Cape Shoalwater, as shown on chart Number 6185 published in May, 1926, by the United States Coast and Geodetic Survey, which light is approximately in latitude 46° 43′ 07″ N., longitude 124° 04′ 18″ W.

(*b*) *Area Number 2* shall include all convention waters off the coasts of the Dominion of Canada and of the United States of America and of Alaska between area Number 1 and a line running south from the highest point on Mount Fairweather, approximately latitude 58° 54′ 13″ N., longitude 137° 31′ 57″ W., as shown on chart Number 8306 published January, 1910, by the United States Coast and Geodetic Survey.

(*c*) *Area Number 3* shall include all the convention waters off the coast of Alaska that are between area Number 2 and a straight line running south from the southwestern extremity of Cape Sagak on Umnak Island, at a point approximately latitude 52° 41′ 25″ N., longitude 168° 58′ 05″ W., and that are south of the Alaska Peninsula and of the Aleutian Islands west thereof including the intervening straits or passes.

DEPARTMENT OF INDIAN AFFAIRS
VICTORIA, B. C.
JUL 19 1932

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(*d*) *Area Number 4* shall include all convention waters not included in areas 1, 2 and 3.

2. The catch of halibut to be taken during the fishing season of 1932 from area Number 2 shall be limited to approximately 22,500,000 pounds of saleable halibut, and from area Number 3 to approximately 23,500,000 pounds of saleable halibut, or, if the International Fisheries Commission shall at any time so decide, the catch shall not be limited separately in areas 2 and 3, but shall be limited to 46,000,000 pounds of saleable halibut from the combined areas 2 and 3, the weights in each or any such limit to be computed with heads off and entrails removed. The International Fisheries Commission shall as early in the said season as is practicable determine and announce to the respective Governments the date on which it deems each such limit of catch will be attained, and the limit of each such catch shall then be that which shall be taken prior to said date, and the area or areas to which such limit applies shall at that date be closed to all halibut fishing provided that if it shall at any time become evident to the International Fisheries Commission that the limit will not be reached by such date it may substitute another date within the open season therefor, and provided further that nothing in this regulation shall prohibit the fishing for other species of fish and fishing by the International Fisheries Commission as provided for in Article I of the treaty.

3. (*a*) All vessels of five tons net or over which shall fish halibut with set lines or bottom nets or trawls and all vessels which shall fish for halibut in any manner and which shall transport the same from one area as defined by the International Fisheries Commission to another such area for landing or for sale, must be licensed by the International Fisheries Commission prior to such fishing operations. This licence shall be issued without fee by the customs officers of each Government or by International Fisheries Commission representatives, and each such vessel shall at all times carry this licence, which licence shall at all times be subject to inspection by authorized officers of either Government or by representatives of the International Fisheries Commission.

(*b*) The licence must be validated before departure or clearance is allowed from port of last entry prior to each fishing operation for which statistical returns are required. This validation shall be by customs officers or International Fisheries Commission representatives and shall show that statistical record and return as provided in section 3 (*c*) and 3 (*d*) of these regulations has been made for all landings since

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the issue of the licence or the last validation, and shall show the area or areas cleared for. A new licence may be issued at any time by the officer accepting statistical return, who shall forward in each case the old licence to the International Fisheries Commission.

(*c*) Statistical return as to the amount of halibut taken during fishing operations must be made by all licensed vessels within 48 hours of landing, sale, or transfer of fish, or of first port entry after these fishing operations. The return must state the amount taken within each area defined in these regulations. The total return must equal the weights as receipted for by dealers or buyers. The master, operator, and /or any other person engaged on shares in the recorded operations may be required to certify to its correctness to the best of his information and belief and to support the certificate by a sworn statement. A copy of such returns must be forwarded by the customs officer to the International Fisheries Commission at such times as the latter shall require.

(*d*) The master or operator of any vessel which shall operate for the capture of halibut in more than one statistical area as defined by these regulations or shall transport halibut from one such area into or through another shall keep an accurate log of all fishing operations, including therein date, locality, amount of gear used, and amount of halibut taken in each such locality. This log record shall be open to inspection of authorized representatives of the International Fisheries Commission. The master, operator, and/or any other person engaged on shares in the recorded operations may be required to certify to its correctness to the best of his information and belief and to support the certificate by a sworn statement.

(*e*) When required for purposes of the treaty all persons, firms, or corporations that shall buy halibut from fishing vessels shall keep and on request furnish to the International Fisheries Commission records of each purchase of halibut, showing date, locality of purchase, name of vessel purchased from, and amount according to trade categories.

4. The following areas having been found to be populated by small immature halibut, are hereby closed to all halibut fishing.

First, that area in the waters off the coast of Alaska within the following boundary as stated in terms of the magnetic compass unless otherwise indicated; from the north extremity of Cape Ulitka, Noyes Island approximately latitude 55° 33′ 42″ N., longitude 133° 43′ 39″ W., to the south extremity of Wood Island, approximately latitude 55° 39′ 38″N., longitude 133° 42′ 32″ W.; thence to the east extremity of Timbered Islet, approximately latitude 55° 41′ 42″ N., longitude 133° 47′ 45″ W.; thence to the true west extremity of Timbered Islet, approxi-

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mately latitude 55° 41′ 41″ N., longitude 133° 48′ 04″ W.; thence southwest three-quarters south sixteen and five-eighths miles to a point approximately latitude 55° 35′ 00″ N., longitude 134° 14′ 45″ W.; thence southeast by south twelve and five-eighths miles to a point approximately latitude 55° 22′ 24″ N., longitude 134° 13′ 05″ W.; thence northeast fourteen miles to the southern extremity of Cape Addington, Noyes Island, latitude 55° 26′ 06″ N., longitude 133° 49′ 14″ W.; and to the point of origin on Cape Ulitka. The boundary lines herein indicated shall be determined from chart Number 8157, as published by the United States Coast and Geodetic Survey at Washington, D.C., in April, 1925, except for the point on Cape Addington which shall be determined from chart Number 8158, as published by the United States Coast and Geodetic Survey in December, 1923, provided that the duly authorized officers of the United States of America may at any time place a plainly visible mark or marks at any point or points as nearly as practicable on the boundary line defined herein, and such mark or marks shall thereafter be considered as correctly defining said boundary.

Second, that area lying in the waters off the North coast of Graham Island, British Columbia, within the following boundary; from the northwest extremity of Wiah Point, latitude 54° 06′ 50″ N., longitude 132° 19′ 18″ W., true north five and one-half miles to a point approximately latitude 54° 12′ 20″ N., longitude 132° 19′ 18″ W.; thence true east approximately sixteen and three-tenths miles to a point which shall lie northwest (according to magnetic compass at any time) of the highest point of Tow Hill, Graham Island, latitude 54° 04′ 24″ N., longitude 131° 48′ 00″ W.; thence southeast to the said highest point on Tow Hill. The points on the shoreline of the above mentioned island shall be determined from chart Number 3754, published at the Admiralty, London, April 11, 1911, provided that the duly authorized officers of the Dominion of Canada may at any time place a plainly visible mark or marks at any point or points as nearly as practicable on the boundary line defined herein, and such marks shall thereafter be considered as correctly defining said boundary.

5. Under the authority of Article 1 of the aforesaid convention and beginning November 1, 1932, the close season as therein defined shall be modified so as to extend from November 1 in each year to January 15 following, both days inclusive.

WM. A. FOUND,
Deputy Minister.

Ottawa, 16th February, 1932.

OTTAWA—Printed by FREDERICK ALBERT ACLAND,
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18/25530.

July 4, 1932.

Dear Sir:-

I beg to inform you that the cheque for the sum of $2.00 which you left at this office for Peter Jones, being bounty on one hair seal nose, has today been turned over to him and his receipt taken therefor. The receipt is herewith sent to you.

Your obedient servant,

KD.

Enclosure:-

Chas. C. Perry,
Assistant Indian Commissioner forB.C

H. Graham, Esq.,
Indian Agent,
Duncan, B. C.

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"2nd Seal Bounty.
Left by Agent Graham for
Peter Jones. of Sarnia
Cheque received July 4th.

25530

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18/25298. June 13, 1932.

Your file 37-1.

Dear Sir:-

I beg to acknowledge receipt of your letter of the 7th instant enclosing cheque for $8.00 in favor of the Indian Ned Williams, of Discovery Island.

This cheque was turned over to Ned today and I had him sign the receipt for the same in quadruplicate, the same being returned to you herewith.

Yours truly,

KD.

Enclosures:-

W. E. Ditchburn.
Indian Commissioner for B. C.

J.F. Tait, Esq.,
Supervisor of Fisheries,
Nanaimo, B. C.

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DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER

CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE SUPERVISOR

NANAIMO B.C., June 7th, 1932.

ALL COMMUNICATIONS TO BE ADDRESSED TO THE SUPERVISOR
IN YOUR REPLY PLEASE QUOTE
FILE No. 37-1.

W.E.Ditchburn Esq,
Indian Commissioner for B.C.,
Victoria, B.C.

Dear Sir:

As requested I enclose herewith seal bounty cheque in favour of the Indian Ned Williams of Discovery Island. Kindly return receipts after delivery to this office.

Yours faithfully,

J.F.Tait,
Supervisor of Fisheries.

SUPERINTENDENT'S OFFICE
JUN 8 1932
VICTORIA, B. C.

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AFFAIRES INDIENNES

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18/25160. June 2, 1932.

Dear Sir:

I am sending you under separate cover four hair seal noses which were left at this office for the collection of bounty. Cheque should be made payable to Ned Williams, Indian, of Discovery Island, and sent to this office.

Your obedient servant,

W. E. Ditchburn,
Indian Commissioner for B.C.

AVH/AC

J. F. Tait, Esq.,
Supervisor of Fisheries,
Nanaimo, B.C.

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

IN YOUR REPLY REFER TO
No. 40-159
ALSO TO THE DATE OF THIS LETTER
PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS
CANADA

Ottawa, May 31, 1932.

Dear Sir,-

I beg to enclose, herewith, for your information, copy of a letter from the Deputy Minister, Department of Fisheries, with reference to the claim of Dominic Peter of Kyuquot, B.C.

Yours truly,

Encl.

A. F. MacKenzie.
Secretary.

W. E. Ditchburn, Esq.,
Indian Commissioner,
Victoria, B.C.

COMMISSIONER
JUN 6 1932
VICTORIA, B. C.

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INDIAN AFFAIRS
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Copy

Department of Fisheries

Ottawa, 28th May, 1932.

Sir,-

I wish to revert to your letter of the 4th ultimo, in connection with money due Indian Dominic Peter of Kyuquot, B.C., from Mr. R. C. Chambers for the charter of a boat during the time the latter was employed as Fishery Patrolman in the Kyuquot area by this Department.

I agree that it is unfortunate the charter arrangement was entered into on the basis that it was. This Department in the circumstances was dealing directly with Mr. Chambers, who signed the charter party for the owners. Steps are being taken so that in future every precaution possible will be made to assure that those chartering boats for work of the Department are the actual owners, and thus ensure that the payments reach the proper party.

I may also state, the Chief Supervisor of Fisheries has been directed to see that, in the event of Mr. Chambers being re-employed, he undertakes to liquidate his indebtedness to Dominic Peters as soon as he has the necessary funds.

I am, Sir,

Your obedient servant,

Sgd. Wm. A. Found.

Deputy Minister.

Deputy Minister,
Department of Indian Affairs,
O t t a w a.

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CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE CHIEF SUPERVISOR

WINCH BUILDING,

VANCOUVER, B.C., March 19th 19 32

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF SUPERVISOR

IN YOUR REPLY PLEASE QUOTE 52-3-20

FILE No.

Dear Sir,

I would refer to your communication of the 1st instant, file 18-24186, with reference to the chartering of a boat by Guardian Chambers from Indian Dominic Peter.

The enclosed is copy of a communication under date of the 12th ultimo forwarded by the Supervisor at Nanaimo to the Indian Agent at Port Alberni and I have no doubt that you have already received a copy.

It is felt by the writer that the contention of Mr. Tait is quite correct and that any money owing is a matter between Chambers and the Indian.

Yours truly,

J. A. Motherwell,
Chief Supervisor of Fisheries.

W. E. Ditchburn, Esq.,
Indian Commissioner,
Victoria, B.C.

COMMISS[illegible] OFFICE
MA[illegible] 32
Vic[illegible] B. C.

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DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER

CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE CHIEF SUPERVISOR

WINCH BUILDING,

VANCOUVER, B.C., March 19th 1932

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF SUPERVISOR
IN YOUR REPLY PLEASE QUOTE
52-3-20
FILE NO.

Dear Sir,

I would refer to your communication of the 1st instant, file 18-24186, with reference to the chartering of a boat by Guardian Chambers from Indian Dominic Peter.

The enclosed is copy of a communication under date of the 12th ultimo forwarded by the Supervisor at Nanaimo to the Indian Agent at Port Alberni and I have no doubt that you have already received a copy.

It is felt by the writer that the contention of Mr. Tait is quite correct and that any money owing is a matter between Chambers and the Indian.

Yours truly,

J. A. Motherwell,
Chief Supervisor of Fisheries.

W. E. Ditchburn, Esq.,
Indian Commissioner,
Victoria, B.C.

COMMISS... OFFICE
MA... 32
Vic... B.C.

REPEAT
REPETITION

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COPY

Nanaimo, B.C.,
Feb. 12th 1932.

E. E. Frost, Esq.,
Indian Agent,
Port Alberni, B.C.

Dear Sir,

In reference to your letter of the 11th instant regarding an amount owing to the Indian Dominic Peter of Kyuquot by Mr. E. R. Chambers, I have to advise that this man left the services of this Department on October 31st last, he being employed only as a temporary fisheries patrolman.

As far as the charter of the boat used by Mr. Chambers is concerned, this was chartered by the Department from Mr. Chambers, who completed the usual charter party forms, and cheques covering the charter during the period he was on duty have already been paid to him. The fact that Mr. Chambers hired the boat from Dominic Peter was not disclosed at the time, and the claim, as far as this Department is concerned, is a private one between the claimant and Mr. Chambers, as all monies in connection with the charter, as previously stated, have already been paid.

The last postal address given by Mr. Chambers, was 2914 Douglas Street, Victoria.

Yours faithfully,

J.F. Tait,
Supervisor of Fisheries.

0 0 1 2 5 9

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INDIAN AFFAIRS
AFFAIRES INDIENNES

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18/24195.

March 2, 1932.

Dear Sir:-

I beg to advise you that I have interviewed Mr. Chambers whom you recently reported as having not met a financial obligation to Indian Dominic Peter, of Kyuquot. He states he is unable to pay at present as several West Coast Indians are indebted to him for store goods given them, although Dominic Peter is not one of these.

I have taken the matter up with Dr. Scott as well as with Major Motherwell, Chief Supervisor of Dominion Fisheries, with a request that they seek to obtain redress for the Indian as well as taking action to prevent a recurrence of the faulty transaction of Mr. Chambers or any other officer in the future.

Your obedient servant,

P/KD.

W. E. Ditchburn.
Indian Commissioner for B. C.

E. E. Frost, Esq.,
Indian Agent,
Port Alberni, B. C.

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18/24186.

March 1, 1932.

Sir:

I desire to bring to your attention a matter which appears to call for remedial or preventive action on the part of the Department of Fisheries, with the hope that you may be able to make some suitable recommendation therein.

Correspondence on record at this office goes to show that, on October 31st, 1931, one R. C. Chambers, a temporary Fisheries patrolman, then at Kyuquot, West Coast, Vancouver Island, B.C., gave an Indian--Dominic Peter--a signed acknowledgement that he (Mr. Chambers) had finished with the use of the Indians boat "Yana" and that there was due to the Indians the sum of $64.50, being 43 days' hire at $1.50 per day. The acknowledgement also stated that cheque would be delivered to the Indian on receipt of the same from the Department of Marine and Fisheries. The acknowledgement was signed by Mr. Chambers.

On February 1st, 1932, the Indian, still waiting for his promised payment which had not been received, complained to our Indian Agent at Port Alberni who in turn addressed a letter dated February 11th to J.F. Tait, Esq., Inspector of Fisheries at Nanaimo, bringing the matter of the Indian's claim to his attention.

J.F. Tait, Esq., as Supervisor of Fisheries replied on February 12th, informing the Indian Agent that Mr. Chambers left the services of the Fisheries Department on October 31st last. Mr. Tait proceeded:-

> "As far as the charter of the boat used by Mr. Chambers is concerned this was chartered by the Department from Mr. Chambers who completed the usual charter party forms, and cheques covering the charter during the period he was on duty have already been paid to him. The fact that Mr. Chambers hired the boat from Dominic Peter was not disclosed at the time, and the claim, as far as this Department is concerned, is a private one between the claimant and Mr. Chambers, as previously stated, have already been paid.
>
> The last postal address given by Mr. Chambers was 2914 Douglas Street, Victoria, B.C. "

TO:- Duncan C. Scott, Esq., Deputy Superintendent General,
Department of Indian Affairs, Ottawa,

and

Major J. A. Motherwell, Esq., Chief Supervisor of Fisheries,
Winch Building, Vancouver, B.C.

On ....

8211-1 0 3 0

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On February 16th, the matter was referred by the Indian Agent to this office for advice. Mr. Chambers was written to at the address given, on February 18th. Mr. Chambers replied on February 23rd, and in acknowledging my letter, stated:-

> "At the present time I am unable to meet this amount, but will call on you in a few days as I have several claims to take up with you re Indians on the West Coast."

Mr. Chambers called on me yesterday, February 29th. He reiterated his written statement of February 23rd, and explained that he had formerly had a store on the West Coast and that certain Indians were indebted to him. He had no claim, however, against Dominic Peter, the subject of this correspondence.

It is unfortunate that a practice seems to prevail whereby a fisheries officer can charter a boat from an Indian and recharter to his own Department whilst being an employee of the Department, this practice being indicated by Mr. Tait's letter. The matter is being submitted to you in the hope that redress may be obtained, if possible, from the Fisheries Department, also with a suggestion that that Department should be asked to consider making a regulation such as would avoid the recurrence of the circumstances under which this Indian has up to now been unable to obtain his legitimate dues upon the hire of his boat to a Government officer on promise of pay from the Government.

Your obedient servant,

W. E. Ditchburn,
Indian Commissioner for B.C.

P/AC

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Archives nationales du Canada

2914 Douglas St.,
Victoria B.C.,

W.E.Ditchburn.,
Indian Commissioner for B.C.
Victoria B.C.,

Dear Sir.,

I beg to acknowledge receipt of your letter of the 18th inst. NO 18-2408I.

At the present time I am unable to meet this amount,but will do so at my earliest convenience. I will be calling on you in a few days as I have several claims to take up with you re-Indians on the West Coast.

Hoping this will meet with your approval.

I remain.,
Yours respectfully.,

A. Earl Lambert

COMMISSIONER'S OFFICE
FEB 24 1932
VICTORIA, B. C.

INDIAN AFFAIRS
AFFAIRES INDIENNES

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18/24081. February 18, 1932.

Sir:

I beg to advise you that a claim has been made by Mr. Indian Agent Frost, of Port Alberni, in behalf of Dominic Peter, Indian, of Kyuquot, B.C., for the sum of $64.50 for 43 days hire of a boat which he allowed you to use at $1.50 per day, which indebtedness you acknowledged in your letter to the Indian dated October 31st, last.

This claim has been taken up with Inspector of Fisheries Tait, who informs our Agent that you hired the boat for the Fisheries Service from the Indian and chartered it to the Department under usual charter party forms, and that you have received payment for the service.

Before taking this matter up with the Department of Fisheries at Ottawa, I desire that you make immediate payment of the amount into this office, where receipt may be obtained in behalf of the Indian claimant.

Your obedient servant,

W. E. Ditchburn,
Indian Commissioner for B.C.

P/AC

Mr. R. E. Chambers,
2914 Douglas Street,
Victoria, B.C.

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AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

18/24081. February 18, 1932.

Sir:

I beg to advise you that a claim has been made by Mr. Indian Agent Frost, of Port Alberni, in behalf of Dominic Peter, Indian, of Kyuquot, B.C., for the sum of $64.50 for 43 days hire of a boat which he allowed you to use at $1.50 per day, which indebtedness you acknowledged in your letter to the Indian dated October 31st, last.

This claim has been taken up with Inspector of Fisheries Tait, who informs our Agent that you hired the boat for the Fisheries Service from the Indian and chartered it to the Department under usual charter party forms, and that you have received payment for the service.

Before taking this matter up with the Department of Fisheries at Ottawa, I desire that you make immediate payment of the amount into this office, where receipt may be obtained in behalf of the Indian claimant.

Your obedient servant,

W. E. Ditchburn,
Indian Commissioner for B.C.

P/AC

Mr. R. E. Chambers,
2914 Douglas Street,
Victoria, B.C.

APR 1 1932

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AFFAIRES INDIENNES

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

519/31.

OFFICE OF
INDIAN AGENT

West Coast Agency,
Port Alberni.B.C.
February,16th,1932.

Sir;-

I have the honour to bring to your attention a case of an Indian of the Kyuquot Band chartering his boat to a Fishery Guardian for Fishery Department work for which so far he has been unable to obtain settlement,

I am enclosing copies of the correspondence to date for your information, It will be noted that the matter was taken up with Mr,J.F.Tait of Nanaimo,Superviser of Fisheries, without success. Can you please advise what further steps can be taken in the matter,if any,as the man is in need of the money to provide for his family.

Your obedient servant,

Encs,

Ed. E. Frost

W.E.Ditchburn,Esqr,
Indian Commissioner for.B.C.
Victoria.B.C.

Indian Agent.

COMMISSIONER'S OFFICE
FEB 18 1932
VICTORIA, B.C.

APR 1 1988

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C O P Y

DEPARTMENT OF FISHERIES

Office of the Superviser,

29-4-C1. NANAIMO.B.C. Feb 12th,1932

E.E.Frost,Esqr,
Indian Agent,
Port Alberni.B.C.

Dear Sir;-

In reference to your letter of the 11th instant regarding an amount owing to the Indian Dominic Peter of Kyuquot by Mr,E.R.Chambers. I have to advise you that this man left the services of this Department on October 31st last,he being employed only as a temporary fisheries patrolman.

As far as the charter of the boat used by Mr,Chambers is concerned this was chartered by the Department from Mr,Chambers who completed the usual charter party forms,and cheques covering the charter during the period he was on duty have already been paid to him. The fact that Mr,Chambers hired the boat from Dominic Peter was not disclosee at the time,and the claim,as far as this Department is concerned,is a private one between the claimant and Mr,Chambers,as previously stated,have already been paid.

Yhe last postal address given by Mr Chambers was 2914 Douglas Street,Victoria.B.C.

Yours faithfully,
(sd)J.F.Tait,
Superviser of Fisheries.

RECEIVED
FEB 16 1932
INDIAN AGENT'S OFFICE
Port Alberni, B.C.

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C O P Y

510/31.

West Coast Agency,
Port Alberni.B.C.
Feb 11th,1932.

Dear Sir;-

I am enclosing herewith for your information copies of two letters from Dominic Peter an Indian of the Kyuquot Band,which are self explanatory.

Aparently Mr,E.R.Chambers hired the boat in question for Fishery Department service,and as Dominic Peter the owner of the boat is now in destitute circumstances,I shall be glad if the account could be paid by your Department as early as possible to enable Dominic Peter to provide for his family.

Thanking you,

Yours truly,

Ed R. Frost

Indian Agent

Encs,

J.F.Tait,Esqr,
Inspector of Fisheries,
Nanaimo.B.C.

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C O P Y

Kyuquot B.C.
February 1st,1932.

Mr,Edward,E,Frost,
Indian Agent,
Port Alberni.B.C.

Dear Sir;-

I have a little trouble I wish you would look after for me,I have loan my boat out to Mr,R.E.Chambers last fall and have not yet received any money which comes to $ 64.50.143 days at $ 1.50.

I would appreciate it if you would get this money for me as I am in need of it bad. I am enclosing a letter which he gave me when he finish,t with my boat Yana,the boat was in his hands from 18th of September to 31st of October,1931.

Very truly.

(sd) Dominic Peter.

Recd 11.2.32

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LAC 1 BOX 1

C O P Y

Kyuquot.B.C.
October 31st,1931.

Dominic Peter,
Kyuquot.B.C.

Dear Sir;-

This is to notify you that I have this day finished with your boat Yana,There are 43 days hire at $ 1.50, $ 64.50. Cheque to be delivered to you on receipt of same from Department of Marine and Fisheries,

Yours trulr

(sd) R.E.Chambers

Certified true copy,

Indian Agent,
Feb 11th,1932.

Recd 11.2.32

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18/24156. February 26, 1932.

Dear Sir:-

Enclosed herewith is one hair seal nose brought to this office by the Indian Louie Charlie, of Patricia Bay. Kindly send the cheque in favor of this Indian to Miss R. Hagan, Saanichton P.O., B. C., who is the Department's nurse and she will deliver the same to the above named Indian and have him sign the receipt.

Yours respectfully,

KD.

Enclosure:-

W. E. Ditchburn.
Indian Commissioner for B. C.

J.F. Tait, Esq.,
Supervisor of Fisheries,
Nanaimo, B. C.

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6 h 1 1 8 8

18/23911. February 4, 1932.

Sir:-

I beg to refer you to my letter to you dated 27th October last with which I sent you copy of a letter received from the Department dated October 21st last, advising that the Department was not then disposed to waive an annual rental as proposed by me with respect to the occupancy of a small building on the Skutz Reserve on Cowichan River for the temporary use of a Fishery Guardian.

I now beg to advise you that I have received a further letter, signed by Dr. Scott and dated January 28th, File 40-152A, copy of which is sent herewith for your perusal and file. You will see thereby that the Department has now decided to waive the payment which it was formerly not disposed to do. Kindly advise the Fishery Guardian to this effect when opportunity offers.

Your obedient servant,

P/KD.

Enclosure:-

W. E. Ditchburn.
Indian Commissioner for B. C.

H. Graham, Esq.,
Indian Agent,
Duncan, B. C.

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0 5 1 0 0 0

File 40-152A.

Copy.

Department of Indian Affairs,
Canada.

Ottawa, January 28, 1932.

Dear Sir:-

I wish to refer to letter sent you on October 21st last, enclosing copy of one forwarded on that date to the Deputy Minister of the Department of Fisheries, concerning the application of that Department for permission to improve and occupy a small building on the Skutz Indian Reserve, on the Cowichan River, for the temporary use of a Fishery Guardian.

You will note that we have been requesting the Department of Fisheries to pay an annual rental of $50.00 for this privilege, but upon giving the matter further consideration, I am convinced that the location of a Fishery Guardian at this point might prove of considerable benefit to the Indians of this locality. It is the intention of the Department of Fisheries, I am informed, to instal a fishway at Skutz Falls, costing in the neighborhood of $3,000.00, and proper supervision of and protection to the salmon and trout passing through this fishway will undoubtedly benefit the Indians. I have, therefore, advised Mr. Found, the Deputy Minister, that we will waive any charge or rental in so far as this matter is concerned, and if you are at any time in communication with the Fisheries officials, you may inform them to this effect.

Yours very truly,

"Duncan C. Scott"

W.E. Ditchburn, Esq.,
Indian Commissioner,
Victoria, B. C.

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File 40-152A.

DEPARTMENT OF INDIAN AFFAIRS
CANADA

DUNCAN C. SCOTT
DEPUTY SUPERINTENDENT GENERAL
OTTAWA

Ottawa, January 28, 1932.

Dear Sir,-

I wish to refer to letter sent you on October 21st last, enclosing copy of one forwarded on that date to the Deputy Minister of the Department of Fisheries, concerning the application of that Department for permission to improve and occupy a small building on the Skutz Indian Reserve, on the Cowichan River, for the temporary use of a Fishery Guardian.

You will note that we have been requesting the Department of Fisheries to pay an annual rental of $50.00 for this privilege, but upon giving the matter further consideration, I am convinced that the location of a Fishery Guardian at this point might prove of considerable benefit to the Indians of this locality. It is the intention of the Department of Fisheries, I am informed, to instal a fishway at Skutz Falls, costing in the neighbourhood of $3,000.00, and proper supervision of and protection to the salmon and trout passing through this fishway will undoubtedly benefit the Indians. I have, therefore, advised Mr. Found, the Deputy Minister, that we will waive any charge or rental in so far as this matter is concerned, and if you are at any time in communication with the Fisheries officials, you may inform them to this effect.

Yours very truly,

Duncan C. Scott

W. E. Ditchburn, Esq.,
Indian Commissioner,
Victoria, B. C.

INDIAN AGENT'S OFFICE
FEB 3 1932
VICTORIA, B. C.

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18/22807.

October 27, 1931.

Dear Sir:

I am today in receipt of a letter from the Department No.40-152, dated October 21st, covering copy of its letter of October 21st instant to W. A. Found, Esq., Deputy Minister, Department of Fisheries. In order that you may know the attitude of the Department in its indisposition to waive the annual rental of $50.00 proposed by me in connection with the fishing operations at Skutz Falls on the Cowichan River I am forwarding to you herewith a copy of the Department's letter to Mr. Found for your information and file.

Your obedient servant,

W. E. Ditchburn.
Indian Commissioner for B.C.

P/AC
ENCL.

H. Graham, Esq.,
Indian Agent,
Duncan, B.C.

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E51-B8

(C O P Y)

40-152

October 21, 1931.

Sir:-

I have to acknowledge receipt of your letter of the 14th instant, No. 710-15-9, with reference to the building of a shack on property belonging to this department used in connection with the fishing operations at Skutz Falls on the Cowichan River, British Columbia, and in reply thereto I am directed to inform you that it is not considered that this department would be justified in waiving the annual rental of $50.00 proposed by Indian Commissioner Ditchburn.

Your obedient servant,

"T. R. L. MacInnes"

Acting Secretary.

Wm. A. Found, Esq.,
Deputy Minister,
Department of Fisheries,
Ottawa.

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

IN YOUR REPLY REFER TO
No. 40-152

ALSO TO THE DATE OF THIS LETTER

PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS
CANADA

October 21, 1931.

Sir:-

I am enclosing herewith for your information copy of a letter that has been sent to the Deputy Minister of the Department of Fisheries with reference to the building of a shack on property belonging to this department used in connection with the fishing operations at Skutz Falls on the Cowichan River, B.C.

Your obedient servant,

T.R.L.MacInnes.
Acting Secretary.

W.E.Ditchburn,Esq.,
Indian Commissioner,
Victoria,B.C.,

encl

COMMISSIONER'S OFFICE
OCT 27 1931
VICTORIA, B. C.

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40-152

October 21, 1931.

Sir:-

I have to acknowledge receipt of your letter of the 14th instant, No. 710-15-9, with reference to the building of a shack on property belonging to this department used in connection with the fishing operations at Skutz Falls on the Cowichan River, British Columbia, and in reply thereto I am directed to inform you that it is not considered that this department would be justified in waiving the annual rental of $50.00 proposed by Indian Commissioner Ditchburn.

Your obedient servant,

T.R.L. MacInnes

T.R.L.MacInnes.
Acting Secretary.

Wm. A. Found, Esq.,
Deputy Minister,
Department of Fisheries,
Ottawa.

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DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER

CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE CHIEF SUPERVISOR

WINCH BUILDING,

VANCOUVER, B.C., January 30, 1932.

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF SUPERVISOR

IN YOUR REPLY PLEASE QUOTE

FILE No. 10-1-31

Dear Sir:

I have to acknowledge with thanks receipt of your letter of the 27th instant, your file 18-23840 dealing with a memorial submitted by the Pemberton band of Indians in connection with taking salmon for food purposes.

In reply to the last clause of your letter I may say that while these difficulties are bound to come up at times, it is well to have the matter dealt with locally so that both sides of the question may be made available to you, and I assure you that it is a pleasure to co-operate in every way with your Department in order that such matters may be amicably settled.

Yours truly,

a. MacKie.

For J. A. Motherwell
Chief Supervisor of Fisheries.

COMMISSIONER'S OFFICE
FEB 2 1932
VICTORIA, B. C.

W. E. Ditchburn, Esq.,
Indian Commissioner for B. C.,
P. O. Box 666,
Victoria, B. C.

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

IN YOUR REPLY REFER TO
No. 40-153
ALSO TO THE DATE OF THIS LETTER
PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS
CANADA

January 28, 1932.

Sir:-

I have to acknowledge receipt of your letter of the 22nd instant, No. 18/23794, with reference to a petition and letter from W. Pascal written on behalf of the members of the Pemberton Band of Indians in connection with fishery matters on their reserve, and am enclosing herewith for your information copy of a letter that has been sent to Indian Agent Daunt on ths subject.

Your obedient servant,

T.R.L.MacInnes.
Acting Secretary.

W.E.Ditchburn,Esq.,
Indian Commissioner,
Victoria, B.C.,

encl

COMMISSIONER'S OFFICE
FEB 2 1932
VICTORIA, B. C.

RG 10, C-11-2, vol. 11298

INDIAN AFFAIRS
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Copy

January 28/32.

Sir:-

The department is in receipt of a petition and letter from W.Pascal written on behalf of the members of the Pemberton Band of Indians in connection with fishery matters on their reserve.

I wrote to Indian Commissioner Ditchburn for a report on this subject, and am enclosing herewith copy of his reply of the 22nd instant. The department concurs in the views expressed in this letter, and you may advise the Indian correspondents accordingly; also advise them that their petition has been received by the department and is being investigated.

Your obedient servant,

T.R.L.MacInnes.

Acting Secretary.

A.O'N.Daunt,Esq.,

Indian Agent,

New Westminster,B.C.

COMMISSIONER'S OFFICE
FEB 2 1932
VICTORIA, B. C.

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18/23844.

January 27, 1932.

Sir:-

I beg to acknowledge, with thanks, receipt of your letter No. 10-1-31, dated January 26th instant, in regard to fishing matters in the Birkenhead River area.

In reply I wish to say I am in accord with all you have written on this subject. Presumably the small run in that area during 1931 may have had something to do with the discontent of the Indians and that with the return of a more normal season the difficulty will adjust itself. I was sorry to bother you with this, but the matter was referred to me from the Department and had to be dealt with upon instructions.

Your obedient servant,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for
W. E. Ditchburn.
Indian Commissioner for B. C.

A. MacKie, Esq.,
Office of the Chief Supervisor of Fisheries,
Winch Building,
Vancouver, B. C.

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DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER

CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE CHIEF SUPERVISOR

WINCH BUILDING,

VANCOUVER, B.C., January 26, 19 32.

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF SUPERVISOR

IN YOUR REPLY PLEASE QUOTE

FILE No. 10-1-31

Dear Sir:

I have to acknowledge receipt of your letter of the 18th instant, your file 18-23720 and enclosed copy of communication forwarded to Supervisor R. W. MacLeod of New Westminster by the Indians of the Pemberton Reservation, in connection with obtaining a supply of salmon to be used by them for food. You, of course, are aware that the hatchery at Owl Creek was established in 1905 and has been in continuous operation since that date and I might mention that since it was established the run of sockeye salmon to the Birkenhead River has varied but on no occasion has it been an absolute failure.

The arrangements made with the Indians were that during the sockeye run they would not use nets, etc. for the taking of sockeye, but would receive all the used sockeye from the pens at the hatchery. During the years when the run is comparatively large the supply of salmon from this source is found ample for the requirements of the Indians of that locality and arrangements have proved to be very satisfactory with no cause for complaint. Arrangements during 1931 were in all respects similar to those during previous years. Unfortunately, the run of sockeye salmon to the Birkenhead area during 1931 was small, hence the supply available for the Indians not so abundant as has been the case in some other years.

It appears however, that the supply of salmon available for this purpose was reasonably sufficient and doubtless the number the Indians received from this source would be greater than had the hatchery not operated.

Should there be any interference to prevent the salmon ascending through the Harrison-Lillooet Lake system to the spawning areas of the Birkenhead River it would inevitably result in the closing of the hatchery and the failure of a sufficient supply of parent salmon reaching these spawning areas to adequately seed the system, and thus would seriously affect the run of sockeye salmon to that area for future years. In view of the fact that the present arrangements have proved satisfactory under ordinary conditions and that any change might result in

disaster.....

W. E. Ditchburn, Esq.,
Indian Commissioner for B. C.,
P. O. Box 666,
Victoria, B. C.

COMMISSIONER'S OFFICE
JAN 27 1932
VICTORIA, B. C.

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disaster to the run to that area, it is felt that no change should be made in existing arrangements.

You are, of course, aware that this band has elected a new council and also has a new Chief and it is quite possible that the communication forwarded to Supervisor MacLeod does not express the opinion of the majority of the Indians of that locality.

Yours truly,

a. mackie.

For J. A. Motherwell
Chief Supervisor of Fisheries.

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RG 10, C-II-2, vol. 11298

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18/23794. January 22, 1932.

Sir:-

I have the honor to acknowledge the receipt of Departmental letter No. 40-153, dated January 13th, instant, with enclosed petition received from certain Indians of the Pemberton Band in New Westminster Indian Agency, B. C., dated January 5th, instant, as received at the Department and forwarded to this office for perusal and report.

In reply I beg to return herewith, as requested, the correspondence sent with your letter, and to submit also copy of a letter received from the Indian Agent dated January 21st, instant, together with copy of a letter addressed to the Indian Agent by the Supervisor of Dominion Fisheries at New Westminster, dated January 20th, instant, and mentioned therein.

From these reports it appears there is no remedy that can be properly suggested in favor of the Pemberton Indians who, it will be seen, are receiving the fullest possible benefit of the fish that are available under the regulation and control necessary to the public interest as well as to the conservation and propogation of species.

Your obedient servant,

P/KD.

Enclosures:-

Chas. C. Perry,
Asst. Indian Commissioner for
W. E. Ditchburn,
Indian Commissioner for B.C.

The Secretary,
Department of Indian Affairs,
Ottawa.

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Copy.

Office of the Indian Agent.

New Westminster, B. C.,
January 21st, 1932.

1-23.

Dear Sir:-

In reply to your letter of the 18th instant, regarding a petition addressed to the Supervisor of Fisheries by the Pemberton Indians, I beg to inform you that I called upon Mr. MacLeod and saw the original, which is similar in all respects to the copy forwarded by you.

I am enclosing a copy of a communication received by me this morning from Mr. MacLeod in connection with this subject.

I may say at once that this is a very old dispute and has been gone into times without number in the last twenty years, and the only settlement which will satisfy the Indians would be the complete removal of the restrictions upon fishing in that area, which would, of course, involve the closing of the Hatchery.

The Department must have full information upon the subject already, as this is by no means the first time the question has been discussed.

With regard to your query as to the existing arrangements for the taking of fish for food by these Indians, and the number of permits current, I beg to inform you that the Fishery Department do not inflict the permit system on the Douglas, Skookum Chuck or Pemberton Indians. When however, the Sockeye run really commences, the Pemberton area is declared closed and the Indians must abstain from netting or gaffing. As fish are taken in the traps, those bucks not needed are given at once to the Indians, and they can have all fish taken after they are used. In a normal year the fresh "buck" supply is very considerable, running into several hundreds a day, but on the occasion of a short run, the Indians have to wait until the fish have been used. So far as the condition of the fish is concerned, I would say that generally speaking there is no ground for complaint, but when the run is small some fish given out will undoubtedly be off in quality. It should be remembered, however, that the weirs stop all fish coming up the river, and in a small run without the weirs, and if the Indians had to catch the fish in nets, their supply would be much more precarious than is now the case, as a larger proportion of salmon would get by their gill nets than is now the case with the traps.

On the 5th of October the Indians were busily engaged drying and smoking piles of salmon and seemed quite satisfied.

Taking into consideration it appears to me impossible for the Department to take any action . Obviously the Hatchery cannot be closed, and if it were closed, it would be much more difficult for the Indians, particularly the old and widowed ones, to secure a supply. It is in fact a perennial complaint about which the Government can do but little.

There are 305 Indians on the Pemberton Band, and counting parties living alone, eighty-four (84) households.

W.E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
Victoria, B. C.

Yours truly,
"A. O'N. Daunt"
Indian Agent.

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Copy.

Department of Fisheries.

Office of the Supervisor of Fosheries.

4-5.

New Westminster, B. C.,
Jan. 20th, 1932.

Dear Sir:-

Further to our conversation of even date regarding the Indians obtaining sockeye salmon as a food supply in the Pemberton District a petition has been received signed by W. Pascal, Indian, Secretary of the Pemberton Band of Indians, dated Jan. 5th, 1932, requesting that Indians be permitted to catch sockeye salmon by means not stated but presumed to be set nets in the waters of Lillooet Lake and watershed below the site of the Fish Cultural operations on the Birkenhead River.

The Pemberton Hatchery at Owl Creek has been in continuous operation since 1905, the first collection of eggs being made in the fall of that year.

This Hatchery depends for future operation on the annual uninterrupted and unimpeded run of sockeye salmon ascending the Fraser River through Harrison Lake to the Hatchery traps and fences operated in the Birkenhead River near the Indian Reserve.

The present arrangements are that Indians will remove gill-nets in operation in Lillooet Lake and cease using gaffs or spears in other local waters at the time the first of the annual sockeye run appears in Harrison Lake and are so advised by the local Fishery Officer. As soon as Fish Cultural Officers commence collection the spawned fish are given to the Indians, to be consumed or cured as they choose, up to the total number spawned. White residents have requested a small supply and invariably are refused on the ground that whole available supply of spawned fish are placed at the disposal of the Indians.

When the sockeye salmon run is ended the Indians may place set nets in Lillooet Lake and gaff or spear in streams tributary for other varieties of fish such as Spring and Cohoe salmon, Lake trout and coarse fish. Indians with other residents angle for trout in all local waters except during the annual close period December to February, inclusive, winter conditions prevailing at this season.

The above arrangements have been found by all concerned quite satisfactory for the past 15 years, to concede to the petitioners in their requests simply means that in a small run year similiar to 1931 there would not be sufficient sockeye reach the fences to warrant operations of the Hatchery.

The assertinn that the spawned sockeye salmon given the Indians are unfit for human consumption is not in accordance with past experience and difference in quality of the fish as a food product whether caught below the fences or spawned and handed to the Indians could not be material.

These particular Indians have not been issued free Indian permits in the past for the reason the majority are

A. O'N. Daunt, Esq.,
Indian Agent,
New Westminster, B. C.

illiteratw.....

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illiterate and have no opportunity to sell or barter fish and have given reasonable co-operation to Officers of this Department on duty in that area.

The circumstances attanding the available food supply of sockeye salmon for the Indians in that district has not changed in recent years and I propose recommending to the Chief Supervisor that the present policy relating to the Indians affected by the petition be not changed in the immediate future.

Your co-operation in matters affecting the Indians of this district is much appreciated.

Yours truly,

"R.W. MacLeod"
Supervisor of Fisheries.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

COLONIAL OFFICE
JAN 22 1932
VICTORIA, B. C.

OFFICE OF
INDIAN AGENT

File No. 1-23.

Your Ref.No.18/23719.

NEW WESTMINSTER, B.C.
January 21st, 1932.

Dear Sir:-

In reply to your letter of the 18th instant, regarding a petition addressed to the Supervisor of Fisheries by the Pemberton Indians, I beg to inform you that I called upon Mr. MacLeod and saw the original, which is similar in all respects to the copy forwarded by you.

I am enclosing a copy of a communication received by me this morning from Mr. MacLeod in connection with this subject.

I may say at once that this is a very old dispute and has been gone into times without number in the last twenty years, and the only settlement which will satisfy the Indians would be the complete removal of the restrictions upon fishing in that area, which would, of course, involve the closing of the Hatchery.

The Department must have full information upon the subject already, as this is by no means the first time the question has been discussed.

With regard to your query as to the existing arrangements for the taking of fish for food by these Indians, and the number of permits current, I beg to inform you that the Fishery Department do not inflict the permit system on the Douglas, Skookum Chuck or Pemberton Indians. When however, the Sockeye run really commences, the Pemberton area is declared closed and the Indians must abstain from netting or gaffing. As fish are taken in the traps, those bucks not needed are given at once to the Indians, and they can have all fish taken after they are used. In a normal year the fresh "buck" supply is very considerable, running into several hundreds a day, but on the occasion of a short run, the Indians have to wait until the fish have been used. So far as thecondition of the fish is concerned, I would say that generally speaking there is no ground for complaint, but when the run is small some fish given out will undoubtedly be off in quality. It should be remembered, however, that the weirs stop all fish coming up the river, and in a small run without the weirs, and if the Indians had to catch the fish in nets, their supply would be much more precarious than is now the case, as a larger proportion of salmon would get by their gill nets than is now the case with the traps.

On the 5th of October the Indians were busily engaged drying and smoking piles of salmon and seemed quite satisfied.

Taking everything into consideration it appears to me impossible for the Department to take any action

Encl.

W. E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
VICTORIA, B.C.

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INDIAN AFFAIRS
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File No.1-23.

action. Obviously the Hatchery cannot be closed, and if it were closed, it would be much more difficult for the Indians, particularly the old and widowed ones, to secure a supply. It is in fact a perennial complaint about which the Government can do but little.

There are 305 Indians on the Pemberton Band, and counting parties living alone, eighty-four (84) households.

Yours truly,

A.O'N. Daunt.
Indian Agent.

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CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE SUPERVISOR OF FISHERIES

ALL COMMUNICATIONS TO BE ADDRESSED TO THE SUPERVISOR

IN YOUR REPLY PLEASE QUOTE

FILE NO. 4-5
PWM:M

New Westminster, B. C.,
Jan. 20th., 1932

Dear Sir:

Further to our conversation of even date regarding the Indians obtaining Sockeye salmon as a food supply in the Pemberton District a petition has been received signed by W. Pascal, Indian, Secretary of the Pemberton Band of Indians, dated Jan. 5th., 1932, requesting that Indians be permitted to catch Sockeye salmon by means not stated but presumed to be set nets in the waters of Lillooet Lake and watershed below the site of the Fish Cultural operations on the Birkenhead River.

The Pemberton Hatchery at Owl Creek has been in continous operation since 1905, the first collection of eggs being made in the fall of that ~~year~~.

This Hatchery depends for future operation on the annual uninterrupted and unimpeded run of Sockeye salmon ascending the Fraser River through Harrison Lake to the Hatchery traps and fences operated in the Birkenhead River near ~~in~~ the Indian Reserve.

The present arrangements are that Indians will remove gill-nets in operation in Lillooet Lake and cease using gaffs or spears in other local waters at the time the first of the annual sockeye run appears in Harrison Lake and are so advised by the local Fishery Officer. As soon as Fish Cultural Officers commence collection the spawned fish are given to the Indians, to be consumed or cured as they choose, up to the total number spawned. White residents have requested a small supply and invariably are refused on the ground that whole available supply of spawned fish are placed at the disposal of the Indians.

When the Sockeye salmon run is ended the Indians may place set nets in Lillooet Lake and gaff or spear in streams tributary for other varieties of fish such as Spring and Coho salmon, Lake trout and Coarse fish. Indians with other residents angle for trout in all local waters except during the annual close period December to February, inclusive, winter conditions prevailing at this season.

A. O'N. Daunt, Esq.,
Indian Agent,
New Westminster, B. C.

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The above arrangements have been found by all concerned quite satisfactory for the past 15 years, to concede to the petitioners in their requests simply means that in a small run year similiar to 1931 there would not be sufficient Sockeye reach the fences to warrant operations of the Hatchery.

The assertion that the spawned Sockeye salmon given the Indians are unfit for human consumption is not in accordance with past experience and difference in quality of the fish as a food product whether caught below the fences or spawned and handed to the Indians could not be material.

These particular Indians have not been issued free Indian permits in the past for the reason the majority are illiterate and have no opportunity to sell or barter fish and have given reasonable co-operation to Officers of this Department on duty in that area.

The circumstances attending the available food supply of Sockeye salmon for the Indians in that district has not changed in recent years and I propose recommending to the Chief Supervisor of the present policy relating to the Indians effected by the petition to not change in the immediate future.

Your co-operation in matters effecting the Indians of this district is much appreciated.

Yours truly,

R. W. MacLeod,
Supervisor of Fisheries.

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18/23720.

January 18, 1932.

Dear Sir:

My Department at Ottawa has forwarded to this office for report copy of a petition dated January 5th sent to R. W. McLeod, Esq., Supervisor of Fisheries, New Westminster, which was forwarded to the Department in behalf of the Pemberton Band of Indians by their secretary, W. Pascal, said petition setting forth complaints of the Indians as to the existing arrangements for their fish food supply which they claim is inadequate for their needs. The Department has asked me for a report thereon and in order that I may be fully advised before making this report I am sending you herewith a copy of the petition and would be greatly obliged if you will be good enough to give me the benefit of your views respecting these complaints so that I may be able to advise the Department as desired by it. Trusting that it may be convenient for you to give this matter your early attention, I remain

Your obedient servant,

W. E. Ditchburn.
Indian Commissioner for B.C.

P/AC
ENCL

Major J. A. Motherwell,
Chief Supervisor of Fisheries,
Winch Building,
Vancouver, B.C.

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INDIAN AFFAIRS
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18/23719. January 18, 1932.

Dear Sir:

The Department has sent to me for attention and report a petition received by it from W. Pascal in behalf of the members of the Pemberton Band of Indians in connection with fishery matters on their reserve, the petition being a copy of one dated January 5th addressed to Mr. R. W. McLeod, Supervisor of Fisheries at New Westminster. A copy of this petition is sent herewith for your perusal. Will you kindly give me a report as early as possible containing your views upon the complaints made by the Indians so that I may be in a position to respond to the Department's request. Assuming that the original of this petition was duly received by Mr. McLeod, perhaps it would be advisable for you to discuss the situation with him before making your report. Kindly also advise me of the existing arrangements for the taking of fish for food by the Pemberton Indians, giving the number of heads of households and also the number of permits which are current covering food supply of the Pemberton Indians.

Your obedient servant,

W. E. Ditchburn.
Indian Commissioner for B.C.

Encl.
P/AC

A. O'N. Daunt, Esq.,
Indian Agent,
New Westminster, B. C.

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(C O P Y)

Pemberton Reservation

Owl Creek, B.C.

January 5th 1932.

R. W. McLeod,
Supervisor of fisheries
New Westminster,B.C.

Dear Sir:

We the Pemberton Band of Indians would call your kind attention to fact that we are not getting justice with regards getting our fish supply as food.

Our fore fathers have lived here from time of memorial, close to this River, now known as the Birkenhead River for the reason they get there fish as food to raise there Children like we do today. We value this River highly. Its like to us a rich parents who could supply its children with rich food, and when the fish Hatchery was first Build we were made to understand that we were to catch our fish in our own way which was quite satisfactory to us. But in the latter years the white man's Law gratually changed. We were stoped from catching fish in our own way, that we were to get our supply from the Hatchery traps only This, this hurted our feelings in general. However we complied with white man's Law, But as time went on the way of fish have gratually change, but the Law has not change we dont only not get enough fish But what we do get are not fit for human consumption We are not permetted to get our fish untill they are being spond which of course will not cure nor fit for human consumption we know that we have a frish rights to our fish still as far as we are able we have complied with the Law of the white man, now in Justice to our selves and our children we humbly beg the fishery Dept, to let us catch our fish in our own way, Catch them when they have just arrive and fresh. Catch down the Lillooet Lake with nets and also in Berken head River. We are not Bucking the hatchery, though it hurts us to see how they are destroying our fish They get paid for squeezing the eggs out and they also get paid for throwing them away. But thats the whites men's look out. We Indians all we want is far play, let us have our fish as food we do not want them to sell nor Barder, as we only want our fish as food we dont need to be afraid of the fish gaurdians We know the Value of our fish. When we get an amble supply to do us untill the next season, we leave them alone.

Please give this matter your Urgent attention, and kindly Bare in mind that times have changed with regards our fish But the Law of the white man has not changed. We feel that you have in your hands the well fare of 300 poor Indians

We beg to remain the Pemberton Band of Indians

Sign Chief & Councillor
Chief Pascal Joe X

Councillor
"Baptist Ritchie"

"Councillor & Sect. W Pascal."

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21-1-88

ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

OUR REPLY REFER TO
No. 40-153
ALSO TO THE DATE OF THIS LETTER

PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS
CANADA

January 13, 1932.

Sir:-

I am enclosing herewith for your attention and report a letter and petition that has been received from W. Pascal on behalf of the members of the Pemberton Band of Indians in connection with fishery matters on their reserve.

Will you kindly return the correspondence with your report.

Your obedient servant,

T.R.L.MacInnes.
Acting Secretary.

W.E.Ditchburn,Esq.,
Indian Commissioner,
Victoria, B.C.,

enclos.

COMMISSIONER'S OFFICE
JAN 18 1932
VICTORIA, B.C.

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18/23945. February 6, 1932.

Dear Sir:

Kindly find herewith copy of a letter received from the Chief Supervisor of Dominion Fisheries, which replies to a letter sent from this office covering copy of a letter received from Indian Peter Leighton of Metlakatla. I believe Peter Leighton also sent you a copy of his letter.

I should further advise you that a copy of Peter Leighton's letter was sent to Hon. S.L. Howe, Provincial Minister of Fisheries, as it contained a request that the tax on gear should be lessened or abolished. Hon. Mr. Howe replied that the tax was thought to be equitable, and therefore no change in the present system can be looked for. This was communicated to Peter Leighton from this office. He is also being furnished with a copy of the letter of the Dominior Fisheries dated February 4th, instant.

Your obedient servant,

W. E. Ditchburn,
Indian Commissioner for B.C.

P/AC
ENCL.

W. E. Collison, Esq.,
Indian Agent,
Prince Rupert, B.C.

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18/23944.

February 6, 1932.

Sir:

As you reported some time ago that the Northern Indians were concerned about the closing of Mink Trap Bay fisheries to drag seining by fishermen, I am sending you herewith a copy of a letter dated February 4th, instant, received at this office from the Chief Supervisor of Fisheries at Vancouver, which will be self-explanatory.

I have sent a copy of this letter to Mr. Agent Collison, also to Peter Leighton, Indian of Metlakatla, who wrote regarding the matter.

Your obedient servant,

W. E. Ditchburn,
Indian Commissioner for B.C.

P/AC
ENCL

G. S. Pragnell, Esq.,
Inspector of Indian Agencies,
Kamloops, B.C.

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18/23943.

February 6, 1932.

Sir:

Kindly find herewith copy of a letter dated February 4th, instant, received at this office from the Dominion Fisheries Chief Supervisor at Vancouver in regard to the matter of your recent letter. This will be self-explanatory.

I may say I have also advised Mr. Indian Agent Collison of the replies received with respect to the representations made by you.

Yours respectfully,

W. E. Ditchburn,
Indian Commissioner for B.C.

P/AC
ENCL

Mr. Peter Leighton,
Metlakatla,
Via Prince Rupert, B.C.

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(COPY)

DEPARTMENT OF FISHERIES

Office of the Chief Supervisor

Winch Building,

Vancouver, B.C., February 4, 1932.

File No. 10-2-12-1.

Dear Sir:

I would refer to your letter of the 20th ultimo, your file 18/23730, and enclosed copy of communication written by Mr. Peter Leighton of Metlakatla.

Mr. W. E. Collison, Indian Agent at Prince Rupert has communicated with the Department of Indian Affairs on behalf of the Indians, urging that Mink Trap Bay and Lowe Inlet be opened to drag-seine fishing.

It is found that the closing of Mink Trap Bay to drag-seine fishing was originally recommended in 1925. Previous to that it had been found that the run of sockeye salmon to these areas had become so depleted that the Indians found it was hardly worth their while to carry on drag-seine operations due to the small amount of salmon caught. Although this area was opened to drag-seine fishing and licenses were issued during 1924, 1925, 1926, and 1927, no drag-seine operations were carried on. The catch, however, by salmon purse-seines has been gradually improving, yet as the boundary at Mink Trap Bay was moved out approximately 450 yards seawards from the mouth of the stream, the essapement to the spawning areas has become more and more satisfactory. During the year 1929, it was shown that the essapement was only medium but inspections in 1930 and 1931 showed that the seeding of the spawning grounds in these areas was comparatively heavy and this, despite the fact that intensive fishing was carried on at Mink Trap Bay during these years by a large number of purse-seines, these seines taking a fair percentage of the run.

In view of the previous depleted comition of this area and the gradual improvement shown on the spawning grounds during latter years, it can only be recommended to the Department that drag-seine fishing should not be permitted at Mink Trap Bay.

Yours truly,

"A. Mackie"
For J. A. Motherwell
Chief Supervisor of Fisheries.

C. C. Perry, Esq.,
Ass't. Indian Commissioner,
Office of Indian Commissioner,
Victoria, B.C.

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(C O P Y)

DEPARTMENT OF FISHERIES

Office of the Chief Supervisor

Winch Building,

Vancouver, B.C., February 4, 1932.

File No. 10-2-12-1.

Dear Sir:

I would refer to your letter of the 20th ultimo, your file 18/23750, and enclosed copy of communication written by Mr. Peter Leighton of Metlakatla.

Mr. W. E. Collison, Indian Agent at Prince Rupert has communicated with the Department of Indian Affairs on behalf of the Indians, urging that Mink Trap Bay and Lowe Inlet be opened to drag-seine fishing.

It is found that the closing of Mink Trap Bay to drag-seine fishing was originally recommended in 1925. Previous to that it had been found that the run of sockeye salmon to these areas had become so depleted that the Indians found it was hardly worth their while to carry on drag-seine operations due to the small amount of salmon caught. Although this area was opened to drag-seine fishing and licenses were issued during 1924, 1925, 1926, and 1927, no drag-seine operations were carried on. The catch, however, by salmon purse-seines has been gradually improving, yet as the boundary at Mink Trap Bay was moved out approximately 450 yards seawards from the mouth of the stream, the escapement to the spawning areas has become more and more satisfactory. During the year 1929, it was shown that the escapement was only medium but inspections in 1930 and 1931 showed that the seeding of the spawning grounds in these areas was comparatively heavy and this, despite the fact that intensive fishing was carried on at Mink Trap Bay during these years by a large number of purse-seines, these seines taking a fair percentage of the run.

In view of the previous depleted condition of this area and the gradual improvement shown on the spawning grounds during latter years, it can only be recommended to the Department that drag-seine fishing should not be permitted at Mink Trap Bay.

Yours truly,

"A. Mackie"
For J. A. Motherwell
Chief Supervisor of Fisheries.

C. C. Perry, Esq.,
Ass't. Indian Commissioner,
Office of Indian Commissioner,
Victoria, B.C.

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CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE CHIEF SUPERVISOR

WINCH BUILDING,

VANCOUVER, B.C., February 4, 1932.

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF SUPERVISOR

IN YOUR REPLY PLEASE QUOTE

FILE No. 10-2-12-1

Dear Sir:

I would refer to your letter of the 20th ultimo, your file 18-23750, and enclosed copy of communication written by Mr. Peter Leighton of Metlakatla.

Mr. W. E. Collison, Indian Agent at Prince Rupert has communicated with the Department of Indian Affairs on behalf of the Indians, urging that Mink Trap Bay and Lowe Inlet be opened to drag-seine fishing.

It is found that the closing of Mink Trap Bay to drag-seine fishing was originally recommended in 1925. Previous to that it had been found that the run of sockeye salmon to these areas had become so depleted that the Indians found it was hardly worth their while to carry on drag-seine operations due to the small amount of salmon caught. Although this area was opened to drag-seine fishing and licenses were issued during 1924, 1925, 1926, and 1927, no drag-seine operations were carried on. The catch, however, by salmon purse-seines has been gradually improving, yet as the boundary at Mink Trap Bay was moved out approximately 450 yards seawards from the mouth of the stream, the escapement to the spawning areas has become more and more satisfactory. During the year 1929, it was shown that the escapement was only medium but inspections in 1930 and 1931 showed that the seeding of the spawning grounds in these areas was comparatively heavy and this, despite the fact that intensive fishing was carried on at Mink Trap Bay during these years by a large number of purse-seines, these seines taking a fair percentage of the run.

In view of the previous depleted condition of this area and the gradual improvement shown on the spawning grounds during latter years, it can only be recommended to the Department that drag-seine fishing should not be permitted at Mink Trap Bay.

Yours truly,

a. MacKay

For J. A. Motherwell
Chief Supervisor of Fisheries.

C. C. Perry, Esq.,
Ass't Indian Commissioner,
Office of Indian Commissioner,
Victoria, B. C.

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18/23856.

January 28, 1932.

Dear Sir:-

I have the honor to acknowledge receipt of your letter of January 23rd, instant, in regard to the letter which has been received by you from Indian Peter Leighton, of Metlakatla, with reference to fishing and Provincial taxes.

In reply thereto I beg to say that on receipt of Mr. Leighton's letter of January 14th at this office, a copy of the same was prepared and sent respectively to Honorable S.L. Howe, Commissioner of Fisheries, Parliament Buildings, Victoria, and to the Chief Supervisor of Dominion Fisheries, at Vancouver, as one matter came within the purview of the Provincial Authorities, and another under that of the Dominion Fisheries. I requested in each case that I be given, if convenient, the benefit of the views held by these gentlemen concerning the matters recited so that I might be in a position to give suitable answer to the enquiry of Mr. Leighton and also to the Department in the event of this matter being referred to me.

On January 22nd I received a reply from Honorable S.L. Howe for the Provincial Government, as follows:-

> "As to Provincial taxation, I submit that the "fees imposed by the Province are justified, "necessary, and not unreasonable. They have "been in effect for many years. They apply to "all men engaged in commercial fishing--both "Indians and whites. Provincial taxation is "justified because it imposes fees on the users "of the natural assets of the Province."

On January 23rd Mr. Leighton was furnished with a copy of the Honorable Mr. Howe's reply and was informed that when I hear from the Dominion Fisheries Authorities, I shall write to him again. This morning I have received a letter from the Chief Supervisor of Fisheries dated January 23rd, which states, "I will be pleased to reply further in connection with this communication at the earliest possible date".

When the final reply of the Fisheries Authorities has been received I will advise the Department as well as Mr. Leighton.

My own observations upon Mr. Leighton's letter should, it is thought, also be stated. While it is understood that many

Indians....

Duncan C. Scott, Esq.,
Deputy Superintendent General
of Indian Affairs,
Ottawa.

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Indians who use drag seines and other gear sometimes make very large money in pursuit of fishing, yet the view has been held here that in consequence of the general competitive condition which surrounds the Indians in fishing and pther pursuits, and in many cases it being difficult to obtain sufficient returns from their industry; also in view of the fact that in some cases the gear tax was collected from some Indians while others were exempted, while at the same time the amount of revenue derived collectively from the fishermen owning their own gear was limited, it was thought quite reasonable to ask the Provincial Government to forego the collection of its tax on fishing equipment. Another feature was that the Indians were paying the Dominion licence fees against which they made no objection, but in some instances found it difficult to pay. Request was accordingly made some time ago to have this tax removed, but the Provincial Fisheries have so far not seen their way clear to remove this tax on fishing gear and equipment. I may add that there is a suspicion that in some cases where Indians claimed to own and operate their own gear, the equipment is actually loaned to them from various canneries.

In regard to the Dominion F isheries question, the Department will, no doubt, be aware that for many years past the Kitkatla Indians on Dolphin Island, in the Skeena River Agency, have claimed an aboriginal right to fish in numerous streams in which connection the Fisheries Department have in the past made generous concessions to them keeping the fisheries, of course, under its direct supervision and not admitting that they have any aboriginal right in the matter except that of moral consideration. The Indians of other Bands naturally look upon the drag seine fishing operations of the Kitkatla Indians with a certain amount of jealousy and for several years past there have been intermittent manifestations of this jealousy, not only between the Indians but also between Indians and white fishermen, but these have been of no really serious consequences. The fisheries mentioned by Mr. Leighton, however, are known by the writer to be such as to require sympathetic, yet firm, handling by the officers of the Fisheries Department and I believe they are doing their best to regulate the fishing in the public interest as well as in the interest of the Indians. Mr. Leighton's complaint is the first we have received for some time except when certain Kitkatla Indians objected to the closing of certain creeks by the Fisheries Department in the interests of fish rehabilitation. This, however, we can find no fault with in view of the Department's policy as well as the laws which regulate fisheries in the waters mentioned.

Your obedient servant,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for
W. E. Ditchburn.
Indian Commissioner for B.C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

DUNCAN C. SCOTT
DEPUTY SUPERINTENDENT GENERAL
OTTAWA

January 23rd. 1932.

Dear Mr. Ditchburn,

I am in receipt of copy of letter from Peter Leighton, of Metlakatla, B.C. with reference to Fishing and Provincial taxes. He states that a copy has been sent to you and I will await a report from you before taking any action.

Yours very truly,

Duncan C. Scott

W. E. Ditchburn, Esq.,
Indian Commissioner,
Victoria, B.C.

COMMISSIONER'S OFFICE
JAN 28 1932
VICTORIA, B. C.

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CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE CHIEF SUPERVISOR

WINCH BUILDING,

VANCOUVER, B.C., January 23, 1932.

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF SUPERVISOR

IN YOUR REPLY PLEASE QUOTE

FILE No. 10-2-12-1

Dear Sir:

This is to acknowledge receipt of your letter of the 20th instant, your file 18-23750, with enclosed copy of communication submitted to your Department by Mr. Peter Leighton of Metlakatla.

I will be pleased to reply further in connection with this communication at the earliest possible date.

Yours truly,

a. MacRae

For J. A. Motherwell
Chief Supervisor of Fisheries.

C. C. Perry, Esq.,
Ass't Indian Commissioner,
P. O. Box 666,
Victoria, B. C.

COMMISSIONER'S OFFICE
JAN 26 1932
VICTORIA, B. C.

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18/23803.

January 23, 1932.

Sir:-

With further reference to your letter of January 14th, I beg to advise you that a letter has been received at this office from Honourable S.L. Howe, Provincial Commissioner of Fisheries, in which the following statement is made by him:-

> "As to Provincial taxation, I submit that the "fees imposed by the Province are justified, "necessary, and not unreasonable. They have "been in effect for many years. They apply "to all men engaged in commercial fishing - "both Indians and whites. Provincial taxation "is justified because it imposes fees on the "users of the natural assets of the Province."

When I hear from the Dominion Fisheries authorities I shall write you again.

Yours sincerely,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for
W. E. Ditchburn,
Indian Commissioner for B. C.

Mr. Peter Leighton,
Indian,
Metlakatla, B. C.

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COMMISSIONER OF FISHERIES

PROVINCE OF BRITISH COLUMBIA

VICTORIA

January 22nd, 1932.

W. E. Ditchburn, Esq.,
Indian Commissioner,
P. O. Box 666,
Victoria, B. C.

Dear Sir,-

Thanks for your favor of the 20th instant, your file 18/23749, enclosing copy of letter addressed you by Peter Leighton, Indian, of Metlakatla, with reference to matters of Provincial taxation and other subject-matters.

The matter of regulating fishing should of course be submitted to the Dominion authorities. We have no jurisdiction.

As to Provincial taxation, I submit that the fees imposed by the Province are justified, necessary, and not unreasonable. They have been in effect for many years. They apply to all men engaged in commercial fishing - both Indians and whites. Provincial taxation is justified because it imposes fees on the users of the natural assets of the Province.

Yours sincerely,

Commissioner.

COMMISSIONER'S OFFICE
JAN 23 1932
VICTORIA, B. C.

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18/23751.

January 20, 1932.

Sir:-

Copy of your letter of January 14th, addressed to Dr. Scott, has been duly received at this office, and I have today sent a copy of this letter to Hon. Mr. Howe, Provincial Minister of Fisheries, who has to do with taxation of fishing gear, and to Major Motherwell, Dominion Chief Supervisor of Fisheries, who has jurisdiction with respect to salmon fishing in Northern waters.

I have asked these gentlemen to give me the benefit of their views so that I may make suitable reply to you on the matters enquired about.

Yours respectfully,

P/KD.

Chas. C. Perry,
Asst. Indian Commissioner for
W.E. Ditchburn.
Indian Commissioner for B. C.

Mr. Peter Leighton,
Indian,
Metlakatla, B. C.

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18/23750.

January 20, 1932.

Sir:-

Kindly find herewith copy of a letter which has been received at this office from Peter Leighton, Indian of Metlakatla, near Prince Rupert, B. C., which has reference to the matter of fishing and other co-related matters in Northern British Columbia.

This is being sent so that you may be cognizant of the complaint as well as of the ideas expressed in regard thereto.

I shall be much obliged if you will be good enough to peruse this letter and, if convenient, give me the benefit of your views concerning the matters recited, so that I may be in a position to give suitable answer to this enquiry, especially as the matter has been submitted to Ottawa and the Department of Indian Affairs there will, no doubt, refer the question to this office for report.

Your obedient servant,

P/KD.

Enclosure:-

Ch as. C. Perry,
Asst. Indian Commissioner for
W. E. Ditchburn,
Indian Commissioner for B. C.

J.A. Motherwell, Esq.,
Chief Supervisor of Fisheries,
Winch Building,
Vancouver, B. C.

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18/23749.

January 20, 1932.

Sir:-

Kindly find herewith copy of a letter which has been received at this office from Peter Leighton, Indian of Metlakatla, near Prince Rupert, B. C., which has reference to the matter of Provincial taxation on fishing equipment and other co-related matters.

This is being sent so that you may be cognizant of the complaint as well as of the ideas expressed in regard thereto.

I shall be much obliged if you will be good enough to peruse this letter and, if convenient, give me the benefit of your views concerning the matters recited, so that I may be in a position to give suitable answer to this enquiry, especially as the matter has been submitted to Ottawa and the Department of Indian Affairs there will, no doubt, refer the question to this office for report.

Your obedient servant,

P/KD.

Enclosure:-

Chas. C. Perry,
Asst. Indian Commissioner for
W. E. Ditchburn,
Indian Commissioner for B. C.

Hon. S.L. Howe,
Commissioner of Fisheries,
Parliament Buildings,
Victoria, B. C.

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Metlakatla, B.C.,
January 14, 1932.,

COMMISSIONER'S OFFICE
JAN 18 1932
VICTORIA, B. C.

To the Honorable ,
Duncan Scott.
Deputy Superintendant Gen'l of Indian Affairs.
Ottawa.

Honorable Sir:

I am taking this opportunity to write a letter of protest to your Department, about certain matters that affect us in this district concerning Fishing and Provincial taxes.
viz:- That it has come to my knowledge that the Kitkatle tribe of Indians are petetionáng your Derpartment, to use your influence to grant them priveleges, such as granting them exclusive rignts for to operate Drag Seines in their respective creeks for Commercial purposes contrary to the recommendations of the Duff Commissions report concerning commercial Fishing in these waters, such as the elimanation of Drag-seines as one of the means of conservation, but these same Kitkatlas conniving with certain Cannery-men have made complaints to the Fisheries Department saying that they will be deprived of their only means of livelihood. As a Fisherman and one who knows more about them than a white-man does, let me tell you that no such thing will happen, a lot of these same Kitkatlas own their own Seinboats, why can't they operate them for Purse-seining as they have a right to, the same as any-body else. The trouble with them, is, they don't want their own country-men to fish in these waters but themselves, I know of an instance last summerwhere a man belonging to this tribe, drove away his own step-son from fishing at these so-called creeks, because he, the step-son was getting more fishthan he did, and I nave b been threatened to be shot by them twice, and others of my fellow-fisherman will say the same #### thing about them, the funny part of

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it is, they will allow white fisher-man to fish in front of their creeks, but if any of us, their own country-man belonging to different tribes come near them to fish, they don't like it at all, this shows that it is jealousy on their part, If you think that they have the exclusive rights to fish these creeks for commercial purposes, then, surely you must recognize their aboriginal titles to these creeks, in conclusion on this subject, let me explain to you, that all fishing for commercial purposes in these creeks, are in tidal waters, not in the creeks, I don't know of an instance where any but their own tribe have fished thes creeks for food purposes only,.

I am writing you this letter, on behalf of the Purse-seimers of Metlakatla, who have out-fit that are worth from Three thousand to Eight thousand dollars ($3,000.00 to 8,000.00) all Independant Fisherman, and if we don't produce the fish, you know, Sir, what happens, I have had conversations with Mr. Found, The Deputy Minister of Fisheries, concerning these matters, when he was here last Fall and the year before, and he tells me, he is in favor of doing away with Drag-seines, but that your Department have placed obstacles in the way,

I hope, Sir, that you will deal with this question fairly, so as to benefit the whole Fishing Industry, as it is the common knowledge among the fisherman, and officials here, that these Kitkatlas are asking these priveleged, so as to give them a better chance to pursue their illegal fishing, the conditions where-ever these Drag-seines operate during the fishing season, are such that they (the Kitkatlas) will carry on their illegal fishing during the close season and even during the open season, they cut peices off their seines and block the creeks, to prevent the salmon from going up the lakes, or they have Gill-nets stretched accross the creeks to catch fish, not satisfied with what they catch with their seines, I have seen this happened every sea-

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-son,so, I think I know what I am writing about,and that,Sir,are the conditions as they exist to-day in these waters,I may be wrong on s some points,but ,Sir,I am giving you the facts.

And another question I would like to ask youis this,ever since we were granted the privelege of operating our own Seine boats or Gill-netters' liscenses,we have been taxed by the Provincial Goverment,for Purse seines we are taxed Fifty dollars ($50.00) and for Gill-netters Five dollars($5.00) I think this is excessive,where we pay the Dom. Twenty dollars for Purse-seine license,and One dollar ($1.00) for Gill-net license,the Province taxes us Fifty dollars for Purse-Seine and Five d ollars for Gill-netters,

The operating cost of a Seine-Boat in a season runs from all the way from,Eight hundred to Fifteen hundred dollars depending on the size of Boat and the crew it carries,and if the seas on is poor,our operating cost does not drop accordingly,I mention this to show that we are not making a fortune in Fishing,I quite agree with the Provincial Goverment ,that whereas,we are competing with white-fishermanin Commercial fishing,that it is only right for us to pay taxes,but I thin think that the Province is asking too much,whereas they are not spendin any-thing for maintenance of aids to navigation or Patrolling of Fisheries,I can't see where they come in taxing us fisherman,

I am writing you this ,Sir.to ask your Department to use their influence with the Fisheries Department of the Province,to be more reasonable in their attitude towards the Native fisherman and all fisherman,to try and reduce the taxes to 50% or 75% . and that,Sir. I think will be satisfactory to all concerned,I hope that I am not taking up too much of your time,Sir,but this is one greivance that is not imaginary,trusting that you will give this due consideration.Beleive me

Copies to
Indian Office;and
Commissioner Mr.Ditchburn,

Yours respectfully.
Peter Leighton
(Peter Leighton)

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18/24011.

February 11, 1932.

Dear Sir:-

I am returning herewith receipt for the sum of $2.50, in quadruplicate, duly signed by the Indian Peter Henry of the West Saanich Indian Reserve, being payment of bounty on the destruction of one hair seal, the nose of which has been surrendered as evidence, the cheque for the same having been turned over to the above mentioned Indian.

Yours respectfully,

KD.

Enclosures:-

W. E. Ditchburn.
Indian Commissioner for B. C.

J.F. Tait, Esq.,
Supervisor of Fisheries,
Nanaimo, B. C.

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DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER

CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE SUPERVISOR

ALL COMMUNICATIONS TO BE ADDRESSED TO THE SUPERVISOR
IN YOUR REPLY PLEASE QUOTE
FILE No. 37-1.

NANAIMO B.C., January 12th, 1932.

W.E.Ditchburn Esq.,
Indian Commissioner,
Victoria, B.C.

Dear Sir:

I am enclosing herewith seal bounty cheque in favour of the Indian Peter Henry, West Saanich, as requested.

The return of the receipts in due course would be appreciated.

Yours faithfully,

J.H.Tait.

J.H.Tait,
Supervisor of Fisheries.

COMMISSIONER'S OFFICE
JAN 13 1932
VICTORIA, B. C.

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18/23605. January 8, 1932.

Dear Sir:-

Under separate cover I am forwarding one hair seal nose brought into this office by the Indian, Peter Henry of West Saanich Indian Reserve. Kindly forward the cheque in favor of this Indian to this office when the same will be turned over to him and his receipt taken therefor.

Yours truly,

KD.

W. E. Ditchburn.
Indian Commissioner for B. C.

J.F. Tait, Esq.,
Supervisor of Fisheries,
Nanaimo, B. C.

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DEC 31 1931

18/23434.

December 21, 1931.

Dear Sir;-

I am sending you under seperate cover Ten seal noses which have been left at this office by Ned Williams Indian, of Discovery Island. Kindly issue cheque for bounty on these noses in Ned Williams' name and send to this office in order that I may give the same to him and get his receipt for the same.

Yours truly,

AVH.

W.E.Ditchburn.
Indian Commissioner for B.C.

J. F. Tait, Esq.,
Supervisor of Fisheries,
Nanaimo,
B. C.

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18/23311.

December 9, 1931.

Dear Sir:-

It would be appreciated if you could allow the bearer to fish in Goldstream. Mr. Scott is absent from the city but a permit will be applied for this Indian on his return.

Indians Louie and Marshall Pelky of Saanich.

Yours truly,

KD.

W. E. Ditchburn.
Indian Commissioner for B.C.

Mr. Ewing,
Fishery Guardian,
Goldstream, B. C.

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15/23295 December 8, 1931.

Dear Sir;-

It would be appreciated if you could allow the bearer to fish in Goldstream. Mr. Scott is absent from the city but a permit will be applied for this Indian on his return.

This Indian's name is Isaac Jack of Saanich.

Yours truly,

AVH.

W.E.Ditchburn.
Indian Commissioner for B.C.

Mr. Ewing,
Fishery Guardian,
Goldstream, B.C.

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18/23278.

December 7, 1931.

Dear Sir:

It will be appreciated if you will allow the bearer, Sam Thomas, of Saanich, to fish in Goldstream pending Mr. Scott's return, when a permit will be applied for.

Your obedient servant,

W. E. Ditchburn.
Indian Commissioner for B.C.

Mr. Ewing,
Fishery Guardian,
Goldstream, B.C.

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18/23277

December 7, 1931.

Dear Sir:

As the fishing permit of the bearer, Simon Tommy, of Saanich, has expired on the 1st of December it would be appreciated if you would allow him to take fish from Goldstream pending the return of Mr. Scott when an application will be made for a new permit for this Indian.

Your obedient servant,

W. E. Ditchburn.
Indian Commissioner for B.C.

AVH/AC

Mr. Ewing,
Fishery Guardian,
Goldstream, B.C.

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18/23183. November 26, 1931.

Dear Mr. Ewing:-

As Mr. Scott is absent from the city, it would be appreciated if you could allow the bearer, Burt Underwood, Indian of Saanich, to take fish from Goldstream this afternoon. A permit will be obtained from Mr. Scott as soon as he returns, for use of the above mentioned Indian.

Yours truly,

AVH/KD.

W. E. Ditchburn.
Indian Commissioner for B. C.

Mr. Ewing,
Fishery Guardian,
Goldstream, B. C.

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18/23148. November 24, 1931.

Sir:

This is tomnotify you that so far as the selling of clams is concerned to the restaurant keepers of Victoria this Department has decided that the Indian Jacob Chips of the West Coast should not be patronized by the said restaurant keepers of the city but that they should purchase their clams from members of the Songhees and Esquimalt Bands of Esquimalt Harbor as they are in needy circumstances and require what money can be obtained in this manner. At present the Indian Hutty Dick can supply the restaurants of the city with all the clams that are needed and it is hoped that you will continus to patronize him. That the above mentioned Jacob Chips does not belong to Esquimalt and has been informed that he must go to his own home on the West Coast of Vancouver Island and not interfere with the trade of Songhees or Esquimalt Indians.

Yours truly,

WED/AC

W. E. Ditchburn.
Indian Commissioner for B.C.

To Restaurant Keepers
of Victoria, B.C.

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18/22902. November 3, 1931.

Dear Sir:

As requested, I am sending you herewith Indian Permit No.2119 issued in your name to catch fish for food in the Goldstream River from Monday to Thursday of each week to November 30, 1931.

Your obedient servant,

W. E. Ditchburn.
Indian Commissioner for B.C.

AC.
ENCL

Mr. Jimmy Jim
(Indian)
Brentwood Bay, B.C.

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18/22854. October 29, 1931.

Dear Sir:-

Enclosed please find Indian Permit No. 2114 issued in your name, to take fish for food purposes from the waters of Saanich Arm by means of a small net.

Yours truly,

KD.

Enclosure:-

W. E. Ditchburn.
Indian Commissioner for B. C.

Harry Marshall,
Indian,
Brentwood Bay P. O.,
B. C.

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C 8801 - 0 0 0

April 21st. 1927.

MEMORANDUM

Dr. Scott -

Re Indians obtaining fish for food purposes from the Cowichan River.

In view of the fact that it is now proposed by the Department of Fisheries to allow the Indians to take salmon for food purposes from the Cowichan River by means of gaff, spear or dip-net, the discontinuance of netting in Cowichan Bay will not affect the Indians.

Indian Commissioner for British Columbia.

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18/8640.

February 3, 1927.

Your file 40-152.

Dear Sir:-

I beg to acknowledge receipt of your letter of the 30th December enclosing an excerpt from the November report of Mr. Indian Agent Lomas dealing with the question of Indians taking Dog Salmon from the Cowichan River for food purposes. You also enclosed a copy of a communication from William A. Found, Esq., Director of Fisheries, giving you an explanation of the situation, but I may say that this does not cover the case and apparently Mr. Found was not correctly informed by his officers in British Columbia.

In the first place I may explain the complaint of Indian Agent Lomas referred to the taking of Dog Salmon by gaff or spear from the Cowichan River, but Mr. Found appears to be of the opinion that the weirs which the Indians had permission to use having gone out had something to do with the complaint. This however, is not the case. That the Indians were allowed to use two weirs in the Cowichan River during certain days of the week is correct, but these weirs can only be used at periods of low water in the river during the summer months, at which time a very small number of Spring, Coho or Sockeye Salmon go up the River. These weirs are used by a few of the old Indians, the younger members of the tribe taking no interest in them whatever. The Dog Salmon is the late fish and does not ascend the river until after the fall rains and the river is in flood. At that time the use of weirs is absolutely impossible owing to the rapid current and the debris floating down the river in the way of snags, stumps, tree tops, etc. etc. As the water in the river commences to rise in the fall, the Dog Salmon go up in hundreds of thousands, and I am informed that last fall the river was a seething mass of salmon extending all the way from Cowichan Bay to Cowichan Lake, a distance of over twenty miles. This is the specie of salmon which the Indians use for curing for winter supply and they have always been allowed to take them out of the river at their villages by means of gaff hooks or spear. This year, however, they were not allowed to use this method and were informed by the Fishery Inspector that they would have to obtain their fish supply by means of nets in Cowichan Bay. Just why this change was made I do not know and I was very much surprised to hear of it in view of the fact that on the 6th July last Chief Inspector of Fisheries Motherwell informed me that there would not appear to be any reason why the Indians should not be permitted to obtain their fish supply by means of spears or gaffs in most of the streams of the Province but that all netting operations should be confined to areas outside of the boundaries at

Duncan C. Scott, Esq.,
Deputy Superintendent General
of Indian Affairs,
Ottawa.

the

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the mouths of the streams. The Cowichan Indians naturally expected to be able to continue taking salmon in their old methods by use of the gaff or spear, but eventually a few permits were issued by the Fishery Officer allowing them to do this but the run of Dog Salmon was then practically over and the Indians were deprived of obtaining their winter supply. So far as the use of nets are concerned I may say the Cowichan Indians have very few nets and in any event it would be impossible for the old Indians to make use of them if they did have them.

There is no complaint from the anglers about Indians gaffing these or any other specie of salmon in the Cowichan River, but complaint has been made about weirs, which to my mind is not well founded as provision is made that the inter-stices in the weirs must be sufficiently large to allow trout to pass through. As a matter of fact, a trout will burrow under the weir if it cannot pass through it.

So far as any benefit that the Indians have obtained by the use of the weirs in the river during the summer months, Mr. Indian Agent Lomas informs me that he can speak with authority when he makes a statement that less than two hundred salmon were taken last summer by their joint operation. The salmon which are taken at the weirs are for immediate table use of the Indians and not for curing purposes.

To my mind the Indians should be allowed to take these Dog Salmon from the Cowichan River by either gaff, spear or dip nets, but not by gill nets when the run is on. By allowing them to do this it would remove a ground of complaint and at the same time permit of sufficient parent fish ascending the river for spawning purposes.

While I am very much averse to criticising officials of other Departments of the Government, it appears to me that all our troubles about Indians fishing arises out of the fact that the British Columbia Officials of the Fishery Department do not desire to carry out the spirit of the decision given by His Hon. Judge Cayley that the Indians have the right to obtain fish from water ways running through their reserves by providing a practical method of their doing so, and if they eventually give out a few permits it is too late for the Indians to make any use of them. The consequence is that Indians will take the salmon by stealth and if caught are prosecuted. The idea of telling the Indians that they can only take salmon from certain streams by means of angling is ridiculous in the extreme. The Spring Salmon will take the bait and so will the Coho, but the Sockeye and Dog Salmon will not do this and the Fishery Officers know this as well as I do. The Fishery Department, however, are desirous of having as many Spring and Sockeye Salmon reach the spawning grounds as possible as they are of a very much higher grade than are the Coho and Dog Salmon. If, however, the Indians were to make up their minds to angle for Spring Salmon when they are running up the river, they would very soon deplete the supply for spawning purposes, but as I stated above they do not want this specie except for immediate use so they get a few from the weirs when the water is low.

When writing you on the 19th December, 1925,

referring

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To my mind the Indians should be allowed to take these Dog Salmon from the Cowichan River by either gaff, spear or dip nets, but not by gill nets when the run is on. By allowing them to do this it would remove a ground of complaint and at the same time permit of sufficient parent fish ascending the river for spawning purposes.

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When writing you on the 19th December, 1925,

referring

REPEAT
REPETITION

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referring to the decision of Judge Cayley in which he stated that Indians had the right to take salmon for their own use from streams passing through the reserves, and he assumed the Department of Fisheries had the power to make regulations for taking the same, I pointed out that the question to be considered in connection with the Capilano River case was whether or not the method provided by the Fishery Officials was one which could be reasonably carried out by the Indians. I gave you my opinion that it was not, as the specie of salmon which the Indians wanted could not be caught by angling. My remarks at that time apply equally now to the Cowichan River and this is the point which should be straightened out, and I feel that the only way to do this and avoid endless trouble is by the Department of Fisheries providing a practical method for the Indians taking the salmon which can not be caught by angling.

I may inform you the ruling of Judge Cayley is commonly known among the Indians and unless something is done I foresee there may be another court case when the subject will be gone into at much greater length than it was in the Dominic case. This I would not like to see and, therefore, I think it would be much better for the Department of Fisheries to provide practical methods for the Indians getting their fish in the future as the methods at present provided are to all intents and purposes a prohibition against the Indians taking any fish at all.

WED/KD.

Your obedient servant,

W. E. Ditchburn.
Indian Commissioner for B. C.

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INDIAN AGENT'S OFFICE

COMMISSIONER'S OFFICE
JAN 10 1927
VICTORIA, B. C.

Duncan, B. C.

January 7, 1927

IN YOUR REPLY REFER TO
No. 20-B-3
ALSO
TO DATE OF THE LETTER

Your File No.18/8452

Re- Indians obtaining salmon from Cowichan River.

Sir,—

I beg to acknowledge receipt of yours of the 5th, instant in connection with the above matter and enclosing copy of Mr. Found, Director of Fisheries' letter. Dr. Scott had forwarded me a copy of this letter in his of the 30th, ultimo on the matter in response to my night-letter of the 21st, ult, asking him to interview the Director of Fisheries.

The situation as I find it is as follows; although the Fishery Act for many years has provided that no salmon shall be taken from the River by hook or spear, no enforcement has ever been made as regards Indians until this Fall, when instructions were given by Fishery Officials that no spearing or hooking would be tolerated, therefore the Indians of Quamichan and Somenos villages, who had relied on getting their winter supply from the run of salmon at first rise of the water as formerly, were deprived of the right, with the result of hardship in many cases. As the matter now stands there is no legal way in which salmon can be taken from the River for their own consumption with the exception of angling, which of course, as far as the Indians are concerned, is ridiculous.

Much stress is put on the priviledge of weirs by the officials. Two weirs are allowed in the River one at Somenos village and the other at Quamichan and are operated by a few old men, the younger men taking no interest. These weirs are placed in the River at low water and are taken out on the first rise in the Fall, owing to the fact of so much drift wood coming down. Although we have in the neighborhood of nine hundred Indians living adjacent to the weirs, I speak with authority when I say that less than two hundred salmon were taken last season jointly by their operation.

As regards Cowichan Bay being reserved for the Indians, to take fish for their own use, I would state as follows. It is customary for me to apply to Mr. Taylor, Inspector of Fisheries for permits to take salmon by net in the Bay for their own use. The permit is for "chum salmon" which only arrive in the Bay in October and immediately the River rises they ascend to the spawning grounds. The priviledge of these permits is only taken advantage of by a few Indians, as most of them have no nets, and I only ask for permits for the older men; and I might add that only the Indians living near the mouth of the River do any netting, the

Somenos-

W. E. Ditchburn, Esq.,
Indian Commissioner for B. C.
VICTORIA, B. C.

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Somenos and Quamichan Indians having always relied on spear and hook. In conversation with Mr. Taylor re. spearing done by the Indians, he says they will give them permits to take "chums" from the Bay by net, and thus do away with the spearing. In my opinion if they wish to conserve the salmon this is rather a poor scheme, as it is practically forcing an Indian to go to the Bay and put out a net and possibly take 30 or 40 salmon when really he only wants one for immediate use, and while at certain seasons when millions of salmon are passing up by their villages, they have to go six miles and spend the night with their net, when really they only need one salmon which could be got in a few moments. So it will be seen that the netting part is of little benefit to the Somenos and Quamichan Indians.

In regard to your question as to how many chum salmon pass up the River, it is difficult to give an estimate, further than at the first rise of the water, the whole 20 miles of the river is a moving mass. Old residents at Cowichan Lake state that more salmon arrived at Cowichan Lake in the Fall, than has been witnessed for over twenty years. I can verify this statement as I have never seen a larger run of Cohoes and Chums than was witnessed passing up at this end. It would not appear therefore that the Indians are depleting the salmon much.

The Director of Fisheries states in his letter that I would be satisfied if nine permits were issued, there appears to be a misunderstanding in this,- I applied for nine permits for the Somenos Band; however the permits are of little use now as practically all the salmon have passed up.

Yours obediently,

Alfred H. Lomas

(Alfred H. Lomas)
Indian Agent.

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January 5, 1927.

Dear Sir:- Re-Indians obtaining salmon from Cowichan River.

When you were in Victoria last, you spoke about the Indians being restricted in their obtaining fish for food purposes from Cowichan River and promised to write to me on the subject.

In this connection I beg to say I have received a letter from Dr. Scott with was enclosed a communication from W.A. Found, Esq., the Director of Fisheries, at Ottawa, a copy of which I am attaching hereto for your information. It is observed that a few of the Indians have already been allowed to take fish with a spear, but what I want to receive from you is a full report on this subject with particular attention given to the statement that the Indians can obtain plenty of salmon from Cowichan Bay by use of nets. I wish you would also give me some information as to the number of chum salmon going up the river.

WFD/KD.

Enclosure:-

Yours truly,

W. F. Ditchburn.
Indian Commissioner for B. C.

A. H. Lomas, Esq.,
Indian Agent,
Duncan, B. C.

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COPY.

Department of Marine and Fisheries

Ottawa, Ontario.

December 27, 1926.

Dear Dr. Scott:-

In acknowledging your letter of the 22nd instant, which embraces a copy of a telegram you received, from your Agent at Duncan with regard to Indian fishing in the Cowichan River, I may say that the matter has been enquired into.

The situation is unusual. The weir the Indians in the past were permitted to use has gone out and it also seems that owing to weather conditions the netting of chum salmon in the Bay, where such fishing is permitted by the Indians alone, was not successful this year. It further appears that the main runs of fish have already escaped to their spawning grounds which are reasonably well supplied with parent fish.

On the other hand both the Provincial authorities and tjose interested in angling in this river, which is possibly the finest angling stream on the Pacific coast, are strongly opposed to additional privileges to the Indians in the river.

In the existing circumstances, however, instructions were given by telegram of the 24th instant to allow such limited spearing this year as may be found necessary by the Indians, but that such is to be absolutely without precedent, as under ordinary conditions there should be no difficulty for the Indians procuring an adequate supply of chum salmon by netting them in the area in Cowichan Bay reserved to them for such purpose.

I may add that this Department's information is that your local Agent would be satisfied if nine such permits were granted.

Yours truly,

(Sgd) Wm. A. Found,
Director of Fisheries.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

40-152

OFFICE OF THE
DEPUTY SUPERINTENDENT GENERAL
OTTAWA

December 30,1926.

Dear Mr. Ditchburn:-

I am enclosing herewith an excerpt from a report received from Agent Lomas, with regard to fishing by Indians in the Cowichan River, which was referred to the Director of Fisheries, a copy of whose letter in connection therewith, I am also enclosing. I would be glad if you would give this matter your personal attention. A copy of the letter from the Director of Fisheries above mentioned, has also been forwarded to the Agent.

Incls

Yours very truly,

COMMISSIONER'S OFFICE
JAN 5 1927
VICTORIA, B. C.

Duncan Campbell Scott

Deputy Superintendent General.

W.E.Ditchburn Esq.,
Chief Inspector,
Victoria,
B.C.,

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vol. 11298

75-152

Duncan, B.C. December 2,1926.

Sir:-

I have the honor to report the following in connection with Indian Affairs in this agency for the month ending November 30th,1926.

x x x

During the month many protests have been received from the Indians of Cowichan Band in regard to the taking of fish from the Cowichan River. Fishery Officers have stopped the taking of salmon, even chum salmon - from the river by hook or spear. This has deprived the Indians of taking salmon by any means from the River, although thousands are daily passing up past their villages. In two cases Fishery Officers have broken and thrown spears, in possession of Indians, into the river. The result of stopping the taking of salmon from the river has deprived the Indians of having salmon to smoke and salt for winter's use. I have had a long interview with Mr. Taylor, Fishery Inspector, who is endeavouring to have his Department give permits to the older Indians to hook and spear salmon, but the result is still in doubt. It is felt that some definite arrangement should be arrived at between Indians and Fishery Department, whereby these Indians should be at least entitled to take especially chum salmon for their needs.

x x x

Alfred H.Lomas.
Indian Agent.

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COPY

Department of Marine and Fisheries

Ottawa, Ontario. December 27,1926.

Dear Doctor Scott:-

In acknowledging your letter of the 22nd instant, which embraces a copy of a telegram you received, from your Agent at Duncan with regard to Indian fishing in the Cowichan River I may say that the matter has been enquired into.

The situation is unusual. The weir the Indians in the past were permitted to use has gone out and it also seems that owing to weather conditions the netting of chum salmon in the Bay, where such fishing is permitted by the Indians alone, was not successful this year. It further appears that the main runs of fish have already escaped to their spawning grounds which are reasonably well supplied with parent fish.

On the other hand both the Provincial authorities and those interested in angling in this river, which is possibly the finest angling stream on the Pacific coast, are strongly opposed to additional privileges to the Indians in the river.

In the existing circumstances, however, instructions were given by telegram of the 24th instant to allow such limited spearing this year as may be found necessary by the Indians, but that such is to be absolutely without precedent, as under ordinary conditions there should be no difficulty for the Indians procuring an adequate supply of chum salmon by netting them in the area in Cowichan Bay reserved to them for such purpose.

I may add that this Department's information is that your local Agent would be satisfied if nine such permits were granted.

Yours truly,

(Signed) Wm. A.Found,
Director of Fisheries.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF THE
DEPUTY SUPERINTENDENT GENERAL
OTTAWA

May 9th, 1919.

Dear Sir,-

The Fishery Officers advise me that Agent Robertson has not notified the Indians that weirs must be removed from the Cowichan River. The result has been that while the overseer of the Department of the Naval Service has informed the Indians that the use of weirs will no longer be permitted, the Indians seem inclined to resist his interference.

Some years ago it was decided to keep on reducing their number from time to time, looking to their total discontinuance in the near future. They have been allowed longer than they intended, but the condition of the river is now such as to make it necessary in the public interests, that fish be allowed free movement. The use of weirs at all is, of course, illegal. On November 23rd last, Mr. Robertson was given full information on this subject and was told that the importance of the river as a breeding resort for commercial fish and its advantages for sport fishing had become so marked that it was now considered necessary to remove the two remaining weirs. The Agent was requested to notify the Indians of this decision and to advise them of the necessity of abiding by the regulations.

I beg to request you to look into this matter and see that the wishes of the Department are carried out. If you find Mr. Robertson has not notified the Indians as he was requested to do, you might advise me of his reason for neglect to carry out the instructions of the Department.

Yours truly,

SOUTH WESTERN INSPECTORATE
MAY 16 1919
VICTORIA, B.C.

W.E. Ditchburn, Esq.,
Chief Inspector,
Victoria, B.C.

Duncan Campbell Scott
Deputy Superintendent General.

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THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA.

PROVINCIAL FISHERIES DEPARTMENT.

VICTORIA, Sept. 9th, 1914.

W. E. Ditchburn, Esq.,
Inspector of Indian Agencies,
Victoria, B. C.

Sir:

I beg to enclose herewith copy of the report re the Cowichan Indians. I am forwarding the original duly signed to the Indian Commission.

I have the honour to be,
Sir,
Your obedient servant,

D. R. Whitye,
Deputy Commissioner of Fisheries.

Encl.

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24th July. 4.

391/D.

Sir:-

I learn from Mr. N. McIntyre, the Deputy Commissioner of Fisheries for the Province of British Columbia, that Mr. Taylor, the Inspector of Fisheries at Nanaimo, forwarded you about the 10th instant a report of our recent conference which it was desired that you should sign and forward to myself, which after my signature had been attached to the same I was to forward it on to Mr. McIntyre to be submitted to the Royal Commission on Indian Affairs.

Kindly let me have this document as early as possible.

Your obedient servant,

Inspector of Indian Agencies.

W. R. Robertson, Esq.,
Indian Agent,
Duncan, B. C.

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The Secretary,

Royal Commission on Indian Affairs,
for the Province of British Columbia,

P. O. Box 755,

Victoria, B. C.

Sir:-

In accordance with the suggestion of the Royal Commission on Indian Affairs at a meeting held April 9th, at which were present representatives of the Indian Department, the Dominion Fisheries Department and the Provincial Fisheries Department, to consider certain alleged grievances of the Cowichan Indians as regards fishing rights, a meeting was held at Duncan on July 2nd, when the undersigned met representatives of the Indians and others interested. On the part of the Indians were present some one hundred and twenty-two members of the Cowichan tribe, and Rev. Father Joseph Scheelen, the Catholic missionary; representing the Cowichan Anglers Association, Mr. L. C. Rattray and N. T. Burdick; while Mr. W. H. Hayward, M.P.P., and E. B. McKay, Esq., were present on the part of the white people of the district other than those included in the Anglers Society.

Mr. E. G. Taylor, Inspector of Fisheries, acted as chairman, and through Interpreter George Elliot, called upon the Chiefs and head men of the different sections of the tribe for their views:- Schaalten, head chief of the Cowichan tribe, was represented by his son Modiste; Chief Joe Kokahamult of the Comeakins; Chief George Quiockqult of Clemclemalitz; Chief Charley Quitquarten of Somenos; Chief Charley Siepaymult of Khenepsin; Chief Charley Culsowault, of Koksilah; head man Bill Hotalsilock of Quamichan, all presented their side of the case. David Sillseemult presented a statement for the Cowichan Indians in petition form, which is annexed.

The Indians through their spokesman, laid stress upon the fact that they had been accustomed to fish with weirs and other native appliances and they protested strongly against any

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interference with their rights. They claimed that the weirs were not responsible for any depletion of the fish; that a proportion of salmon and all trout passed the weirs and reached the spawning beds in sufficient numbers to stock these, and that any falling off which had occurred was due to the white man's method of fishing. They instanced the situation which had existed in the past when weirs in the upper reaches of the river caught as many fish as weirs operating below to substantiate this. The Indians stated that from fifteen to twenty-one weirs had existed in the past and they demanded the right to construct at least eight weirs along the course of the river. A section of an Indian weir was produced for the committee to examine. Measured, the interstices were found to average one and one half to one and one quarter inches in width.

It was brought out in evidence by the Indians that in addition to weirs, nets both staked and drifting were employed. One witness expressed the opinion that about half the tribe at times used nets.

Father Scheelen spoke urging favourable consideration for the Indians, deprecated the action in the past, in interfering with the weirs, and urged special consideration for the Indians as opposed to Japanese in two particulars:- (1) That the Indians be given the right to fish without a licence. (2) That no restrictions be placed on the sale of fish by the Indians. Granted He stated that owing to the present depression, Indians ~~refunded~~ this privilege to a greater degree than under normal conditions, when greater chances of employment in other ways were open.

L. C. Rattray, President of the Cowichan Anglers Association, contended that weirs did prevent the upward migration of salmon and trout, and instanced in support of this, that following the removal of the two weirs in existence last year, a run of salmon, unprecedent in the past four years, took place, and the trout fishing greatly improved.

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He alluded to the weir in position at the present time on the south fork of the Cowichan and stated the interstices averaged narrower than the specimen produced for the Committee to examine. He claimed that three pound trout could not pass these much less salmon.

He believed a solution of the difficulty could be reached by giving the Indians permission to drift with gill-nets in Cowichan Bay. If weirs were necessary, he urged that these should be put in not earlier than May 15th; that they should be open three days a week, and that the interstices should be not less than 2½ inches in width.

When asked how he accounted for the claim that Indian weirs all along the course of the river took fish simultaneously, he expressed the opinion that the weirs were placed in position at a date later than now, so that the river along its entire course was stocked with fish; that the interstices were larger and that the weir did not extend across the river.

E. B. McKay, former Surveyor General who had fished the river every year save two since 1878, expressed the opinion that the weirs did not, nor ever had injured the trout fishing, and referred to previous experiences late Indian Agent Lomas had had on a former occasion when investigating this point. They had found the fishing above the weirs better than below, as the trout rested in backwater resulted from the position of the weir. He thought the cutting up of the river beds by logging and changing of the channel had done away with the natural food.

He did not think that the weir constituted an entire barrier to the upward ascent of fish. Asked further in this connection he stated that the Indian weirs of the past unlike those in use last year, did not extend across the entire channel, but that a considerable space marked by white stones was left open at either end. He thought the section of weir produced was a very fair sample of the old weirs. He had seen salmon go through between sections of the weir without trouble.

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W. H. Hayward, M.P.P., stated that the Indians had been law abiding and the best of relations had existed between the whites and Indians, until the removal of the weirs last year, and the resulting exclusion of the whites from the fishing and hunting on the Indian Reserve. He was opposed to the use of nets of any description in the river or bay. He thought the Indians should be permitted to troll for salmon in Cowichan Bay and Saanich Arm, for commercial purposes. He thought the Indians should be allowed to use weirs under proper regulations. He favoured encouraging the Indians in fishing, and he believed they should have, without the payment of fees, the rights which the Japanese obtained on the payment of fees. Mr. Hayward pressed the contention of the Indians and was desirous that they be allowed to continue the operation of weirs in the Cowichan River. He quoted at length from a report of evidence given in ~~1902~~ 1902, when the same matter was dealt with by the Dominion Department of Fisheries.

We would sum up our conclusion as follows:-

Whereas, we consider the use of nets more injurious in fishing and less possible of control than weirs, if a proper mesh is stipulated and proper regulations as to open and closed periods enforced.

And whereas, the Indians for sentimental reasons attach great importance to preserving the old method of fishing by weir, and would consider the use of nets as unsatisfactory in lieu of this.

And whereas, we believe it possible to provide for the upward migration of all trout and sufficient salmon by regulating the size of the mesh and the period when the weirs should be left open for the free passage of salmon, so that the spawning beds and upper reaches of the river and the lake may be adequately stocked.

And whereas, the Indians have agreed to weirs of a mesh of 2½ inches which in our opinion and that of the representatives of the Cowichan Anglers Association, is sufficient in size to

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permit the upward migration of trout.

We would therefore recommend:-

The Indians be granted the privilege of placing three weirs in the Cowichan River, one at Quamichan, one at Somenos, and another at a point to be decided upon, and one in the Koksilah River.

That the lattice work of the weir provide for open spaces of not less than 2½ inches in width.

That the weirs be opened for the free passage of fish from Friday at 6p.m. in each week to the Monday following at 6a.m. and the opening shall be not less that 15 feet in width in the centre of the weir.

That should an additional weir be desired at either of the following places in the upper reaches of the Cowichan River, viz,- Kakalatza, upper or lower Skutz, Sahtlam, a notification should be given through the Indian Agent to Inspector of Fisheries Taylor to that effect; that he shall grant such permission, stipulating that a space to be determined by him, varying with the location as in his judgment, may be necessary, such space to remain open for the free passage of fish, and boats or canoes, at all times of the day and night

That in view of the privileges, above granted, it is distinctly understood that the use of nets of any kind is strictly prohibited and will not be condoned.

The responsibility of keeping open the weirs during the weekly closed period will rest entirely with the Indian who has been placed in charge of the ~~dam~~ weir by the tribe or band, any infraction of the regulation governing such closed period will entail a penalty of a fine or imprisonment in accordance with the provisions of the Fishery Act.

We beg to remain,

Yours respectfully,

(Sgd) Edward G. Taylor
Inspector of Fisheries

W. E. Ditchburn
Inspector of Indian Agencies

David Laird
Deputy Superintendent General

INDIAN AFFAIRS
AFFAIRES INDIENNES

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We are gathered here not to ask for any priveleges, but to protest against the injustices, that have been done to us, for the last year or two, we are here to put before you our just claims and we hope you give them your consideration.

The new comers in this district, who want to pose as great reformers and great sportsmen, are the cause of the ill feeling between us, and the white people, the old settlers are there to testify that in the time past we were all like one family. Game and fish were plentiful. We all looked upon it as a necessary support, therefore one and all took the greatest pains to preserve, and the game and the fish, but from the time that those so called sportsmn, commercial people came around. It meant the destruction of the fish and of game. Instead of bringing the blame to the door of those who are guilty they make every effort to stir up feeling against us.

Today we want it to be underetood by everyone that we have a right to an honest living. The Japanese and Chinese receive all protection they ask for. We ask for no protection but for British fair play.

For time immemorial we, providing for our food made use of the,

Weirs,

Selok,

Shumunten,

Thimten,

Spears and hook,

Door trap,

Papa,

Dukum,

Kpuleyin,

Those rights were granted to us during Sir James Douglas' time. They are sacred to us, therefore we herewith claim

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to have any treaty of the time past kept as such by one and all.

Were it not for the fish in our rivers and game on our land our race would have disappeared long ago. God granted us such means for a living.

Grant us our just rights and we all will be friends once more.

(Signed) THE COWICHAN INDIANS.

David Sillsecmult.

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THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

PROVINCIAL FISHERIES DEPARTMENT,

VICTORIA, Aug. 25th, 1914.

W.E. Ditchburn, Esq.,
Inspector of Indian Agencies,
Victoria, B. C.

Sir:

I have received a communication from Mr. Taylor enquiring as to delay in the adoption of the report of the recent committee in re Cowichan Indians. Would you kindly let me know what is the matter in this connection.

I have the honour to be,
Sir,
Your obedient servant,

Deputy Commissioner of Fisheries.

SOUTH WESTERN INSPECTORATE
AUG 26 1914
VICTORIA, B. C.

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480/D.

Dear Sir:-

I beg to acknowledge the receipt of your favor of the 25th ultimo enquiring as to delay of Mr. Robertson in forwarding report of Committee on the weirs in Cowichan River.

In reply I beg to state that I again took this matter up with Mr. Robertson asking him to attach his signature to the report and forward it, which he has done this day. These I return to you after attaching my own signature and beg to request that you will furnish me with one of the copies.

Your obedient servant,

Enclosure:-

Inspector of Indian Agencies.

D. N. McIntyre, Esq.,
Deputy Commissioner of Fisheries,
Provincial Parliament Bldgs.,
City.

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AUGUST 31st, 14.

456/D?

Sir:-

I beg to inform you that I have received a communication from D. N. McIntyre, Esq., Deputy Commissioner of Fisheries for British Columbia, enquiring as to what you have done with the copy of the report on the Cowichan River fishery question, which was forwarded to you by Mr. E. C. Taylor for your signature early in the month.

When I was at your office on the 17th instant you promised to have this report returned to Mr. McIntyre with any new suggestions that you may have to offer and I was greatly surprised on my return to the city on the 27th instant to learn that you had not kept your word in this matter. I trust that there will be no further delay in this matter as it is necessary that the report should go before the Royal Commission on Indian Affairs at a very early date. The Commission are leaving for the Stuart Lake and the Kootenay country within in a few days and if the report is not forwarded to them, before their leaving on the trip, I regret to say that you will be held responsible.

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I have the honor to be,

Sir,

Your obedient servant,

Inspector of Indian Agencies.

W. R. Robertson, Esq.,
Indian Agent,
Duncan, B. C.

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First

Izouchalem, 15-9-14.

W. E. Ditchburn Esq.
Victoria, B.C.

Dear Sir:

I have the honour to acknowledge copies of the fishery commissioners' findings, for which I thank you most sincerely. There are but a few Indians home at a present, but as soon as they will return from the hop fields, I will make every effort to have the regulations read & explained to them.

Your obedient servant
Ed. M. Scheelen

SOUTH WESTERN INSPECTORATE
SEP 19 1914
VICTORIA, B. C.

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10th September, 4.

500/D.

Dear Sir:-

I am enclosing herewith for your information four copies of the conclusions arrived at and recommendations made by the Commission, appointed to investigate the Fisheries question in the Cowichan River, which held a meeting at the Indian Office at Duncan, on 2nd July last.

I think you will agree with me when I say that a great point has been gained for the Indians, but I assure you that both Mr. Robertson and myself, representing the Indians, had to work hard to obtain these concessions.

I sincerely hope that the Indians will appreciate the work done in their behalf and adhere strictly to the regulations with respect to the weirs.

Will you kindly make the Indians conversant with the various clauses and it might be well that they should understand that unless they keep faith in this matter and realize their responsibility it would be very discouraging for the Department's servants in endeavoring to get further concessions for them in the future.

Yours respectfully,

Enclosure:-

Inspector of Indian Agencies.

Rev. Edward M. Scheelen,
Duncan, B. C.

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COPY.

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We would sum up our conclusion as follows:-

Whereas, we consider the use of nets more injurious in fishing and less possible of control than weirs, if a proper mesh is stipulated and proper regulations as to open and closed periods enforced.

And whereas, the Indians for sentimental reasons attach great importance to preserving the old method of fishing by weir, and would consider the use of nets as unsatisfactory in lieu of this.

And whereas, we believe it possible to provide for the upward migration of all trout and sufficient salmon by regulating the size of the mesh and the period when the weirs should be left open for the free passage of salmon, so that the spawning beds and upper reaches of the river and the lake may be adequately stocked.

And whereas, the Indians have agreed to weirs of a mesh of 2½ inches which in our opinion and that of the representatives of the Cowichan Anglers Association, is sufficient in size to permit the upward migration of trout.

We would therefore recommend:-

The Indians be granted the privilege of placing three weirs in the Cowichan River, one at Quamichan, one at Somenos, and another at a point to be decided upon, and one in the Koksilah River.

That the lattice work of the weir provide for open spaces of not less than 2½ inches in width.

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That the weirs be opended for the free passage of fish from Friday at 6 p.m. in each week to the Monday following at 6 a.m. and the opening shall be not less than 15 feet in width in the centre of the weir.

That should an additional weir be desired at either of the following places in the upper reaches of the Cowichan River, viz,- Kakalatza, upper or lower Skutz, Sahtlam, a notification should be given through the Indian Agent to Inspector of Fisheries Taylor to that effect; that he shall grant such permission, stipulating that a space to be determined by him, varying with the location as in his judgment, may be necessary, such space to remain open for the free passage of fish, and boats or canoes, at all times of the day and night.

That in view of the privileges, above granted, it is distinctly understood that the use of nets of any kind is strictly prohibited and will not be condoned.

The responsibility of keeping open the weirs during the weekly closed period will rest entirely with the Indian who has been placed in charge of the weir by the tribe or band, any infraction of the regulation governing such closed period will entail a penalty of a fine or imprisonment in accordance with the provisions of the Fishery Act.

We beg to remain,

Yours respectfully,

(Signed) Edward C. Taylor,
Inspector of Fisheries.

W. E. Ditchburn,
Inspector of Indian Agencies.

W. R. Robertson,
Indian Agent,

D. N. McIntyre,
Deputy Commissioner of
Fisheries.

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SOLICITOR TO
THE CANADIAN BANK OF COMMERCE

P. O. BOX 125
TELEPHONE 31

C. F. DAVIE,
BARRISTER, SOLICITOR, ETC.
OFFICES: WHITTOME BUILDING

DUNCAN, B.C.,

26th May, 1919

W.E.Ditchburn, Esq.,
Chief Inspector of Indian Agencies,
Victoria, B.C.

Dear Mr. Ditchburn:-

As requested, I now return to you herewith file containing the evidence taken at the recent investigation touching weirs and the findings of the committee, together with the other papers attached thereto.

I wish to thank you for your courtesy in leaving this material with me for perusal.

Yours faithfully,

C.F.Davie

SOUTH WESTERN INSPECTORATE
MAY 27 1919
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(COPY).

The Secretary,

Royal Commission on Indian Affairs
for the Province of British Columbia,

P. O. Box 755,

Victoria, B. C.

Sir:-

In accordance with the suggestion of the Royal Commission on Indian Affairs at a meeting held April 9th, at which were present representatives of the Indian Department, the Dominion Fisheries Department and the Provincial Fisheries Department, to consider certain alleged grievances of the Cowichan Indians as regards fishing rights, a meeting was held at Duncan on July 2nd, when the undersigned met representatives of the Indians and others interested. On the part of the Indians were present some one hundred and twenty-two members of the Cowichan tribe, and Rev. Father Joseph Scheelen, the Catholic missionary; representing the Cowichan Anglers Association, Mr. L. C. Rattray and N. T. Burdick; while Mr. W. H. Hayward, M.P.P., and E. B. McKay, Esq., were present on the part of the white people of the district other than those included in the Anglers Society.

Mr. E. G. Taylor, Inspector of Fisheries, acted as chairman, and through Interpreter George Elliot, called upon the Chiefs and head men of the different sections of the tribe for their views:--Schaalten, head chief of the Cowichan tribe, was represented by his son Modiste; Chief Joe Kokahamult of the Comeakins; Chief George Quiockqult of Clemclemalitz; Chief Charley Quitquarten of Somenos; Chief Charley Selpaymult of Khenepsin; Chief Charley Culsowault, of Koksilah; head man Bill Hotalsilock of Quamichan, all

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presented their side of the case. David Sillseemult presented a statement for the Cowichan Indians in petition form, which is annexed.

The Indians through their spokesman, laid stress upon the fact that they had been accustomed to fish with weirs and other native appliances and they protested strongly against any interference with their rights. They claimed that the weirs were not responsible for any depletion of the fish; that a proportion of salmon and all trout passed the weirs and reached the spawning beds in sufficient numbers to stock these, and that any falling off which had occurred was due to the white man's method of fishing. They instanced the situation which had existed in the past when weirs in the upper reaches of the river caught as many fish as weirs operating below to substantiate this. The Indians stated that from fifteen to twenty-one wiers had existed in the past and they demanded the right to construct at least eight weirs along the course of the river. A section of an Indian weir was produced for the committee to examine. Measured, the interstices were found to average one and one half to one and one quarter inches in width.

It was brought out in evidence by the Indians that in addition to weirs, nets both staked and drifting were employed. One witness expressed the opinion that about half the tribe at times used nets.

Father Scheelen spoke urging favourable consideration for the Indians, deprecated the action in the past, in interfering with the weirs, and urged special consideration for the Indians as opposed to Japanese in two particulars:-- (1) That the Indians be given the right to fish without a licenses. (2) That no restrictions be placed on the sale of fish by the Indians. He stated that owing to the present depression, Indians required this privilege to a greater

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degree than under normal conditions, when greater chances of employment in other ways were open.

L. C. Rattray, President of the Cowichan Anglers Association, contended that weirs did prevent the upward migration of salmon and trout, and instanced in support of this, that following the removal of the two weirs in existence last year, a run of salmon, unprecedent in the past four years, took place, and the trout fishing greatly improved.

He alluded to the weir in position at the present time on the south fork of the Cowichan and stated the interstices averaged narrower than the specimen produced for the Committee to examine. He claimed that three pound trout could not pass these much less salmon.

He believed a solution of the difficulty could be reached by giving the Indians permission to drift with gill-nets in Cowichan Bay. If weirs were necessary, he urged that these should be put in not earlier than May 15th; that they should be open three days a week, and that the interstices should be not less than 2½ inches in width.

When asked how he accounted for the claim that Indian weirs all along the course of the river took fish simultaneously, he expressed the opinion that the weirs were placed in position at a date later than now, so that the river along its entire course was stocked with fish; that the interstices were larger and that the weir did not extend across the river.

E. B. McKay, former Surveyor General who had fished the river every year save two since 1878, expressed the opinion that the weirs did not, nor ever had injured the trout fishing, and referred to previous experiences late Indian Agent Lomas had had on a former occasion when investigating this point.

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They had found the fishing above the weirs better than below, as the trout rested in backwater resulted from the position of the weir. He thought the cutting up of the river beds by logging and changing of the channel had done away with the natural food.

He did not think that the weir constituted an entire barrier to the upward ascent of fish. Asked further in this connection he stated that the Indian weirs of the past unlike those in use last year, did not extend across the entire channel, but that a considerable space marked by white stones was left open at either end. He thought the section of wier produced was a very fair sample of the old weirs. He had seen salmon go through between sections of the weir without trouble.

W. H. Hayward, M.P.P., stated that the Indians had been law abiding and the best of relations had existed between the whites and Indians, until the removal of the weirs last year, and the resulting exclusion of the whites from the fishing and hunting on the Indian Reserve. He was opposed to the use of nets of any description in the river or bay. He thought the Indians should be permitted to troll for salmon in Cowichan Bay and Saanich Arm, for commercial purposes. He thought the Indians should be allowed to use weirs under proper regulations. He favoured encouraging the Indians in fishing, and he believed they should have, without the payment of fees, the rights which the Japanese obtained on the payment of fees. Mr. Hayward pressed the contention of the Indians and was desirous that they be allowed to continue the operation of weirs in the Cowichan River. He quoted at length from a report of evidence given in 1902, when the same matter was dealt with by the Dominion Department of Fisheries.

We would sum up our conclusion as follows:-

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Whereas, we consider the use of nets more injurious in fishing and less possible of control than weirs, if a proper mesh is stipulated and proper regulations as to open and closed periods enforced.

And whereas, the Indians for sentimental reasons attach great importance to preserving the old method of fishing by weir, and would consider the use of nets as unsatisfactory in lieu of this.

And whereas, we believe it possible to provide for the upward migration of all trout and sufficient salmon by regulating the size of the mesh and the period when the weirs should be left open for the free passage of salmon, so that the spawning beds and upper reaches of the river and the lake may be adequately stocked.

And whereas, the Indians have agreed to weirs of a mesh of 2½ inches which in our opinion and that of the representatives of the Cowichan Anglers Association, is sufficient in size to permit the upward migration of trout.

We would therefore recommend:--

The Indians be granted the privilege of placing three weirs in the Cowichan River, one at Quamichan, one at Somenos, and another at a point to be decided upon, and one in the Koksilah River.

That the lattice work of the weir provide for open spaces of not less than 2½ inches in width.

That the weirs be opened for the free passage of fish from Friday at 6 p.m. in each week to the Monday following at 6 a.m. and the opening shall be not less than 15 feet in width in the centre of the weir.

That should an additional weir be desired at either of the following places in the upper reaches of the Cowichan River, viz:--Kakalatza, upper of lower Skutz, Sahtlam, a

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a notification should be given through the Indian Agent to Inspector of Fisheries Taylor to that effect; that he shall grant such permission, stipulating that a space to be determined by him, varying with the location as in his judgment, may be necessary, such space to remain open for the free passage of fish, and boats or canoes, at all times of the day and night.

That in view of the privileges, above granted, it is distinctly understood that the use of nets of any kind is strictly prohibited and will not be condoned.

The responsibility of keeping open the weirs during the weekly closed period will rest entirely with the Indian who has been placed in charge of the weir by the tribe or band, any infraction of the regulation governing such closed period will entail a penalty of a fine or imprisonment in accordance with the provisions of the Fishery Act.

We beg to remain,

Yours respectfully,

(Signed) Edward G. Taylor,
Inspector of Fisheries.

" W. E. Ditchburn.
Inspector of Indian Agencies.

" W. R. Robertson,
Indian Agent.

" D. M. McIntyre,
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18/156/K.

File 427060-52. 27th May, 1919.

Sir:-

I beg to acknowledge the receipt of your letter of the 9th instant having reference to a complaint made to you by the Fishery Officers to the effect that Mr. Indian Agent Robertson had not notified the Indians at Duncans that weirs must be removed from and would not be further permitted in the Cowichan River.

In reply I beg to inform you that I went to Duncans on the 22nd instant to make an investigation into this complaint and am pleased to say that while Agent Robertson has a good many sins of omission to account for with regard to the administration of his Agency, this particular charge against him has been made without foundation, for I find that he had informed the Indians of the decision of the Department of the Naval Service that the use of weirs was to be discontinued and that the Indians had taken the weirs out of the river and were awaiting an opportunity to place their case before a Commission, which is supposed to visit Duncans in the near future to hear complaints with regard to fishery matters in general affecting District No. 3.

I also met Fishery Officer Galbraith, who made the complaint, and he stated that there were no weirs in the River but that the reason for his complaint was that Indian Agent Robertson had not called a meeting of the Indians to inform them about the discontinuance of the weirs. Agent Robertson

Duncan C. Scott, Esq.,
Deputy Superintendent General
of Indian Affairs,
Ottawa, Ontario.

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Robertson stated that this was not necessary as he had told the Indians personally and also had the Indian Constable convey the word to all the Indians interested. Indian Constable Joe informed me that this had been done.

Fishery Officer Galbraith appears to be of the opinion that it is the place of the Indian Agent to stop Indians from using nets or weirs. This, however, forms no part of the duty of an Indian Agent. He can merely advise the Indians on matters of this kind but beyond this he cannot go. It is the duty of the Fishery Officials to take action against Indians for violations of the Fishery regulations.

Fishery Officer Galbraith complains that he cannot properly patrol the Cowichan River as his Department will not supply him with a boat and consequently he has to depend upon Indians to take him down the river and when he is able to obtain their services at all it is only at exorbitant rates. If there is any truth if this statement I think the best thing the Department of the Naval Service could do would be to supply their officer with proper facilities for patrolling the river and he would not then have to depend upon the Indians and they would not know anything of his movements.

While dealing with this question of weirs in the Cowichan River I beg to draw your attention to the fact that an agreement was made in 1914 with the officials of the Fisheries Department, both Provincial and Dominion, that a limited number of weirs would be allowed in the Cowichan River under certain conditions. This agreement was decided upon after a large meeting was held at Duncans on the 2nd July, 1914, at which the question of weirs in the Cowichan River was fully discussed.

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discussed by both Indians and whites. I am enclosing herewith a copy of the memorandum dealing with the same which contains, as you will see, the provision for a certain number of weirs to be allowed in the Cowichan River providing the interstices in the same were not under 2½ inches. It was also agreed that the Indians were not to use any nets in the River but I am sorry to say that they did not live up to their promises but this was only done within the last couple of years when fish attained such abnormally high prices and inducements were made to the Indians by the fish buyers to sell fish to them and the offer of 65¢ for a dog salmon was too much temptation for them.

It is my opinion that if the Indians could be permitted to use weirs of certain dimensions in the Cowichan River and the River was properly patrolled by a competent Fishery officer with proper appliances there would be very little trouble with regard to the question of weirs, for after one or two prosecutions were made either for having nets in the River or for having weirs of smaller mesh than was defined in the agreement the Indians would soon learn that it was necessary for them to abide by the agreement made in their interest.

Your obedient servant,

Enclosure:-

Chief Inspector of Indian Agencies.

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(COPY).

The Secretary,

Royal Commission on Indian Affairs
for the Province of British Columbia,

P. O. Box 755,

Victoria, B. C.

Sir:-

In accordance with the suggestion of the Royal Commission on Indian Affairs at a meeting held April 9th, at which were present representatives of the Indian Department, the Dominion Fisheries Department and the Provincial Fisheries Department, to consider certain alleged grievances of the Cowichan Indians as regards fishing rights, a meeting was held at Duncan on July 2nd, when the undersigned met representatives of the Indians and others interested. On the part of the Indians were present some one hundred and twenty-two members of the Cowichan tribe, and Rev. Father Joseph Scheelen, the Catholic missionary; representing the Cowichan Anglers Association, Mr. L. C. Rattray and N. T. Burdick; while Mr. W. H. Hayward, M.P.P., and E. B. McKay, Esq., were present on the part of the white people of the district other than those included in the Anglers Society.

Mr. E. G. Taylor, Inspector of Fisheries, acted as chairman, and through Interpreter George Elliot, called upon the Chiefs and head men of the different sections of the tribe for their views:--Schaalten, head chief of the Cowichan tribe, was represented by his son Modiste; Chief Joe Kokahamult of the Comeakins; Chief George Quiockqult of Clemclemalitz; Chief Charley Quitquarten of Somenos; Chief Charley Selpaymult of Khenepsin; Chief Charley Culsowault, of Koksilah; head man Bill Hotalsilock of Quamichan, all

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presented their side of the case. David Sillseemult presented a statement for the Cowichan Indians in petition form, which is annexed.

The Indians through their spokesman, laid stress upon the fact that they had been accustomed to fish with weirs and other native appliances and they protested strongly against any interference with their rights. They claimed that the weirs were not responsible for any depletion of the fish; that a proportion of salmon and all trout passed the weirs and reached the spawning beds in sufficient numbers to stock these, and that any falling off which had occurred was due to the white man's method of fishing. They instanced the situation which had existed in the past when weirs in the upper reaches of the river caught as many fish as weirs operating below to substantiate this. The Indians stated that from fifteen to twenty-one wiers had existed in the past and they demanded the right to construct at least eight weirs along the course of the river. A section of an Indian weir was produced for the committee to examine. Measured, the interstices were found to average one and one half to one and one quarter inches in width.

It was brought out in evidence by the Indians that in addition to weirs, nets both staked and drifting were employed. One witness expressed the opinion that about half the tribe at times used nets.

Father Scheelen spoke urging favourable consideration for the Indians, deprecated the action in the past, in interfering with the weirs, and urged special consideration for the Indians as opposed to Japanese in two particulars:-- (1) That the Indians be given the right to fish without a licenses. (2) That no restrictions be placed on the sale of fish by the Indians. He stated that owing to the present depression, Indians required this privilege to a greater

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He alluded to the weir in position at the present time on the south fork of the Cowichan and stated the interstices averaged narrower than the specimen produced for the Committee to examine. He claimed that three pound trout could not pass these much less salmon.

He believed a solution of the difficulty could be reached by giving the Indians permission to drift with gill-nets in Cowichan Bay. If weirs were necessary, he urged that these should be put in not earlier than May 15th; that they should be open three days a week, and that the interstices should be not less than 2½ inches in width.

When asked how he accounted for the claim that Indian weirs all along the course of the river took fish simultaneously, he expressed the opinion that the weirs were placed in position at a date later than now, so that the river along its entire course was stocked with fish; that the interstices were larger and that the weir did not extend across the river.

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He did not think that the weir constituted an entire barrier to the upward ascent of fish. Asked further in this connection he stated that the Indian weirs of the past unlike those in use last year, did not extend across the entire channel, but that a considerable space marked by white stones was left open at either end. He thought the section of wier produced was a very fair sample of the old weirs. He had seen salmon go through between sections of the weir without trouble.

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We would sum up our conclusion as follows:-

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Whereas, we consider the use of nets more injurious in fishing and less possible of control than weirs, if a proper mesh is stipulated and proper regulations as to open and closed periods enforced.

And whereas, the Indians for sentimental reasons attach great importance to preserving the old method of fishing by weir, and would consider the use of nets as unsatisfactory in lieu of this.

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We would therefore recommend:--

The Indians be granted the privilege of placing three weirs in the Cowichan River, one at Quamichan, one at Somenos, and another at a point to be decided upon, and one in the Koksilah River.

That the lattice work of the weir provide for open spaces of not less than 2½ inches in width.

That the weirs be opened for the free passage of fish from Friday at 6 p.m. in each week to the Monday following at 6 a.m. and the opening shall be not less than 15 feet in width in the centre of the weir.

That should an additional weir be desired at either of the following places in the upper reaches of the Cowichan River, viz:--Kakalatza, upper of lower Skutz, Sahtlam, a

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That in view of the privileges, above granted, it is distinctly understood that the use of nets of any kind is strictly prohibited and will not be condoned.

The responsibility of keeping open the weirs during the weekly closed period will rest entirely with the Indian who has been placed in charge of the weir by the tribe or band, any infraction of the regulation governing such closed period will entail a penalty of a fine or imprisonment in accordance with the provisions of the Fishery Act.

We beg to remain,

Yours respectfully,

(Signed) Edward G. Taylor,
Inspector of Fisheries.

" W. E. Ditchburn.
Inspector of Indian Agencies.

" W. R. Robertson,
Indian Agent.

" D. M. McIntyre,
Deputy Commissioner of Fisheries.

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J. H. TODD & SONS LTD.
P. O. DRAWER 578
CABLE ADDRESS: "TODDSON"
CODE: A. B. C. 5TH EDITION

Victoria, B.C. September 16th. 1931.

COMMISSIONER'S OFFICE
SEP 17 1931
VICTORIA, B. C.

W.E.Ditchburn, Esq.,
Indian Commissioner for British Columbia,
Victoria, B.C.

My dear Mr. Ditchburn:

We have to thank you very much indeed for your letter of the 3rd. and your courtesy in sending copy of the report you made in 1919 as to more or less reciprocity to the Indians who have been taking sockeyes on the spawning grounds of the different rivers.

Writer will have an opportunity to discuss this matter further with you but unfortunately owing to the depression and consequent changes in canning and fishing business why everybody is just about broke and writer believes it would be impossible therefore to take up proposition of this kind at the present time.

Your suggestions are well thought out but we believe everybody connected with the business would balk at so large an expenditure especially under existing conditions and yet the sockeye catch. This year has been so disappointing that for that reason there is all the more necessity for protecting the few sockeyes that do reach the spawning grounds. This remark of course applies to the Fraser River.

Up North there has been quite a supply of sockeyes this season, quite as good as expected and there must have been a large escapement as there is very good protection through the lengthy weekly close time.

Presume we can keep the copy of your report and for future use and reference and writer will discuss this whole question when there is an opportunity with Mr. Babcock who is up country at the present time on his annual inspection of the Fraser. We will see what he has to report on his return.

Yours very truly,

J. H. TODD & SONS LTD.

C. A. Todd

CAT:W

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Your file
18/22232
18/22233

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

244/31.F.1.

West Coast Agency
Port Alberni.B.C.
August 28th,1931.

Sir;-

I have the honour to acknowledge receipt of your letters of the 24th instant and enclosures,re drag seine license for Louie Peter of the Pacheenaht Band.

I have to state that drag seines have been prohibited in this District for some time,I saw Fishery Overseer Mr,J.B.Wood on 27th inst and enquired if any change has been made in the Fishery Regulations regarding drag seines, Mr,Wood informed me that their use is prohibited but any Indian that wishes to obtain a purse seine license can do so by applying for same and anclosing $20.00.for each license .

I am advising Louie Peter that a purse seine lisense will be issued to him on application to Mr,J.B.Wood,Port Alberni if the license fee of $20.00.is enclosed with his application and that he will be subject to a Provincial Tax of $ 50.00 collectable by the Provincial Government.

Your obedient servant,

Ed. E. Frost

Indian Agent

W.E.Ditchburn,Esqr,
Indian Commissioner for.B.C.
Victoria.B.C.

COMMISSIONER'S OFFICE
AUG 31 1931
VICTORIA, B.C.

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18/22232.

August 24, 1931.

Sir:-

Please find herewith copy of a letter dated August 22nd instant received at this office from Louie Peter, of Port Renfrew, in which he makes inquiry concerning a salmon drag seine licence, together with copy of my reply to him of this date.

As in the case of Peter Dick perhaps you may wish to advise the Indian on the subject.

Your obedient servant,

P/KD.

Enclosures:-

W. E. Ditchburn.
Indian Commissioner for B.C.

E. E. Frost, Esq.,
Indian Agent,
Port Alberni, B. C.

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National Archives of Canada
Archives nationales du Canada

Copy.

From
Louie Peter,
Port Renfrew, B.C.

August 22, 1931.

Mr. W.E. Ditchburn,
Indian Commissioner,
Victoria, B. C.

Dear Sir:-

I am building a 45 feet boat for the purpose of seining, witch is to be powered with a 27 horse power standard.

I will ask you the favor of finding for me if I can get a seiners licence. I would like to go out seining this season as it is about the only work I can do, I am always feeling sick so please help me to get a licence for my boat.

I will launch this boat about the 1st September. My seine is about 4 fathoms deep and 175 fathom long. I want this licence to be for Barkley Sound as I am going to fish over there.

So please help me all you can I am out of work and not able to do any thing else but fishing.

I will send the money by return post if you find out for the licence.

I am Yours truly,
"Mr. Louie Peter"
Port Renfrew, B. C.

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National Archives of Canada
Archives nationales du Canada

18/22231.

August 24, 1931.

Dear:-

The letter which you addressed to me dated 22nd instant has been duly received.

In reply I beg to say I think you should have taken the matter of your fishing licence up with your district Fisheries Officer or else have referred the matter to the Indian Agent who would be pleased to make inquiries in your behalf.

I have sent a copy of your letter to Mr. Indian Agent Frost.

Yours truly,

P/KD.

Enclosure:-

W. E. Ditchburn.
Indian Commissioner for B. C.

Mr. Louie Peter,
Indian,
Port Renfrew, B. C.

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E581-003

From
Louie Peter
Port Renfrew
B. C.

COMMISSIONER'S OFFICE
AUG 24 1931
VICTORIA, B. C.

august 22nd
1931.

To
mr. W. E. Ditchburn
Indian Comanissioner
Victoria
B. C.

Dear sir.
I am Building a 45 feet Boat
for the purpose of Sainong.
Stitch is to be Powered With a 27 horse
Power standeard
I will ask you the favor of finding
for me if I can get a Sainers
Licence.
I Wauld like to go out Saineing this
Season. as it is about the only Work
I can do, I am always feeling sick
So please help me to get a licence
for my boat
I will launch this boat about the
1st of september
my Sain is about 4 fathom deep
and 175 fathom long I Want this
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II

as I am going to fish over there,
so please help me all you can. I am out of work and not able to do any thing else, but fishing I will send the ~~money~~ money by return post. if you find out for the reason

I am yours truly

Mrs. Louie Peters

Box

Port Renfrew

B.C.

INDIAN AFFAIRS
AFFAIRES INDIENNES

RG 10, C-II-2, vol. 11298

National Archives of Canada
Archives nationales du Canada

18/22233.

August 24, 1931.

Sir:-

Please find herewith copy of a letter received here from Peter Dick, of Port Renfrew, dated August 22nd instant, together with copy of my reply thereto, both of which will be self-explanatory. You will know best what to do in the matter of this Indian's inquiry regarding a drag seine licence.

Your obedient servant,

P/KD.

Enclosures:-

W. E. Ditchburn.
Indian Commissioner for B. C.

E. E. Frost, Esq.,
Indian Agent,
Port Alberni, B. C.

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Copy.

Port Renfrew, B. C.,
August 22, 1931.

Dear Sir:-

Refering to the letter you wrote to me I will ask you the favour of helping my son in law to get a licence for the purpose of saining.

So please do all you can for him as he is building a boat for fishing. That is about all I can ask you to do for me. as I am spending all my money on the boat my self, so it is all my hope to make some living.

From

"Peter Dick".

INDIAN AFFAIRS
AFFAIRES INDIENNES

RG 10, C-II-2, vol. 11298

National Archives of Canada
Archives nationales du Canada

18/22234.

August 24, 1931.

Sir:-

Replying to your letter of August 22nd in which you ask regarding a seine licence, I wish to say I do not understand why you did not take this matter up with the Indian Agent or with the Fisheries Officer of your district. A copy of your letter has been sent to Mr. Indian Agent Frost.

Your obedient servant,

P/KD.

W. E. Ditchburn.
Indian Commissioner for B. C.

Peter Dick,
Indian,
Port Renfrew, B. C.

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Port Renfrew B.C.
August 22/ 31.

COMMISSIONER'S OFFICE
AUG 24 1931
VICTORIA, B. C.

Dear Sir.

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Yours

Peter Deacke.

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8/22128.

August 14, 1931.

Dear Chief:-

I have received your letter of August 10th and have read the same carefully.

In reply I should point out to you that it is much to be regretted that Jacob Chipps has other convictions against him for supplying before the present case came up, and I should also point out that Mr. and Mrs. Brown were both fined for being drunk after being supplied with the intoxicants by Jacob Chipps.

Of course, I cannot say shything about Mr. Brown not telling the truth. The Court which tried the case appeared to be satisfied that they were dealing justly with these offenders upon the evidence given them at the trial and I cannot interfere with the proper proceedings of the Court under the law made and provided in such cases.

I hope these people will keep straight in the future then they will not be likely to get into further trouble.

In conclusion I may say that Jacob Chipps pleaded guilty in the Police Court, Victoria, to the charge of his supplying Michael Brown and his wife with intoxicating liquor.

Yours truly,

P/KD.

W. E. Ditchburn.
Indian Commissioner for B. C.

Chief Peter Dick,
Nitinat Band,
Port Renfrew, B. C.

0 0 1 8 5 6 0

RG 10, C-II-2, vol. 11298

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AFFAIRES INDIENNES

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8/22128.

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Yours truly,

P/KD.

Yours truly,

W. E. Ditchburn.
Indian Commissioner for B. C.

Chief Peter Dick,
Nitinat Band,
Port Renfrew, B. C.

REPEAT
REPETITION

INDIAN AFFAIRS
AFFAIRES INDIENNES

RG 10, C-11-2, vol. 11298

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C 8 1 8 9 5 1 -- 0 0 0 3

From
Mr Chief P Dick
of Nitinat Band
Port Renfrew
B.C.
August 10th 1931

Department of Indian affairs,

Mr ~~D. Burns~~,
W.E. Ditch Burns,
Victoria
B.C.

COMMISSIONER'S OFFICE
AUG 14 1931
VICTORIA, B. C.

Dear Mr Burns,

Droping you a few lines to thank you of all the helps you done to Mr Jacob Chiffs While He Was in Jail.
as I have heard all about the helps you gaved him.
Mr Jacob Chiffs is a good man, I never heard in my life that Jacob Was giving whiskey to Indians
But still they Went to Work and took My Mike Browns Word and landed Mr Chiffs in Jail.
As all the Indians around here and all along the coast knows that Mr Browns is a lier. That Warnt the first time he got some body in trouble and got away With it

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E 0 1 0 8 2 2

II

He has done that good many a times now.
Mike Brown is known as the greatest liar all over, and I known him my self for a long time
I know all the troubles that Mr Mike Brown has had and got away with it.
thank you for the help to Jacob chipps I feel it is my duty to thank you about Mr chipps.

Thanks ever so much.

I am yours truly
Chief Peter Dick
of Nitinat Band

I will be here for a few months yet as I am working.

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DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER

CANADA

DEPARTMENT OF MARINE AND FISHERIES

DOMINION FISHERIES, BRITISH COLUMBIA

OFFICE OF THE CHIEF INSPECTOR

WINCH BUILDING

COMMISSIONER'S OFFICE
AUG 27 1931
VICTORIA, B. C.

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF INSPECTOR

IN YOUR REPLY PLEASE QUOTE

FILE NO. 204-1

VANCOUVER, B.C., August 26, 1931.

Dear Sir:

I would refer to your letter of the 22nd instant, file 18-2221, in connection with the Cultus Lake fish cultural operations.

Probably you are aware that during the past few years the Biological Board of Canada has been carrying on a very important investigation at Cultus Lake with a view to determining the efficacy of present hatchery methods in B. C. The Department, of course, has for some years operated a hatchery on Sweltzer Creek, a few hundred yards below the outlet of the lake. The fences used in connection with these operations in the creek have, up to date, been installed on property owned by the Park Board. Now, however, certain important extensions are contemplated and the Department has given such instructions as will require four more fences to be built across the stream down towards the mouth. These fences are built from bank to bank and will all be on the Indian Reserve. The purposes of the above structures are to hold sockeye salmon there until they have reached such a condition as to make spawning possible. Spawning of all sockeye in this stream is no new operation but the only difference is that the contemplated fences will be on Indian property and this is imperative for the purposes of the investigation above mentioned.

In order that there may be no interference with the Indians' food supply it is proposed to arrange as follows:

(1) Permit the Indians to take any of the sockeye they desire after they have been spawned by the hatchery employees. As you are aware this practise is followed at several of the other hatcheries, Pemberton, for instance.

(2) As the Indians, it is understood, are rather partial to chum salmon, and in a fairly fresh state, it is proposed to, as these pass through the counting fence,

capture.....

W. E. Ditchburn, Esq.,
Indian Commissioner for B. C.,
P. O. Box 666,
Victoria, B. C.

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capture them and hand them over to the Indians in the fresh state up to a reasonable quantity required for their food supply.

It would appear that the interests of the Indians are being well taken care of and it is felt that there should be no objection to the fences being placed on their property as above described.

Yours truly,

J. A. Motherwell
Chief Supervisor of Fisheries.

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Yours truly,

J. A. Motherwell
Chief Supervisor of Fisheries.

D-1-8025

REPEAT
REPETITION

INDIAN AFFAIRS
AFFAIRES INDIENNES

RG 10, C-11-3, Vol 11248

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Form 6102, replacing Form 2A-T.W.

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Day Letter	
Night Message	
Night Letter	

Patrons should mark an X opposite the class of service desired; OTHERWISE THE MESSAGE WILL BE TRANSMITTED AS A FULL-RATE TELEGRAM

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Send the following message, subject to the terms on back hereof, which are hereby agreed to

Victoria, B. C., August 25, 1931.

A.S. Williams,
Acting Deputy Superintendent General
of Indian Affairs,
Ottawa.

18/222250

Reply your wire twenty first instant Agent Daunt reports Sweltzer Creek fencing matter settled with Doctor Scott who visited Agency twentieth.

W.E. Ditchburn.

Night letter.
Charge Indian Office Victoria, B. C.

Telephone
Empire 7121

B6211 vol. 11298 C-11-2, '0
RG 10,
INDIAN AFFAIRS
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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

File No.1-23.

New Westminster,B.C.
August 24th,1931.

Your Ref.No.18/22220.

Dear Sir:-

In reply to your letter of the 22nd instant regarding the building of Fish Weirs on Sweltzer Creek, Soowahlie Indian Reserve by the Department of Fisheries.

I beg to inform you that this matter has already been taken up with Dr. Scott, who visited the office on the 20th instant.

These waters have been closed to Indian fishing for some years as they are adjacent to the Hatchery and the Indians have had to go to the Fraser River for their fish.

The effect of the traps will be that the unwanted fish will be distributed to the Indians upon the ground and the change will be so beneficial to them that it was considered in their interests to grant the Fisheries Department the desired permission.

The matter has therefore been already attended to.

Yours truly,

A.O'N. Daunt.
Indian Agent.

W.E. Ditchburn, Esq.,
Indian Commissioner for B.C.,
Victoria,B.C.

COMMISSIONER'S OFFICE
AUG 25 1931
VICTORIA, B. C.

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18/22221.

August 22, 1931.

Sir:-

The Department having referred to me the matter of the request of the Fisheries Department for permission to build fences at the lower part of Sweltzer Creek on Indian property, may I request to be furnished with information as to the reserve property referred to, and in regard to the proposed works to be carried out, so that I may deal with the matter as directed by the Department.

Your early reply will be appreciated.

Your obedient servant,

P/KD.

W. E. Ditchburn.
Indian Commissioner for B. C.

Major J.A. Motherwell,
Chief Supervisor of Fisheries,
Winch Building,
Vancouver, B. C.

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INDIAN AFFAIRS
AFFAIRES INDIENNES
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18/22220.

August 22, 1911.

Dear Sir:-

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Your early reply will be appreciated.

Your obedient servant,

P/KD.

W. E. Ditchburn.
Indian Commissioner for B. C.

A. O'N. Daunt, Esq.,
Indian Agent,
New Westminster, B. C.

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CANADIAN PACIFIC RAILWAY COMPANY'S TELEGRAPH

FORM T. D. 1

TELEGRAM

CABLE CONNECTIONS TO ALL PARTS OF THE WORLD

(Printed in Canada)

J. McMILLAN, General Manager of Telegraphs, Montreal.

STANDARD TIME

COMMISSIONER'S OFFICE
VICTORIA, B.C.
AUG 22 1931

V RA232 50 NL

1931 AUG 21 PM 5 30

OTTAWA ONT 21

W E DITCHBURN

INDIAN COMMISSIONER VICTORIA BC

FISHERIES DEPARTMENT REQUESTS PERMISSION TO BUILD FENCES LOWER PART SWELTZERCREEK ON INDIAN PROPERTY STOP DEPARTMENT SEES NO OBJECTION TO THIS PROVIDED YOU ARE SATISFIED THAT INDIAN RIGHTS ARE PROTECTED STOP KINDLY INVESTIGATE AND COMMUNICATE WITH MAJOR MOTHERWELL AND GRANT DESIRED PERMISSION IF SATISFIED THAT ARRANGEMENT SATISFACTORY STOP REPORT BY WIRE

A S WILLIAMS ACTING DEPUTY SUPT GENERAL.

RG 10, C-II-2, vol. 11298

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10-1-31

DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER

CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE CHIEF SUPERVISOR

WINCH BUILDING,

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF SUPERVISOR

IN YOUR REPLY PLEASE QUOTE

FILE No. 10-1-31

VANCOUVER, B.C., May 13, 1931.

Dear Sir:

In reply to your letter of the 11th instant, with reference to shipments of smoked salmon to the Indians in the interior, I have to advise you that this salmon was forwarded by the Canned Salmon Section of the Canadian Manufacturers' Association. Details of where this salmon was cured or the method of curing are not at present available.

Yours truly,

a. MacKay

For J. A. Motherwell
Chief Supervisor of Fisheries.

W. E. Ditchburn, Esq.,
Indian Commissioner for B. C.,
Box 666,
Victoria, B. C.

COMMISSIONER'S OFFICE
MAY 15 1931
VICTORIA, B. C.

RG 10, C-II-2, vol. 11298

INDIAN AFFAIRS
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18/21159.

Your file 62-5-4.

May 11, 1931.

Dear Sir:

I beg to acknowledge receipt of your letter of the 8th instant relative to the reasons why your officers had a certain amount of smoked salmon sent to the Indians of British Columbia which it was thought would be acceptable to them as a substitute for the salmon which they have been accustomed to taking from the head waters of various rivers in British Columbia, and it is noted from the reports of your Inspectors McDonell and Ferrier that these salmon were not in good condition and therefore not acceptable to the different Indians to whom they were given.

Recently Mr. Indian Agent Taylor of Williams Lake informed me personally that he had also received a quantity of these "smoked" salmon and his remarks in connection with them coincided with the statements contained in your communication except that he informed me that he was of the opinion that the fish had been merely dipped in some solution such as "smokene."

While you did not inform me as to who it was that cured the chum salmon, it is quite apparent that Indians did not do it as they were not cured in the same manner the Indians would have done it themselves, and it appears to me that this was unfortunate for I am afraid it will now militate against the successful carrying out of such a scheme as I suggested to my Department a number of years ago. My recommendation was that if the Indians were to be kept away from the spawning grounds for the taking of their winter supply of spring and sockeye salmon they should be provided with a substitute such as cured chum salmon and this curing was to be done by Indians whose method I believe comprises a system of drying after which the salmon are smoked in the Indian smoke houses.

The general information I have received from Indian Agents in regard to such a scheme is that it is thought the Indians in the vast majority of cases would be quite agreeable to receiving the dried smoked salmon as it would save them a good deal of labor and travel in going to the spawning grounds to get their fish and curing them afterwards. I did not have the slightest information leading me to believe that you were putting this experiment into operation, otherwise I would have strongly advised that very great care should be taken in the curing of these salmon to see that those delivered to the Indians would be acceptable to them. Apparently according to Inspector Ferrier's report some of those sent into the Stuart Lake Agency were practically rotten and contained dead maggots.

Major J. A. Motherwell,
Chief Supervisor of
Fisheries,
Vancouver, B.C.

Yours respectfully,

W. E. Ditchburn.
Indian Commissioner for B.C.

WED/AC

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DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER

CANADA

DEPARTMENT OF MARINE AND FISHERIES

DOMINION FISHERIES, BRITISH COLUMBIA

OFFICE OF THE CHIEF INSPECTOR

WINCH BUILDING

COMMISSIONER'S OFFICE
MAY 11 1931
VICTORIA, B. C.

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF INSPECTOR

IN YOUR REPLY PLEASE QUOTE
FILE No. 62-5-4

VANCOUVER, B.C., May 8, 19 31.

Dear Sir:

I beg to advise you that with a view to ascertaining whether or not smoked chum salmon put up on the coast would prove to be an acceptable article of diet to the Indians of the interior, 285 lbs were shipped to various points in the interior on the 8th of March last. Of this amount 120 lbs were shipped to the Skeena River watershed and distributed as follows:

Hazelton Reserve. . . . . 40 lbs
Moricetown Reserve. . . . . 40 lbs
Smithers Reserve. . . . . 40 lbs

The balance of 165 lbs was shipped to points on the Fraser River watershed and distributed among the Indians resident in the upper reaches of this watershed, in comparatively small quantities.

In connection with the shipment to the Skeena River watershed, Inspector McDonell reports as follows:

"In further reply to your favour of the 23rd ultimo, file 26-1, I beg to advise you that I interviewed a number of the Indians to whom I had given samples in Hazelton and Kispiox and each one of them reported that the fish was not fit for consumption, owing to the method in which it had been cured.

The supply received at Smithers received a better reputation but the Indians would be very loath to exchange their own fish for it.

Even though this fish were supplied to the Indians they would still smoke fish on the distant spawning areas and it would be impossible to stop them unless a man was posted on each area from August to December. The trappers on these areas all live off the country, as their supplies are nearly in every case taken in on their backs and on dogs. When the dogs are taken their food is principally fish.

I .....

W. E. Ditchburn, Esq.,
Indian Commissioner for B. C.,
P. O. Box 666,
Victoria, B. C.

E 1 8 1 0 0 0 3 2

RG 10, C-II-2, vol. 11298

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I have not yet received word from Nelson at Babine as to how it was received but expect to hear from him shortly.

This might be put over on the Fraser where there has been a shortage of fish among the Indians and on the spawning grounds but as long as fish are plentiful on the Skeena I do not think that it could be worked."

Mr. H. E. Taylor, the Indian Agent at Williams Lake who distributed 80 lbs of smoked salmon to the Indians reports as follows:

"I remarked a very offensive odor from this fish and some of the Indians commented upon the same fact. Whilst some of the middle aged and younger Indians did not care for it the older Indians stated that it tasted alright and was satisfactory to them. I have no doubt that a supply of this fish could be advantageously used for the old Indians, but would like to know if it could not be supplied free from the odor mentioned. The last of this fish was given out about a week after receipt, and was then getting mouldy, although stored in a dry garage."

In reporting on the small shipment forwarded to the Necoslie reserve at Stuart Lake, Inspector Ferrier states as follows:

"The nine smoked salmon received by the Indians of the Necoslie Reserve, Stuart Lake, were not in good condition on arrival, the meat was very dry and hard and it contained dry dead maggots; most of these fish were given to the dogs; the few parts used by the Indians were very bitter to the taste and was not liked.

Most of the Indians liked the canned pilchards and in their own words 'were good to eat', but canned fish could not be packed on the trap line nor could it be used for trap bait.

I am of the opinion that had a larger sample of smoked salmon been shipped direct to the Indian Agent at Vanderhoof for distribution, better results would have been obtained."

It appears from these reports that the smoked salmon distributed to the Indians did not arrive at the various localities in very good condition. You will also observe from Inspector Ferrier's report that the fish tasted bitter and probably this resulted from inattention to the variety of wood used for smoking.

Yours truly,

a. MacKie.

For J. A. Motherwell
Chief Supervisor of Fisheries.

RG 10, C-II-2, vol. 11298

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0015-1-8-5

COPY for the information of
Mr. Ditchburn

74-150

DEPARTMENT OF FISHERIES
Canada

Office of The
Deputy Minister of Fisheries.

729-4-3

Ottawa, August 8th., 1931.

Dear Doctor Scott,-

I have your letter of the 5th instant, in which you explain that your Commissioner in British Columbia urges that the fishery regulations be relaxed to the greatest possible extent this year in the way of enabling the Indians to provide themselves with a supply of salmon for winter use.

You will find on discussing this matter with the Chief Supervisor of Fisheries for the Province when you are in British Columbia that, consistent with proper protection of the fishery, which obviously is in the permanent interests of the Indians themselves, we are always anxious to do what we can to enable the Indians to provide themselves with necessary food supplies. To the extent that they will be prepared to come down to tidal waters for this purpose, there would be little difficulty, particularly this year, but ordinarily, with the high commercial importance to the Province and to the Indians as a class of our salmon fisheries, we must look forward to the time when some other source of food than salmon taken from the spawning areas will be developed by them.

Yours truly,

(Sgd.) Wm. A. Found,

DEPUTY MINISTER,

Dr. Duncan C. Scott,
Deputy Superintendent General,
Department of Indian Affairs,
O T T A W A.

COMMISSIONER'S OFFICE
AUG 17 1931
VICTORIA, B. C.

RG 10, C-II-2, vol. 11298
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

18/22183.

August 19, 1931.

Sir:-

Touching further upon the report (No. 9)of Inspector Pragnell with respect to your Agency, I beg to say that in the matter of fishing by the Indians, this matter was recently taken up in a letter. The Chief Supervisor of Fisheries for British Columbia, Major Motherwell, was spoken to and he promised me that he would issue instructions to his officers to be lenient towards the Indians in getting their winter supply of salmon.

Your obedient servant,

P/KD.

W. E. Ditchburn.
Indian Commissioner for B. C.

R. H. Moore, Esq.,
Indian Agent,
Vanderhoof, B. C.

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INDIAN AFFAIRS
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National Archives of Canada
Archives nationales du Canada

18/22159.

August 18, 1931.

Your fyle 37-1.

Dear Sir:-

I beg to acknowledge receipt of your letter of the 15th instant enclosing cheque for $25.00 in favor of the Indian Ned Williams, of Discovery Island, being bounty on hair seal noses.

The receipt, in quadruplicate, are herewith returned being duly signed by the above mentioned Indian.

Your obedient servant,

KD.

Enclosures:-

W. E. Ditchburn.
Indian Commissioner for B. C.

J.F. Tait, Esq.,
Supervisor of Fisheries,
Nanaimo, B. C.

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CANADA

DEPARTMENT OF MARINE AND FISHERIES

FISHERIES BRANCH

ALL COMMUNICATIONS TO BE ADDRESSED TO THE SUPERVISOR

IN YOUR REPLY PLEASE QUOTE

FILE No. 37-1.

OFFICE OF THE SUPERVISOR

NANAIMO, B.C., August 15th 1931.

W.E.Ditchburn Esq.,
Indian Commissioner for B.C.
Victoria, B.C.

Dear Sir:

As requested I enclose herewith seal bounty cheque in favour of the Indian Ned Williams. Kindly return receipts in due course.

Yours faithfully,

for J.F.Tait,
Supervisor of Fisheries.

COMMISSIONER'S OFFICE
AUG 17 1931
VICTORIA, B. C.

INDIAN AFFAIRS
AFFAIRES INDIENNES

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18/22094.

August 10, 1931.

Dear Sir:-

I beg to inform you that I sending under separate cover ten hair seal noses brought to this office by the Indian Ned Williams, of Discovery Island.

As the bounty on hair seal noses is $2.50 each, kindly forward a cheque made out in the name of the above mentioned Indian, for the sum of $25.00 and send same to this office.

Yours truly,

KD.

W. E. Ditchburn.
Indian Commissioner for B. C.

J.F. Tait, Esq.,
Supervisor of Fisheries,
Nanaimo, B. C.

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CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE CHIEF SUPERVISOR

WINCH BUILDING,

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF SUPERVISOR

IN YOUR REPLY PLEASE QUOTE

FILE No. 10-1-31

VANCOUVER, B.C., May 28, 1931.

Dear Sir:

I have to acknowledge with thanks receipt of your letter of the 26th instant your file 18-21327, in connection with the salmon run to the upper waters of the Fraser River watershed, and wish to express my appreciation of your co-operation in this difficult situation.

Yours truly,

a. MacKie.

For J. A. Motherwell
Chief Supervisor of Fisheries.

COMMISSIONER'S OFFICE
MAY 30 1931
VICTORIA, B. C.

W. E. Ditchburn, Esq.,
Indian Commissioner for B. C.,
P. O. Box 666,
Victoria, B. C.

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18/21328.

May 26, 1931.

Sir:

Kindly find enclosed herewith copy of a letter received at this office from J.A. Motherwell, Esq., Chief Supervisor of Fisheries at Vancouver, dated May 23rd, regarding arrangements as reported to have been made in your Agency with a view to fish conservation and protection in the Fraser River watershed. This letter will be self-explanatory, and you are requested to co-operate in every reasonable way with the Fisheries officials in the interests of the Indians and the public generally.

Your obedient servant,

C. C. Perry.
Asst. Indian Commissioner.
for W. E. Ditchburn.
Indian Commissioner for B.C.

P/AC
ENCL

R. H. Moore, Esq.,
Indian Agent,
Vanderhoof, B.C.

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(C O P Y)

DEPARTMENT OF MARINE AND FISHERIES

DOMINION FISHERIES, BRITISH COLUMBIA

Office of the Chief Inspector

Winch Building,

Vancouver, B.C. May 23, 1931.

File No. 10-1-31.

Dear Sir:

As you are aware my Department has been endeavouring to re-establish the run of sockeye salmon to the Fraser Lake watershed and to this end for a number of years sockeye salmon eggs were planted in the spawning areas of that locality.

Last year a limited run of sockeye salmon returned to these spawning beds and naturally the local Indians were anxious to obtain a supply of those for food purposes, and such action caused a certain amount of friction in that locality. In commenting on this Mr. R. W. MacLeod, Supervisor of Fisheries for District No. 1, writes as follows:

> "The waters from which these salmon were taken by the Indians were marked with approved fishing boundary signs and designated a closed area on July 12th, 1930 by the writer with the approval of Mr. R. H. Moore, Indian Agent for the district, and in the presence of Assistant Indian Agent Mr. W. Mansion, and Mr. W. Ferrier, Fishery Inspector. The situation was explained to Chief Maxine George of the Nautley Indian Reserve in order that adequate protection might be given the 1931 run to this watershed."

From the above you will note that this matter has been already taken up with your local officers but I consider it advisable that you should be made acquainted with these arrangements. While in the past your local officers have co-operated whole-heartedly with the officers of this Department, I feel that if you would communicate with them regarding these arrangements, it would have more influence on the Indians.

If you would kindly give this your attention it would be much appreciated.

Yours truly,

"A. Mackie."

For J. A. Motherwell
Chief Supervisor of Fisheries.

W. E. Ditchburn, Esq.,
Indian Commissioner for B.C.
P. O. Box 666,
Victoria, B.C.

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18/21327.

May 26, 1931.

Sir:

Your letter of May 23rd, file 10-1-31, dealing with salmon fisheries in the Fraser River watershed has been received at this office and I have written, as requested, to our Indian Agent at Vanderhoof with a view to the co-operation of himself and other Agency officers in every reasonable manner in the interests of the Indians and public generally with a view to conservation and protection of the fisheries.

Your obedient servant,

C. C. Perry.
Asst. Indian Commissioner.
for W. E. Ditchburn.
Indian Commissioner for B.C.

P/AC

J. A. Motherwell, Esq.,
Chief Supervisor of Fisheries,
Winch Building,
Vancouver, B.C.

E 88 1-1 22 5

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CANADA

DEPARTMENT OF MARINE AND FISHERIES

DOMINION FISHERIES, BRITISH COLUMBIA

OFFICE OF THE CHIEF INSPECTOR

WINCH BUILDING

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF INSPECTOR

IN YOUR REPLY PLEASE QUOTE
FILE NO. 10-1-31

VANCOUVER, B.C., May 23, 1931.

COMMISSIONER'S OFFICE
MAY 26 1931
VICTORIA, B. C.

Dear Sir:

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If you would kindly give this your attention it would be much appreciated.

Yours truly,

a. MacKay

For J. A. Motherwell
Chief Supervisor of Fisheries.

W. E. Ditchburn, Esq.,
Indian Commissioner for B. C.,
P. O. Box 666,
Victoria, B. C.

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"X" DIVISION
C.I.B.

R.C.M.P.

B.C. District
31E.1234-5.

Vancouver, B.C. May 19th, 1931.

The Chief Supervisor,
Department of Fisheries,
Winch Building,
Vancouver, B.C.

COMMISSIONER'S OFFICE
MAY 21 1931
VICTORIA, B. C.

Dear Sir:

Re: Indians Contravening Fisheries Act ..... Vanderhoof, B.C.

In reply to your letter of the 18th instant in the above connection, I beg to advise that we shall be only too pleased to assist your Fishery Officers as far as it lies in our power and does not conflict with the rights of the Indians concerned.

If you have not already done so, I would suggest that you also communicate with the Indian Commissioner for B.C. in this matter.

Yours truly,

(SGD)

(H.M. Newson) Supt.
Commanding B.C. District.

C/M.

The Officer Commanding,
R.C.M.P., Prince Rupert, B.C.

I attach copy of letter above referred to. Please instruct the N.C.O. in Charge at Vanderhoof accordingly.

(SGD)

(H.M. Newson) Supt.
Commanding B.C. District.

Vancouver.
19-5-31.

The Indian Commissioner for B.C.,
Victoria, B.C.

Copy of letter from the Chief Supervisor of Fisheries attached for your information.

(H.M. Newson) Supt.
Commanding B.C. District.

Vancouver.
19-5-31.

INDIAN AFFAIRS
AFFAIRES INDIENNES
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(COPY)

DEPARTMENT OF FISHERIES.

WINCH Building,
Vancouver, B.C.
May 18th, 1931.

Dear Sir:

Last season the officers of my Department experienced some difficulty with the Nautley Indians in the vicinity of Vanderhoof. Notwithstanding an arrangement made with them by the local Fishery Offiders, supported by the local Indian Agent, the Indians raided a run of sockeye salmon which my Department has been eager to protect during recent years.

Generally speaking, the Fisheries Officers are having little trouble with the Indians throughout the Province and are obtaining very satisfactory co-operation from the Indian Agents but at the point above mentioned conditions last season were not all that could be desired.

It would be much appreciated if instructions were forwarded to the Officer in Charge of the Mounted Police detachment stationed at Vanderhoof to give the local Fishery Officer any assistance required.

The fact that one of the officers of the Mounted Police is interested always has a good effect when dealing with the Indians.

Yours truly,

J.A. Motherwell,
Chief Supervisor of Fisheries.

The Officer Commanding,
Royal Canadian Mounted Police,
Vancouver, B.C.

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National Archives of Canada
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Form 37

ROYAL CANADIAN MOUNTED POLICE

"E" Division | C.I.B. Sub-District | Detachment Vancouver, B.C.

B.C. District | Date April 1st, 1931.

COMMISSIONER'S OFFICE
APR 8 1931
VICTORIA, B. C.

Fyle References

Re: CAPILANO INDIAN RESERVE - Unauthorised Fishing On.

Headquarters

The Indian Agent, Mr. F.J.E. Ball informed me that it had come to his notice that unauthorised people were fishing on that part of the Capilano River which flows through the Indian Reserve.

Division or Dist.

31E.128-67.

In company with Constable Bartlett of the Indian Department, I crossed over to North Vancouver in the afternoon and visited the area in question. There was nobody fishing on either side of the river.

Sub-District

I will periodically visit this spot with a view to taking action against any offenders found there; as it is quite a desirable place for anglers, and is at present set aside for the Indians or any who have permits from Mr. Ball.

Detachment

(sgd) W.C. Grennan, Sgt.
Reg. No.4810.

P. C. R.

The Commissioner,
R.C.M.P., Ottawa.

First Report.

Sir: Forwarded for your information. Notices are posted on that part of the Reserve through which the Capilano River flows.

CASE CONCLUDED - Handed to Department.

(SGD)

Vancouver.
7-4-31.
C/M.

(H.M. Newson) Supt.
Commanding B.C. District.

The Indian Commissioner,
Victoria, B.C.

Copy for your information.

H M Newson

Vancouver.
7-4-31.

(H.M. Newson) Supt.
Commanding B.C. Distrixt.

Fyle numbers must be quoted.

RG 10, C-11-2, vol. 11298
INDIAN AFFAIRS
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National Archives of Canada
Archives nationales du Canada

Your file
18/20248

DEPARTMENT OF INDIAN AFFAIRS
CANADA

721/30

OFFICE OF
INDIAN AGENT

Re Fur Seal stomachs

Sir;-

I have the honour to refer to your letter of 11th february,1931. re the collectin of 25 fur seal stomachs for investigation by the Department of Marine and Fisheries,and beg to advise you .that the matter has been taken up with the Clayoquot Indtans and Mr,M.Macleod,Fishery Overseer,at Tofino.

The latter advised me under date of 16th instant that necessary arrangements had been made with the Clayoquot Band to collect 25 fur seal stomachs and turn them over to him under the conditions stated in your letter above quoted.

Your obedient servant,

Ed E Frost

Indian Agent.

W.E.Ditchburn,Esqr,
Indian Commissioner for.B.C.
Victoria.B.C.

COMMISSIONER'S OFFICE
MAR 21 1931
VICTORIA, B. C.

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CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE CHIEF SUPERVISOR

WINCH BUILDING,

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF SUPERVISOR

IN YOUR REPLY PLEASE QUOTE

FILE No. 62-5-4

VANCOUVER, B.C., Feb. 19, 1931.

Dear Sir:

I beg to acknowledge receipt of your letter of the 11th instant your file 18-20249 with further reference to the obtaining of specimen stomachs taken from fur seals by the Indian hunters on the west coast of Vancouver Island, and to attach hereto copy of communication forwarded today to Supervisor Tait at Nanaimo.

Your co-operation in this matter is much appreciated.

Yours truly,

a. Mackie

For J. A. Motherwell
Chief Supervisor of Fisheries.

W. E. Ditchburn, Esq.,
Indian Commissioner for B. C.,
Victoria, B. C.

COMMISSIONER'S OFFICE
FEB 20 1931
VICTORIA, B. C.

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AFFAIRES INDIENNES

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Archives nationales du Canada

D 68 0 - 0 0 0

Feb. 19, 31.

62-5-4
A/D

Dear Sir:

I would refer to previous correspondence in connection with the obtaining of twenty-five stomachs taken from fur seals, to be sent to the officers of the Biological Board for examination, and would now request that you get in touch with Inspector MacLeod with a view to completing final arrangements for securing the necessary specimens.

First, I would suggest that Inspector MacLeod get in touch with the local Indian Agent in order that there may be close co-operation with the officers of the Indian Department in obtaining these stomachs, to the end that the best results may be obtained. As you have been previously advised, Mr. Ditchburn the Commissioner of Indian Agencies for B. C. has already been communicated with along these lines and approves of such co-operation.

Inspector MacLeod should decide at what point the specimens will be received and should arrange for some place in which the containers can be stored and also that he can be there to receive the specimens, and immediately such arrangements are completed he should advise you in order that Dr. Clemens may, without delay, forward the necessary receptacles and preservative. On receipt of this advice Dr. Clemens will arrange to have the receptacles and preservative, together with the necessary instructions, forwarded. You understand, of course, that it is the opinion that one point will be sufficient to enable collection of twenty-five specimens to be made.

J. F. Tait, Esq.,
Supervisor of Fisheries,
Nanaimo, B. C.

Rs 10, C-11-2, vol. 11248
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
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It should be understood by the hunters that empty stomachs are of no value and should not be submitted as specimens, but only the full stomachs, and the contents should be undisturbed. Cloth bags will be supplied and a stomach when received is to be put into one of these bags and a label attached to the bag giving date when caught, the size and sex of the seal, and this label should be attached to the bag. Also the label should be numbered. Inspector MacLeod will be supplied with a book or sheet of paper on which he should enter the number of the specimen together with similar information to that shown on the label, as it is quite possible that the information on the label might become indecipherable after immersion in the preservative. In addition to the information given on the label any further information of interest could be shown on the sheet opposite that number, and would thus be available to the officers of the Biological Board when the specimen was being examined.

In attaching the label to the bag containing the specimen the label should be written in soft balck lead pencil and the label should be placed inside the bag so that there is no danger of its becoming detached.

After the specimens have been in the preservative, (formalin) for about ten days, they may be shipped damp, that is the formalin may be poured off and the materials put into a box along with newspapers and possibly oil-cloth, to prevent too much drying out. It should be especially noted that before each specimen stomach is placed in the bag it should be slit sufficient to allow the preservative to reach the contents of the stomach, but of course, not sufficient to allow the contents to escape.

In addition to these particulars above mentioned, it would be well to have Inspector MacLeod obtain from the Indians a record of the number of empty stomachs found during the time taken up in obtaining twenty-five containing food material.

Doubtless when Dr. Clemens forwards the necessary receptacles etc., he will also forward additional instructions. Meanwhile it would be well to advise Mr. MacLeod along the lines above indicated.

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National Archives of Canada
Archives nationales du Canada

Kindly give this your early attention and advise the earliest date, the receptacles can be shipped and final arrangements completed.

Yours faithfully,

For J. A. Motherwell
Chief Supervisor of Fisheries.

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RG 10, C-11-3, vol. 11298

INDIAN AFFAIRS
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National Archives of Canada
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18/20249.

February 11, 1931.

Dear Sir:-

I have the honor to acknowledge receipt of your letter of the 9th instant, No. 62-5-4 with further reference to the taking of 25 fur seal stomachs by the Indians of the West Coast for biological investigation purposes.

In reply I beg to say I have today given fullest particulars to our Indian Agent at Port Alberni, Mr. E.E. Frost, asking him to consult with the Indians and afterwards with your Inspector MacLeod (with the latter particularly in respect to the shipping of receptacles and preservative), and thereafter to report fully to me with the least possible delay.

We trust that our co-operation in this matter will have the most satisfactory results.

Your obedient servant,

P/KD.

W. E. Ditchburn.
Indian Commissioner for B. C.

The Chief Supervisor of Fisheries,
Winch Building,
Vancouver, B. C.

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18/20248.

February 11, 1931.

Dear Sir:-

The Department of Marine and Fisheries Chief Inspector at Vancouver has pointed out that it has been stated that fur seals destroy large numbers of fish during their annual Northern migration to the rookeries on the Pribiloff Islands, and at the meeting of the International Pacific Salmon Federation last year a resolution was adopted stressing the desirability of assembling data as to the alleged predacious tendencies of fur seals. To this end the Chief Inspector of the Fisheries Department desires to obtain twenty-five fur seal stomachs with the contents intact to be made available for examination by the Biological officers of that Department.

In order that these may be obtained in accordance with the provisions of the Pelagic Sealing Treaty, it will be necessary to secure the fur seal stomachs from seals taken by the Indians under the privileges granted to them in the above mentioned Treaty.

Suitable receptacles and preservative would be provided at a particular point and the Fisheries Department would pay a bounty of $5.00 for each of the twenty-five stomachs received in order that the Indians may be reimbursed for any extra labor entailed in obtaining the stomachs. It is understood, however, that the Indian hunters bring in the whole of the body of the fur seal when it is taken and that the flesh of the seal is to be made use of by the Indians for food purposes.

Co-operation of the officers of this Department is especially asked in this connection as under the circumstances it is considered probable that the Indian hunters might be willing to bring in the stomachs intact and take greater care in the handling of these specimens than might otherwise be the case, and care is especially desirable as it is understood that sometimes when a seal is speared it will disgorge the contents of the stomach. It is necessary that the specimen stomachs should be in good condition and the contents undisturbed as empty stomachs would, of course, be of no value. It is the wish of the Department that the specimens be obtained at the time when the main body of seals is passing the B.C. coast on their way North. It is pointed out also that although definite dates cannot be set, the herd of seals is passing the West Coast of Vancouver Island anywhere from the middle of March to the end of May during which period there would naturally be a reasonable amount of salmon available on the West Coast of Vancouver Island and fur seals passing along that Coast would have an opportunity of taking salmon if they so desired.

Dr. Clemens, of the Biological Board, has stated that

E.E. Frost, Esq.,
Indian Agent,
Port Alberni, B. C.

he.....

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18/20248.

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E.E. Frost, Esq.,
Indian Agent,
Port Alberni, B. C.

he.....

REPEAT
REPETITION

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AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

he is of the opinion that it would be well this year to confine the collecting to one area and to an area where there may be close supervision and that he judges that Clayuquot would be a good area and good supervision would be available there. If a collection were made at Clayoquot, Inspector MacLeod, of that area, would be able to give the necessary supervision.

The Fisheries Department has further stated that in making arrangements with the hunters, it is felt to be desirable that they be completed through the local officers of the Department of Indian Affairs who would be liable to secure the best co-operation of the Indian hunters.

It is, therefore, requested that you be good enough to immediately take up this question with the Indians direct with a view to having them deliver the twenty-five specimens required. It may be possible for you to get in touch with Inspector MacLeod after consulting the Indians and decide as to the point to which receptacles and preservative should be sent by the Fisheries Department.

Please furnish me with a report on this matter as early as possible as I am anxious that our co-operation with the Fisheries officials in this matter should have most satisfactory results.

Your obedient servant,

P/KD.

W. E. Ditchburn.
Indian Commissioner for B. C.

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INDIAN AFFAIRS
AFFAIRES INDIENNES

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CANADA

DEPARTMENT OF MARINE AND FISHERIES

DOMINION FISHERIES, BRITISH COLUMBIA

OFFICE OF THE CHIEF INSPECTOR

WINCH BUILDING

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF INSPECTOR

IN YOUR REPLY PLEASE QUOTE
FILE No. 62-5-4

VANCOUVER, B.C., Feb. 9, 1931.

Dear Sir:

I would refer to previous correspondence in connection with the obtaining of twenty-five stomachs of fur seals for purposes of examination by the officers of the Biological Board, and would quote as follows from a communication received from Dr. Clemens:

> "I am of the opinion that it would be well this year to confine the collecting to one area and to an area where there may be close supervision. I judge from what has been said that Clayoquot would be a good area and good supervision would be available there."

If the collection were made at Clayoquot Inspector MacLeod of that area would be able to give the necessary supervision.

In a communication received from the Department it states as follows:

> "In making arrangements with the hunters it is felt to be desirable that they be completed through the local officers of the Department of Indian Affairs who probably in the nature of things would be liable to secure the best co-operation of the Indian hunters."

In view of this suggestion it would probably be advisable for your officer on the west coast to take up this question with the Indians direct with a view to having them deliver the twenty-five specimens required and in this connection I would appreciate your reply at your earliest convenience.

Yours truly,

a. MacRae

For J. A. Motherwell
Chief Supervisor of Fisheries.

W. E. Ditchburn, Esq.,
Indian Commissioner for B. C.,
Victoria, B. C.

COMMISSIONER'S OFFICE
FEB 11 1931
VICTORIA, B. C.

RG 10, C-11-2, vol. 11298
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

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18/20172. February 3, 1931.

Dear Sir:

I beg to acknowledge receipt of your letter No. 62-5-4, dated January 30th, ultimo, further in regard to the proposed capture by West Coast Indians of 25 fur seals for experimental purposes.

In reply I beg to say I shall await your further data as mentioned in the concluding paragraph of your letter and shall be most pleased to see that our officials render you every possible assistance in this matter.

I may say that my records of captures of fur seals by Indians in the past years show that the Indians in the vicinity of Ucluelet have taken more than any other Indians of the West Coast, which leads to the belief that the teacher of the Indian School at Ucluelet would likely be the best person to entrust with the arrangements for the capture of the seals by the Indians.

Your obedient servant,

W. E. Ditchburn.
Indian Commissioner for B.C.

P/AC

The Chief Supervisor of Fisheries,
Winch Building,
Vancouver, B.C.

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CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE CHIEF SUPERVISOR

WINCH BUILDING,

VANCOUVER, B.C.

COMMISSIONER'S OFFICE
FEB 2 1931
VICTORIA, B. C.

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF SUPERVISOR

IN YOUR REPLY PLEASE QUOTE

FILE No. 62-5-4

Jan. 30, 1931.

Dear Sir:

I have to acknowledge with thanks receipt of your letter of the 29th instant with reference to the intention of this Department to obtain stomachs of twenty-five fur seals for purposes of investigation by the Biological officers of this Department.

The desire is to obtain these specimens at the time the main body of seals is passing the B. C. coast and the information in this connection available in this office shows that in the vicinity of Bamfield the first fur seals were taken last year on January 22nd but it is presumed that these were obtained from the usual advance migration of a limited number of male seals. It would appear that the main body of seals pass Bamfield about April 22nd. The seals appeared off Kyuquot in numbers on April 23rd but at Clayoquot the first skins were brought in on March 21st. In the latter instance, however, these may have been obtained from the earliest of the passing seals. At Ucluelet seal skins were obtained on January 22nd last year and a number had been received by January 24th. Capt. Redford is of the opinion however, that the main body of seals pass that locality about the 22nd of May.

It would appear from the information available from year to year that although definite dates cannot be set, the herd of seals is passing the west coast of Vancouver Island anywhere from the middle of March to

W.E. Ditchburn, Esq.,
Indian Commissioner,
P.O. Box 666,
Victoria, B. C.

....the

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the end of May.

During the period above mentioned there would naturally be a reasonable amount of salmon available on the west coast of Vancouver Island and fur seals passing along that coast any time between March and the end of May would have an opportunity of taking salmon if they so desired.

As only twenty-five specimen stomachs are desired I believe Dr. Clemens is of the opinion that they might be obtained at the one point. It is necessary however, that the specimen stomachs should be in good condition and the contents undisturbed, as empty stomachs would of course, be of no value.

This matter is again being taken up with Dr. Clemens and any suggestions he has to make that might be of value will be submitted to you. Meanwhile I wish to say that the co-operation of your officers in this collection will be appreciated.

Yours truly,

a. MacKenzie

For J. A. Motherwell
Chief Supervisor of Fisheries.

0001-0002

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18/20115.

January 29, 1931.

Dear Sir:

I beg to acknowledge receipt of your letter of January 26th, instant, file 62-5-4, with reference to the taking of 25 fur seals for investigation purposes by your Department. In reply I beg to say that if this investigation is to be productive of supplying definite information as to whether or not the seal herds destroy a large number of salmon, it is desirable that the 25 seal stomachs be obtained during the time when the herds are travelling north or south, and when the run of salmon is on, as it is quite apparent that little information could be obtained at a season of the year when very few seals are travelling and the salmon run is over.

If you will give me some data on these points I will take the matter up with the Agent of the West Coast. It is noted the schoolmaster at Ucluelet is suggested as being in the best position to obtain these stomachs, but I think that the Indians of Clayoquot Sound do a considerable amount of sealing under Article IV of the Pelagic Sealing Treaty.

Your obedient servant,

W. E. Ditchburn.
Indian Commissioner for B.C.

P/AC

J. A. Motherwell, Esq.,
Chief Supervisor of Fisheries,
Winch Building,
Vancouver, B.C.

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DO [redacted]RITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTE[redacted]

CANADA

DEPARTMENT OF MARINE AND FISHERIES

DOMINION FISHERIES, BRITISH COLUMBIA

OFFICE OF THE CHIEF INSPECTOR

WINCH BUILDING

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF INSPECTOR

IN YOUR REPLY PLEASE QUOTE
FILE NO. 62-5-4

VANCOUVER, B.C., Jan. 26, 1931.

Dear Sir:

It has been stated that fur seals destroy large numbers of fish during their annual northern migration to the rookeries on the Pribiloff Islands, and at the meeting of the International Pacific Salmon Federation last year a resolution was adopted stressing the desirability of assembling data as to the alleged predacious tendencies of fur seals. To this end my Department desires to obtain twenty-five fur seal stomachs with the contents intact, to be made available for examination by the Biological officers of this Department.

In order that these may be obtained in accordance with the provisions of the Pelagic Sealing Treaty it will be necessary to secure these fur seal stomachs from seals taken by the Indians under the privileges granted to them in the above mentioned Treaty.

Suitable receptacles and preservative would be provided at a particular point and this Department would pay a bounty of $5.00 for each of the twenty-five stomachs received in order that the Indians may be reimbursed for any extra labour entailed in obtaining these stomachs. It is understood, however, that the Indian hunters bring in the whole of the fur seal when it is taken and that the flesh of the seal is made use of by the Indians for food purposes.

In commenting on this subject, Capt. Redford of the C. G. S. "Givenchy" states that the schoolmaster of the Indian school at Ucluelet would probably be in a better position to obtain these stomachs than anyone else. It is felt however, that your co-operation in this connection would be especially desirable as under such circumstances it is more probable that the Indian hunters might be willing to bring in the stomachs intact and take greater care in the handling of these specimens than might otherwise be the case, and care is especially desirable as it is understood that sometimes when a seal is speared it will disgorge the contents of the stomach.

I would much appreciate any comments or suggestions you may have to make in connection with the obtaining of the above mentioned twenty-five specimens of fur seal stomachs.

Yours truly,

a. Mackie

For J. A. Motherwell
Chief Supervisor of Fisheries

W. E. Ditchburn, Esq.,
Indian Commissioner,
P. O. Box 666, Victoria.

COMMISSIONER'S OFFICE
JAN 29 1931
VICTORIA, B. C.

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18/20526.

March 14, 1931.

Dear Sir:

Touching the matter of your letter to the Department of December 3rd, last, in which suggestion was made that the Fishery officer now at Prince George should be stationed at Vanderhoof, I beg to say that this matter was referred to this office and was subsequently taken up with the Chief Supervisor of Dominion Fisheries at Vancouver, with the result that a letter has been received, dated March 12th, copy of which is sent herewith, in which it is pointed out that such a change would not be favorable to the Fisheries Department.

Your obedient servant,

W. E. Ditchburn.
Indian Commissioner for B.C.

P/AC
ENCL

R. H. Moore, Esq.,
Indian Agent,
Vanderhoof, B.C.

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(C O P Y)

DEPARTMENT OF MARINE AND FISHERIES

DOMINION FISHERIES, BRITISH COLUMBIA

Office of the Chief Inspector

Winch Building,
Vancouver, B.C., March 12th, 1931.

File No. 10-1-31.

Dear Sir,

I would refer to your letter of the 27th ultimo, your file 18-20382, in which it is suggested that the headquarters of the Inspector in the Prince George District be moved from Prince George to Vanderhoof.

Prince George is situated 231 miles from the eastern boundary of the Prince George Fisheries District, namely Lucerne, and 167 miles from the western boundary at Rose Lake. The present headquarters is in the largest centre of population, all Provincial Government officers being centralized at this point and the highways meeting there.

Important salmon spawning grounds in the Fraser and tributaries lie to the east and west. It is a fact that the largest number of Indians live west of Prince George in the vicinity of Vanderhoof but these in the past have not called for any large number of special patrols.

There are so many other features besides the question of Indians with which the local officer has to deal and which extend easterly as well as westerly from Prince George that it is not felt to be desirable to alter this, at present, very convenient headquarters.

Yours truly,

"J. A. Motherwell."

Chief Supervisor of Fisheries.

W. E. Ditchburn, Esq.,
Indian Commissioner,
Victoria, B.C.

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(C O P Y)

DEPARTMENT OF MARINE AND FISHERIES

DOMINION FISHERIES, BRITISH COLUMBIA

Office of the Chief Inspector

Winch Building,
Vancouver, B.C., March 12th, 1931.

File No. 10-1-31.

Dear Sir,

I would refer to your letter of the 27th ultimo, your file 18-20382, in which it is suggested that the headquarters of the Inspector in the Prince George District be moved from Prince George to Vanderhoof.

Prince George is situated 231 miles from the eastern boundary of the Prince George Fisheries District, namely Lucerne, and 167 miles from the western boundary at Rose Lake. The present headquarters is in the largest centre of population, all Provincial Government officers being centralized at this point and the highways meeting there.

Important salmon spawning grounds in the Fraser and tributaries lie to the east and west. It is a fact that the largest number of Indians live west of Prince George in the vicinity of Vanderhoof but these in the past have not called for any large number of special patrols.

There are so many other features besides the question of Indians with which the local officer has to deal and which extend easterly as well as westerly from Prince George that it is not felt to be desirable to alter this, at present, very convenient headquarters.

Yours truly,

"J. A. Motherwell."

Chief Supervisor of Fisheries.

W. E. Ditchburn, Esq.,
Indian Commissioner,
Victoria, B.C.

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DEPARTMENT OF MARINE AND FISHERIES

DOMINION FISHERIES, BRITISH COLUMBIA

OFFICE OF THE CHIEF INSPECTOR

WINCH BUILDING

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF INSPECTOR

IN YOUR REPLY PLEASE QUOTE
FILE NO. 10-1-31

VANCOUVER, B.C., March 12th 19 31

Dear Sir,

I would refer to your letter of the 27th ultimo, your file 18-20382, in which it is suggested that the headquarters of the Inspector in the Prince George District be moved from Prince George to Vanderhoof.

Prince George is situated 231 miles from the eastern boundary of the Prince George Fisheries District, namely Lucerne, and 167 miles from the western boundary at Rose Lake. The present headquarters is in the largest centre of population, all Provincial Government officers being centralized at this point and the highways meeting there.

Important salmon spawning grounds in the Fraser and tributaries lie to the east and west. It is a fact that the largest number of Indians live west of Prince George in the vicinity of Vanderhoof but these in the past have not called for any large number of special patrols.

There are so many other features besides the question of Indians with which the local officer has to deal and which extend easterly as well as westerly from Prince George that it is not felt to be desirable to alter his, at present, very convenient headquarters.

Yours truly,

J. A. Motherwell,
Chief Supervisor of Fisheries.

W. E. Ditchburn, Esq.,
Indian Commissioner,
Victoria, B. C.

COMMISSIONER'S OFFICE
MAR 14 1931
VICTORIA, B. C.

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18/20382.

February 27, 1931.

Dear Sir:

I have received from my Department at Ottawa for consideration, the gist of suggestions received at the Department to the effect that it may be conducive of more satisfactory oversight and service in Fishery matters as they affect the Indians, were it possible and convenient to your Department to have your Fishery Guardian or Acting Overseer Mr. Ferrier located in headquarters at Vanderhoof instead of at Prince George as at present.

The representations which give rise to the foregoing suggestion are to the effect that while Mr. Ferrier's present quarters are located at Prince George, it nevertheless appears that the bulk of his work lies at Fort St. James and points north of there, as well as at points west of Burns Lake and south to Ootsa Lake, in fact his territory about covers the same ground as that embraced by the Stuart Lake Agency, with headquarters at Vanderhoof. It is further represented that during the summer and fall months more than 50% of his work has to do with the Fishery Regulations as they apply to the Indians; that during the last 1½ years two court cases have been held in which Indians have been accused of infractions of these Regulations or refusing to show the Fisheries Officer the number of fish they had caught; that the Mounted Police are at present stationed at Vanderhoof where it is anticipated at some time in the future a Federal building will be erected in which event it is thought that accommodation for your officer might, by arrangement be secured. The suggestion is offered also as it is thought that a more equitable and satisfactory arrangement as to the fishing laws could be arrived at from time to time were these officials placed in closer contact with each other and efficiency and good-will in the service might be greatly enhanced thereby.

I am passing this information on to you as Senior Fisheries Officer and would be obliged if you would be kind enough to give your consideration to the suggestions offered and in due course let me know what you think about them, so that I may be in a position to report back to my Department concerning the matter.

Your obedient servant,

P/AC

W. E. Ditchburn.
Indian Commissioner for B.C.

J. A. Motherwell, Esq.,
Chief Supervisor of Dominion Fisheries,
Winch Building,
Vancouver, B.C.

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18/19940.

January 12, 1931.

Your file No. 37-1.

Dear Sir:

As requested in your letter of the 9th instant I am returning herewith receipts for $12.50 signed by Ed Paul. This represented seal bounty.

Your obedient servant,

W. E. Ditchburn.
Indian Commissioner for B.C.

AVH/AC
ENCL

J. F. Tait, Esq.,
Supervisor of Fisheries,
Nanaimo, B.C.

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

YOUR REPLY REFER TO
No. 40-163

ALSO TO THE DATE OF THIS LETTER

PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS

CANADA

February 20,1931.

Sir:-

I am enclosing herewith for your consideration and report copy of a letter that has been received from Mr. R.H.Moore, with reference to the question of salmon fishing by Indians in the waters of the Upper Fraser.

Your obedient servant,

A. F. MacKenzie

A.F.MacKenzie.
Secretary.

W.E.Ditchburn,Esq.,
Indian Commissioner,
Victoria,B.C.

encl

COMMISSIONER'S OFFICE
FEB 27 1931
VICTORIA, B. C.

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Copy

Department of Indian Affairs,

Office of the Indian Agent,

Vanderhoof, B.C.
Dec. 3, 1930.

Sir:-

With further reference to the question of Salmon Fishing by Indians in the waters of the Upper Fraser River and more particularly to correspondence between the department and myself during the summer and fall of 1929, there are one or two points that I beg to bring to your attention which I think would tend to help matters along and bring about a better understanding between the Fishery Department Officials and the Indians, if the proposed suggestion could be carried out I feel that the Indians and this department would also benefit, in that a more equitable and satisfactory arrangement might insofar as the fishing hours for the Indians are concerned in this Agency.

At the present time the Fishery Guardian or acting Overseer, Mr. W. Ferrier, is located at Prince George, or rather his headquarters are there, but the bulk of his work lies at Fort St. James and points north of there, as well as points West of Burns Lake and south to Ootsa Lake, in fact his territory just about covers the same ground as is cov red by the Agency. Furthermore, during the summer and fall months more than fifty per cent of his work has to do with the Fishery regulations as they apply to the Indians. During the last 1½ years two court cases have been held in which Indians have been accused of breaking Fishing regulations or refusing to show the Fishery Official the number of fish they had caught. My suggestion is, that this department at Ottawa interview those in authority in the Fishery Dept. and if possible try and have Mr. Ferrier's headquarters moved from Prince George to Vanderhoof, if that can be done most of our difficulties will cease and a much better understanding will result between the Fishery Officials and the Officials of this department, as well as the Indians, furthermore, it will mean that the cost of travelling and supervision will be reduced, not only for us but also for the Fishery Official. The Mounted Police are here and if we could have all three Federal Departments together it would make itever so much better for all the Officials concerned. There is talk of a Federal Building being put up here and the Fishery Official could be fitted up with an office in it too. Kindly take this matter into consideration and if you agree with the above suggestion please take it up with the proper authorities. I would sooner that my name be left out of it entirely in case some politicians might think that I were trying to move some Government officials, when in reality all that I have in mind is greater efficiency between the different departments in their respective work and as the three departments

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FEB 27 1931
VICTORIA, B. C.

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are so closely related in their work, and as their work has largely to do with the Indians I think that it would be better for the different departments if we could all be together. I know that we have often discussed the matter in a private way among ourselves and have always agreed that it would be much better, from the point of view of efficiency, if we could all be located at the same place.

Trusting to hear from you in this connection at your convenience.

Your obedient servant,

(Sgd.) R.H.Moore.

The Secretary,
Department of Indian Affairs,
Ottawa.

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say, Mr Witech Burnes

I am asking you for
your Kindly and Please help us and
Buy us some licence for Salmon
and Cod fish the fish Commissioner
is stricked and we Can't sell
or we can't afford to Buy our
licence Thats why were asking
you Please

Johnny Jane
Jasper Charles
Tom Charles

COMMISSIONER'S OFFICE
MAR 9 1931
VICTORIA, B. C.

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

YOUR REPLY REFER TO
No. 40-154

ALSO TO THE DATE OF THIS LETTER

PLEASE WRITE ON ONLY ONE SUBJECT
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DEPARTMENT OF INDIAN AFFAIRS
CANADA

February 18,1931.

Dear Sir:-

I have to acknowledge receipt of your letter of the 3rd instant, No. 18/20158, with reference to an excerpt from a report from Mr. Agent MacLeod which was inadvertently sent to the office of the Indian Commissioner at Regina.

I note that you are conferring with the Chief Supervisor of Dominion Fisheries at Vancouver on this subject, and I shall be obliged if you will advise Mr. MacLeod as to any developments in connection therewith.

Yours very truly,

T.R.L.MacInnes.
Acting Secretary.

W.E.Ditchburn,Esq.,
Indian Commissioner,
Victoria, B.C.,

COMMISSIONER'S OFFICE
FEB 25 1931
VICTORIA, B. C.

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18/20228.

February 9, 1931.

Dear Sir:-

I have the honor to acknowledge receipt of departmental letter No. 40-154, dated January 27th ultimo with reference to an excerpt from a report received at the Department from Mr. Indian Agent MacLeod, of Kamloops, B. C., with reference to the taking of salmon for food purposes by the Indians upon their first appearance going to the spawning ground.

In this matter I beg to say that reference has been made to the Department of Fisheries Chief Supervisor's Office, at Vancouver, with regard to this question and I am in receipt of a reply dated February 6th, copy of which is sent herewith for the Department's information. By this it will be seen that the Chief Supervisor is requesting local officers to obtain fuller reports in connection with the request of the Indians and no doubt this matter will receive further consideration of the Fisheries Officials in due course.

Your obedient servant,

P/KD.

Enclosure:-

W. E. Ditchburn.
Indian Commissioner for B. C.

The Secretary,
Department of Indian Affairs,
Ottawa.

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COPY.

DEPARTMENT OF FISHERIES.

Winch Building, Vancouver, B. C.,
February 6, 1931.

10-1-31.

Dear Sir:-

I have to acknowledge receipt of your letter of the 3rd instant, your file 18-20159, regarding the report of Mr. Indian Agent MacLeod of Kamloops, to the effect that the Indians claim salmon are not fit for human consumption after they have spawned.

You will remember that for years the Indians in the Pemberton district have been taking the spawned fish from the hatchery and the same arrangement has taken place at other hatcheries and as far as can be learned, with every satisfaction.

I am, however, requesting the local officers to obtain fuller reports in connection with this request.

Yours truly,

(Sgd) A. MacKie,
For J.A. Motherwell,
Chief Supervisor of Fisheries.

W.E. Ditchburn, Esq.,
Indian Commissioner for B. C.,
Victoria, B. C.

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CANADA

DEPARTMENT OF FISHERIES

OFFICE OF THE CHIEF SUPERVISOR

WINCH BUILDING,

ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF SUPERVISOR

IN YOUR REPLY PLEASE QUOTE

FILE No. 10-1-31

VANCOUVER, B.C., Feb. 6, 19 31.

Dear Sir:

I have to acknowledge receipt of your letter of the 3rd instant, your file 18-20159, regarding the report of Mr. Indian Agent McLeod of Kamloops, to the effect that the Indians claim salmon are not fit for human consumption after they have spawned.

You will remember that for years the Indians in the Pemberton district have been taking the spawned fish from the hatchery and the same arrangement has taken place at other hatcheries and as far as can be learned, with every satisfaction.

I am, however, requesting the local officers to obtain fuller reports in connection with this request.

Yours truly,

a. MacKay

For J. A. Motherwell
Chief Supervisor of Fisheries.

W. E. Ditchburn, Esq.,
Indian Commissioner for B. C.,
Victoria, B. C.

COMMISSIONER'S OFFICE
FEB 9 1931
VICTORIA, B. C.

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18/20159.

February 3, 1931.

Sir:

The underquoted is an excerpt from a recent report sent to the Department at Ottawa by Mr. Indian Agent MacLeod of Kamloops. It is considered proper that you should be furnished with a copy in the event of your being able to help the Indians in the manner suggested, viz:-

> "A unanimous resolution was passed petitioning the Government to allow them to take the salmon out of the river for their own food upon their first appearance going to the spawning grounds, as they claim that the salmon are not fit for human consumption after they have spawned, and it is only owing to dire necessity that they can use them at all. I personally concur in this contention."

Kindly do your best in this connection.

Your obedient servant,

W. E. Ditchburn.
Indian Commissioner for B.C.

P/AC

Major J. A. Motherwell,
Chief Supervisor of Dominion Fisheries,
Winch Building,
Vancouver, B.C.

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01-05-08

18/20160. February 3, 1931.

Dear Mr. Graham:

I desire to acknowledge, with thanks, receipt of your letter No. 500-4C, dated 30th January, ultimo, covering letter No. 40-154 which had been sent to you inadvertently by the Department. The matter is, as you anticipated, one which belongs to the Kamloops area in this jurisdiction.

With kind personal regards,

Yours sincerely,

W. E. Ditchburn.
Indian Commissioner for B.C.

P/AC

W. M. Graham, Esq.,
Indian Commissioner,
W. Regina, Sask.

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National Archives of Canada
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18/20158.

February 3, 1931.

Sir:

I beg to acknowledge receipt of Departmental letter No. 40-154, dated January 27th, ultimo, which was sent to Mr. Commissioner Graham, of Regina, and forwarded by him to this office. The letter was advising me of an excerpt of a report received by the Department from Agent MacLeod of Kamloops dealing with fishery matters.

In reply I beg to advise that this matter has been taken up with the Chief Supervisor of Dominion Fisheries at Vancouver, who is frequently kept posted as to representations made from time to time by the Indians and Agents in various parts of the Province.

Your obedient servant,

W. E. Ditchburn.
Indian Commissioner for B.C.

P/AC

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

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500-4c

ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

YOUR REPLY REFER TO
No. 40-154

ALSO TO THE DATE OF THIS LETTER

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

785

RECEIVED AT COMMISSIONER'S OFFICE
JAN 30 1931

January 27,1931.

Sir:-

I beg to draw your attention to an excerpt from a report received from the Indian Agent at Kamloops,B.C., as follows:-

> " A unanimous resolution was passed petitioning the Government to allow them to take the salmon out of the river for their own food upon their first appearance going to the spawning grounds, as they claim that the salmon are not fit for humon consumption after they have spawned, and it is only owing to dire necessity that they can use them at all. I personally concur in this contention. "

I shall be glad if you will give these representations your consideration.

Your obedient servant,

A. F. MacKenzie

A.F.MacKenzie.
Secretary.

W.M.Graham,Esq.,
Indian Commissioner,
Regina,Sask.,

COMMISSIONER'S OFFICE
FEB 2 1931
VICTORIA, B. C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

IN YOUR REPLY REFER TO
No. 500-4C
ALSO TO DATE OF THIS LETTER

COMMISSIONER'S OFFICE,
W. REGINA, SASK., 30th January, 1931.

Dear Sir:-

I enclose ~~copy of~~ a letter which has been addressed to me by the Department, but which is quite evidently intended for you.

Yours truly,

W. M. Graham,
Indian Commissioner.

W. E. Ditchburn, Esq.,
Indian Commissioner,
Victoria, B.C.

COMMISSIONER'S OFFICE
FEB 2 1931
VICTORIA, B. C.

INDIAN AFFAIRS
AFFAIRES INDIENNES

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Duncan, B. C.

Nov. 19th, 1930.

115-H-3

Dear Sir:-

Would it be possible for you to get say about three nets for use of the Indians here. It is thought that possibly these could be picked up from some cannery, and put to great use here. The Fishery Department are granting Permits to the Indians here to use short nets in the River to take fish for their Winter's food. But now the difficulty that is facing us on every side, so many of the most deserving cases have not any nets. It is realized that this Winter is going to be hard on so many, and it would help so much if they all had a good supply of fish cured for Winter consumption. The nets could be the property of the Government, and loaned out on a practical basis.

The Permits as granted by the Fishery Department will expire at the end of this month, so it would be necessary to do something at once,

Yours obediently,

H. Graham.

(H. Graham)
Indian Agent.

COMMISSIONER'S OFFICE
NOV 20 1930
VICTORIA, B. C.

W. E. Ditchburn, Esq.,
Indian Commissioner for B. C.
VICTORIA, B. C.

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E22-1-23

DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER

CANADA

DEPARTMENT OF MARINE AND FISHERIES

FISHERIES BRANCH

ALL COMMUNICATIONS TO BE ADDRESSED TO THE SUPERVISOR

IN YOUR REPLY PLEASE QUOTE

FILE No. 37-1.

OFFICE OF THE SUPERVISOR

NANAIMO, B.C., January 9th 1931.

W.E.Ditchburn Esq.,
Indian Commissioner for B.C.,
Victoria, B.C.

Dear Sir:

As requested I enclose herewith seal bounty cheque in favour of Ed.Paull of East Saanich. Kindly return receipts in due course.

Yours faithfully,

A.F.Palmer
For J.F.Tait,
Supervisor of Fisheries.

COMMISSIONER'S OFFICE
JAN 12 1931
VICTORIA, B. C.

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18/19901

January 6, 1931.

Dear Sir:

Under separate cover I am forwarding you five seal noses for bounty. Kindly have cheque made out in favor of Edward Paull, East Saanich, and sent to this office, together with the usual receipts, which I will have him sign.

Your obedient servant,

W. E. Ditchburn.
Indian Commissioner for B.C.

AVH/AC

J. F. Tait, Esq.,
Supervisor of Fisheries,
Nanaimo, B.C.

RG 10, C-II-2, vol. 11298
INDIAN AFFAIRS
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National Archives of Canada
Archives nationales du Canada

0 0 1 0 2 5

18/31282.

September 28, 1933.

Sir:

Replying to your letter of September 27th, I have forwarded to the Department copy of your letter of September 27th and previous correspondence in regard to the purchase of fish for interior Indians through our offices as directed by the Department. In view of the contents of your letter of September 27th I have today returned the cheque for $500.00 to the Department requesting that, if satisfactory to the Department, a cheque should be issued to you instead of to myself. Perhaps this will be the best solution of the difficulty.

Yours respectfully,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

F. J. C. Ball, Esq.,
Indian Agent,
Vancouver, B.C.

RG 10, C-II-2, vol. 11298

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18/31282. September 28, 1933.

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Yours respectfully,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

F. J. C. Ball, Esq.,
Indian Agent,
Vancouver, B.C.

RG 10, C-11-2, vol 11298
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
Archives nationales du Canada

18/31280.

September 28, 1933.

Dear Sir:

I have the honor to acknowledge receipt of Departmental Letter dated September 8th, instant, No.74-150-2, together with cheque subsequently received amounting to the sum of $500.00 as referred to therein with respect to the purchase of dried coastal fish for supply through Mr. Indian Agent Ball, of Vancouver, to indigent Indians of interior Agencies as may be requested by the Indian Agents concerned. I now beg to transmit herewith copy of two letters dated September 14th and September 19th, respectively, together with copy of letter dated September 27th which I have received from Mr. Indian Agent Ball in reply to the two letters first mentioned. These letters will be self explanatory, and in view of Mr. Ball's letter of September 27th it is deemed advisable to return the above-mentioned cheque to the Department in order that the same may be issued by the Department to Mr. Ball instead of to myself, so that he may be able to account to the Department for the expenditures to be made on the purchase and distribution of fish as indicated above. I may say I am not satisfied with the information which Mr. Ball has been disposed to give me concerning requests which he claims have been received by him from interior Agents for such supplies of fish and I feel that I cannot properly secure the interests of the Department without being furnished by Mr. Ball with the information necessary to place the accounts in line for the proper recommendation of payment. I may say that no requests whatever have been received from any Indian Agents through this office for any fish to be sent them for their Indians from the Coast and unless I am satisfied that there is a decided need for expenditure as claimed by Mr. Ball I am not in a position to handle the fund from this office, and it will be seen that I am entirely dependent on information from Mr. Ball in this matter. Kindly refer to my letter dated August 29th addressed to the Department in this connection. I have received no further advice from Mr. Ball since that date as to the Agencies heard from and of the fish required by them, and without this information I am at a loss to know what to do other than suggest that the Department should deal directly with Mr. Ball on this subject.

Your obedient servant,

Encl.
P/AC

C. C. Perry,
Asst. Indian Commissioner for B.C.

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

RG 10, C-II-2, vol. 11298
INDIAN AFFAIRS
AFFAIRES INDIENNES
National Archives of Canada
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18/31280.

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Encl.
P/AC

C. C. Perry,
Asst. Indian Commissioner for B.C.

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

203-6 Rogers Bldg.,
Vancouver, B.C.,
September 27, 1933.

Your File 18/31111.

Dear Sir:-

I beg to acknowledge receipt of your letter of the 19th instant regarding the purchase of fish from the Indians and this arrangement is absolutely unsatisfactory and it is useless attempting to do anything along these lines if the Indians are going to wait for a month for their money as will be necessary if vouchers have to be made out. The fish are purchased from many Indians and are received here in shipments probably of twenty-five boxes, each from a different Indian. Arrangements are then made to fill each agency's requisition as far as possible and they are transhipped to the agents. The Indians certainly will not consent to any such arrangement as they need the money immediately, otherwise I should not be buying the fish from them.

From my point of view, this business is done to save the Indians from applying for relief and the fish are only bought from those Indians who need assistance, therefore they can not be expected to wait a month for the money. Unless some better arrangement can be made, I do not think it is any use carrying on with this work. Most of the Indians asked for advances before we received the fish, but I have trained them not to expect anything until the fish arrive in Vancouver when in the past they have been immediately paid.

Upon receipt of your letter advising me that $1,500.00 would be available, I instructed some of the Indians at Homalco to send me a quantity of fish and promised that the money would be sent to them on the next boat going North. I shall have to advise them now not to ship the fish unless they are willing to wait for their money.

I hope you will take up this matter immediately with the Department and show them the difficulty of carrying on this business under these limitations. I think in the past they have been perfectly satisfied that all money received has been paid out according to instructions. I do not see why the same procedure can not be followed this year.

B/HM.

Your obedient servant,

Fredk J.C. Ball

(F.J.C.Ball).
Indian Agent.

C.C.Perry, Esq.,
Assistant Indian Commissioner
for B.C., Victoria, B.C.

COMMISSIONER'S OFFICE
SEP 28 1933
VICTORIA, B. C.

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(C O P Y)

Department of Indian Affairs
Canada

Office of Indian Agent

203-6 Rogers Bldg.,
Vancouver, B.C.,
September 27, 1933.

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Your obedient servant,

B/HM.

"Fredk. J.C. Ball"

Indian Agent.

C. C. Perry, Esq.,
Assistant Indian Commissioner
for B.C., Victoria, B.C.

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INDIAN AFFAIRS
AFFAIRES INDIENNES
RG 10, C-II-2, vol. 11298

National Archives of Canada
Archives nationales du Canada

18/31111.

September 19, 1933.

Dear Sir:

I have received from the Department cheque No.A014914 dated September 11th,1933, in my own name for the sum of $500.00 to be expended where necessary on the purchase of dried coast fish for supply to Interior indigent Indians upon application therefor from the Indian Agents whose Indians require the same. In order to follow the Department's directions in this matter it will be necessary to have vouchers come through this office certified by yourself for the fish supplied as well as for freight charges in shipping the fish from the point of supply to its destination.

In order that each separate Agency may be charged with its proportion of this relief supply it is also desired that copies of the requisitions received by you from the Indian Agents accompany the voucher in each case. As the vouchers are received from your office they will be covered by official cheque and sent to you immediately. It is hoped that this arrangement will be satisfactory. I had hoped that the cheque would have been issued by the Department in your name so that the purchase of the fish might be made in the same manner as in previous years but as this has not been done the situation is somewhat changed although I do not think it will affect the efficient handling of this matter.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

F. J. C. Ball, Esq.,
Indian Agent,
203-6 Rogers Building,
Vancouver, B.C.

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229-1-3

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

203-6 Rogers Bldg.,
Vancouver, B.C.,
September 13, 1933.

Dear Sir:-

Will you kindly advise me whether anything is being done about dried salmon this year?

The Fisheries Department and also the Indians are repeatedly inquiring. The run will commence late this month or early next.

Yours truly,

Fred'k J.C. Ball

(F.J.C.Ball).
Indian Agent.

B/HM.

C.C.Perry, Esq.,
Assistant Indian Commissioner
for B.C., Victoria, B.C.

COMMISSIONER'S OFFICE
SEP 14 1933
VICTORIA, B. C.

RG 10, C-II-2, vol. 11298

INDIAN AFFAIRS
AFFAIRES INDIENNES

National Archives of Canada
Archives nationales du Canada

18/31052.

September 14, 1933.

Dear Sir:

The Department has informed me that it has been decided to set aside the sum of $1500.00 for the purchase of coast dried salmon for the Interior Indians who are indigent and has pointed out that Coast dried fish should be bought only to such extent as is required to meet the demands of indigent Indians where such fish can be obtained in good condition and distributed in an economic manner to the Indians through their local Agents. The Department points out that it is possible that the entire $1500.00 will not be required. A cheque for $500.00 is to be sent to me in the course of a few days. The balance will be released in lots of $500.00 upon request from this office. In rendering accounts against these advances the Department requests that you should quote "Blanket E.R. Aids to Indians."

As the Department has recently authorized the purchase of several tons of coarse salt for the use of the Indians in Hazelton, it is not considered by the Department that it will be necessary to buy fish for their use. I am asked to notify you accordingly.

When I receive the cheque I will send it to you.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

F. J. C. Ball, Esq.,
Indian Agent,
Vancouver, B.C.

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B22-1-8-0

ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

IN YOUR REPLY REFER TO
No. 74-150-2
ALSO TO THE DATE OF THIS LETTER
PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS
CANADA

Ottawa, September 8th.,1933.

Sir,-

In reply to your letter of the 29th ultimo, with reference to the purchase of salmon, I beg to say that after careful consideration, it has been decided to set aside $1,500.00 for this purpose. Coast dried fish should be bought only to such extent as is required to meet the demands of indigent Indians where such fish can be obtained in good condition and distributed in an economic manner to interior Indians through their local Agents. It is possible that the entire $1,500.00 will not be required. A cheque for $500.00 is being forwarded to you in the course of a few days. The balance will be released in lots of $500.00 upon request from your office. In rendering accounts against these advances the Agent should quote "Blanket E.R. Aids to Indians".

As the Department has recently authorized the purchase of several tons of coarse salt for the use of the Indians in Hazelton, it is not thought that it will be necessary to buy fish for their use. Mr. Ball should be notified accordingly.

COMMISSIONER'S OFFICE
SEP 13 1933
VICTORIA, B.C.

Your obedient servant,

A.F.MacKenzie
Secretary

C.C.Perry Esq.,
Asst. Indian Commissioner,
Victoria, B.C.

RG 10, C-II-2, vol. 11298
INDIAN AFFAIRS
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National Archives of Canada
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18/30819.

August 29, 1933.

Dear Sir:

I have the honor to refer to Departmental letter dated July 20th, ultimo, No.74-150-2, with enclosure in regard to the proposal of Mr. Indian Agent Ball of Vancouver Agency to supply dried coast salmon to the Indians of the Interior Agencies for winter food supply. In this connection I beg to say that on the 17th instant Mr. Ball wrote me as follows:

"With reference to your letter of the 4th instant, the agents who have replied to my inquiries re dried salmon will need the same as last year. Mr. W. Ferguson, of Kamloops, suggests supplying salmon in brine instead of smoked. This will be given attention but I think the freight cost will make it prohibitive. The amount last year was $1500.00.

Your obedient servant,"

I have not since heard from Mr. Ball who was requested on the 4th instant to furnish me with copies of requisitions received from the several Agents in order that I may be in a position to advise the Department what sum should be authorized for the purchase of fish. The letter of Mr. Ball above referred to, it will be noted, mentioned "the agents who have replied". He also states the amount last year was $1500.00. From the foregoing it will be apparent that it is somewhat difficult for me to state definitely what amount of money will be required for the purchase of dried fish, but it would appear advisable that the Department make provision, if possible, for the amount mentioned by Mr. Ball, via: $1500.00, there being no indication, however, that such an amount will actually be spent. Until further particulars are given by Mr. Ball I would recommend that the Department be prepared to purchase fish up to the amount mentioned. It would be advisable also that Mr. Ball be given immediate authority to purchase fish from the coast Indians as the fish will be taken during the month of September.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

RG 10, C-II-2, vol. 11298

INDIAN AFFAIRS
AFFAIRES INDIENNES

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18/30819.

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P/AC

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

203-6 Rogers Bldg.,
Vancouver, B.C.,
August 17, 1933.

Your File 18/30546.

Dear Sir:-

With reference to your letter of the 4th instant, the agents who have replied to my inquiries re dried salmon will need the same as last year.

Mr.W.Ferguson, of Kamloops, suggests supplying salmon in brine instead of smoked. This will be given attention but I think the freight cost will make it prohibitive.

The amount last year was $1,500.00.

Your obedient servant,

Fred J.C. Ball

(F.J.C.Ball).
Indian Agent.

B/HM.

C.C.Perry, Esq.,
Assistant Indian Commissioner
for B.C., Victoria, B.C.

COMMISSIONER'S OFFICE
AUG 1933
V. C.

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Archives nationales du Canada

ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

YOUR REPLY REFER TO

No. 74-150-2....

ALSO TO THE DATE OF THIS LETTER

PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS

CANADA

July 20th, 1933.

Dear Sir:-

I am enclosing herewith copy of letter received from Indian Agent, F.J.C. Ball, at Vancouver, B.C., with reference to the salmon drying industry among the Indians of his Agency, for supplies to Indians in the interior, for your attention, report and recommendation.

Your obedient servant,

A. F. MacKenzie,
Secretary.

Encl.

C. C. Perry, Esq.,
Asst. Indian Commissioner,
Victoria, B.C.

COMMISSIONER'S OFFICE
JUL 25 1933
VICTORIA, B. C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

203-6 Rogers Bldg.,
Vancouver, B.C.,
August 17, 1933.

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Your obedient servant,

(F.J.C.Ball).
Indian Agent.

B/HM.

C.C.Perry, Esq.,
Assistant Indian Commissioner
for B.C., Victoria, B.C.

COMMISSIONER'S OFFICE
AUG 1933
B. C.

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

YOUR REPLY REFER TO
No. 74-150-2....
ALSO TO THE DATE OF THIS LETTER
PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS
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Your obedient servant,

A. F. MacKenzie,
Secretary.

Encl.

C. C. Perry, Esq.,
Asst. Indian Commissioner,
Victoria, B.C.

COMMISSIONER'S OFFICE
JUL 25 1933
VICTORIA, B. C.

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Archives nationales du Canada

C O P Y

Office of Indian Agent.

Department of Indian Affairs,
Ottawa, Ont.

203-6 Rogers Bldg.,
Vancouver, B.C.,
July 15th, 1933.

File 74-150/2.

Dear Sir:-

I have received inquiries from the Department of Fisheries and others as to whether the Department will authorize further expenditures for dried salmon, as has been done for the past two winters. The Fisheries Department want it extended to other areas to include the Upper Skeena and Upper Fraser Rivers, and the Indians who supply the dried salmon are also inquiring whether they can expect more work this winter.

It has been of great assistance to them and naturally they are anxious to continue and the Fisheries Department is quite enthusiastic about it. I understand there were formerly many disputes between this office and the Fisheries Department officials, but I have found them anxious to co-operate in every way to assist the Indians, providing their actions are not inimical to the fishing industry and incidentally their own interests.

Regarding the final disposition of the dried salmon, I had reports from Mr. Agent Moore that the fish we sent to his Indians were said to be no good. This was followed by a request for more than I could supply at the time. Some of the Indians wrote to say the fish were just what they wanted. Mr. Agent Mortimer disposed of his shipment through a Hudson's Bay store, and the store-keeper reported that the fish were poor and no good, but the fisheries officers who received the same fish said the Indians were well pleased with them, and the store-keeper's report was biased as it competed with the sale of his own dried fish. Other agents reported that the fish were very well received and wanted more than I could purchase for them.

If you will please instruct me as to whether any funds will be available this Fall for dried salmon, I shall be in a position to make the necessary arrangements. The salmon used for this purpose run in September as a rule, and I should have this information by the end of August.

I have the honour to be,
Sir,
Your obedient servant,

B/HM.

(Sgd.) F.J.C. Ball.
Indian Agent.

The Secretary,
Dept. of Indian Affairs,
Ottawa.

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INDIAN AFFAIRS
AFFAIRES INDIENNES
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Archives nationales du Canada

18/30543.

August 4, 1933.

Dear Sir:

I have the honor to acknowledge receipt of Departmental letter dated July 20th, ultimo, No.74-150-2, enclosing copy of a letter received from Mr. Indian Agent Ball at Vancouver, dated July 15th, ultimo, with reference to the purchase of salmon from the Coast Indians for supply to Interior Indians for winter food. In reply thereto I beg to say that up to the present date no application has been received at this office from Mr. Ball for my approval and recommendation with respect to the purchase of fish for the coming winter and I have therefore written to him asking him to advise me what requisitions have been received by him, if any, from the Interior Agents. When I hear from Mr. Ball I will again advise the Department.

I do not understand why Mr. Ball asks for fish for the Upper Skeena since the Department has recently been good enough to authorize the purchase of three tons of coarse salt by Mr. Agent Mortimer of Hazelton to be used for the salting of fish by the Indians of his Agency for winter food.

It is considered that the contents of the second paragraph of Mr. Ball's letter are irrelevant and unnecessary.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

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INDIAN AFFAIRS
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18/30546.

August 4, 1933.

Dear Sir:

The Department has sent me copy of your letter of July 15th in regard to the matter of furnishing dried salmon to Interior Indians from the Coast for their winter food supply and has asked me to furnish a report and recommendation, but as you have not given me any particulars of the requirements, such as would be indicated possibly in letters received by you from the Interior Agents, I am not able to furnish the Department with a report without hearing from you. I do not understand your request for dried salmon to be sent to the Upper Skeena country as Mr. Indian Agent Mortimer recently applied for and obtained from the Department three tons of coarse salt to enable the Indians to preserve their winter's food supply of fish. Kindly furnish me with copies of all requisitions received from the several Agents in order that I may be in a position to advise the Department what sum should be authorized for the purchase of fish.

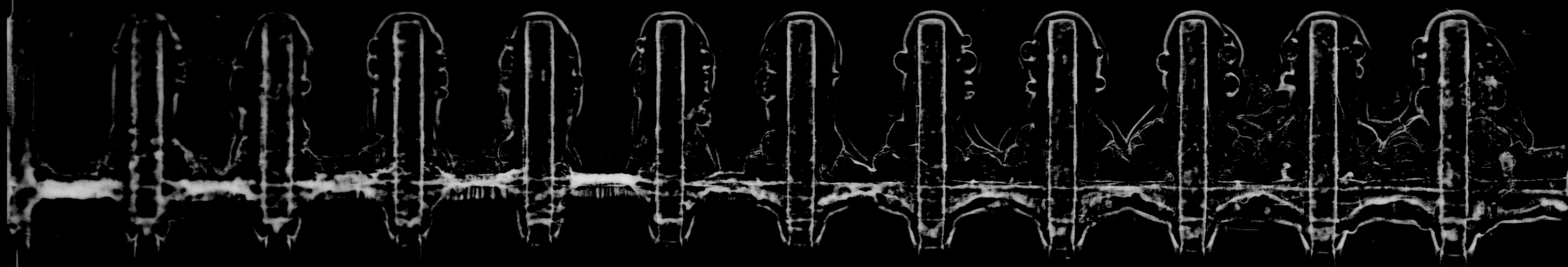
Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

F. J. C. Ball, Esq.,
Indian Agent,
Vancouver, B.C.

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00 1939

18/30549.

August 4, 1933.

Dear Sir:

I have the honor to acknowledge receipt of Departmental letter dated July 20th, ultimo, No.74-150-2, enclosing copy of a letter received from Mr. Indian Agent Ball at Vancouver, dated July 15th, ultimo, with reference to the purchase of salmon from the Coast Indians for supply to Interior Indians for winter food. In reply thereto I beg to say that up to the present date no application has been received at this office from Mr. Ball for my approval and recommendation with respect to the purchase of fish for the coming winter and I have therefore written to him asking him to advise me what requisitions have been received by him, if any, from the Interior Agents. When I hear from Mr. Ball I will again advise the Department.

I do not understand why Mr. Ball asks for fish for the Upper Skeena since the Department has recently been good enough to authorize the purchase of three tons of coarse salt by Mr. Agent Mortimer of Hazelton to be used for the salting of fish by the Indians of his Agency for winter food.

It is considered that the contents of the second paragraph of Mr. Ball's letter are irrelevant and unnecessary.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

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18/30546.

August 4, 1933.

Dear Sir:

The Department has sent me copy of your letter of July 15th in regard to the matter of furnishing dried salmon to Interior Indians from the Coast for their winter food supply and has asked me to furnish a report and recommendation, but as you have not given me any particulars of the requirements, such as would be indicated possibly in letters received by you from the Interior Agents, I am not able to furnish the Department with a report without hearing from you. I do not understand your request for dried salmon to be sent to the Upper Skeena country as Mr. Indian Agent Mortimer recently applied for and obtained from the Department three tons of coarse salt to enable the Indians to preserve their winter's food supply of fish. Kindly furnish me with copies of all requisitions received from the several Agents in order that I may be in a position to advise the Department what sum should be authorized for the purchase of fish.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

F. J. C. Ball, Esq.,
Indian Agent,
Vancouver, B.C.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

203-6 Rogers Bldg.,
Vancouver, B.C.,
August 8, 1933.

Your File 18/30546.

Dear Sir:-

Replying to your letter of the 4th instant, I am writing the various agents as to their requirements for dried salmon and will advise you later.

With regard to the Upper Skeena, the Fisheries Department are very anxious that some fish be sent there and last year paid part of the expenses. Unfortunately Agent Mortimer handed them to the Hudson's Bay factor for distribution and naturally, being in competition with his own dried fish, were adversely reported upon.

We had more requests for fish last year than we had money to supply them.

Your obedient servant,

Fred'k J. C. Ball

(F.J.C.Ball).
Indian Agent.

B/HM.

C.C.Perry, Esq.,
Assistant Indian Commissioner
for B.C., Victoria, B.C.

COMMISSIONER'S OFFICE
AUG 10 1933
VICTORIA, B. C.

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INDIAN AFFAIRS
AFFAIRES INDIENNES
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18/30623.

August 10, 1933.

Dear Sir:

I have the honor to refer further to Departmental letter dated July 20th, ultimo, No.74-150-2, in regard to Mr. Agent Ball's request for authority to expend a sum of money on the purchase of salmon from the Coast Indians for supply in dry condition to Interior Indians of British Columbia for winter food in which connection I beg to transmit herewith copy of my letter addressed to Mr. Ball, dated August 4th, instant, and of his reply dated August 8th, instant. From Mr. Ball's reply it will be quite apparent that he knows nothing of the requirements of the Interior Indians and therefore his letter to the Department dated July 15th would appear to be somewhat superlative in dealing with the matter. I shall be pleased, however, upon receiving from Mr. Ball or any of the other Agents request for relief in the form of dried fish to make such recommendation as the circumstances will warrant. Mr. Ball has had the whole year to find out what fish would be required and it is somewhat unfortunate that he has left the matter to be deal with at the last moment.

Your obedient servant,

Encl
P/AC

C. C. Perry,
Asst. Indian Commissioner for B.C.

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

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b66-1-08

BABINE AGENCY

F-5-209.

Department of Indian Affairs
Canada

Office of Indian Agent

Hazelton, B.C.

Your file, 197/1/30472.

August 7th, 1933.

Sir,-

re-Coarse Salt for Brine.

I beg to acknowledge receipt of your letter of August lst with reference to the above subject and thank you for the authority to purchase same.

May I respectfully mention that this salt is for the whole of the Indians of this Agency and only a small portion will be supplied to the Babine Lake Indians, who are the only ones of the Agency who receive nets.

Your obedient servant,

"G.C. Mortimer"

GCM/SM

Indian Agent.

C.C. Perry, Esq.,
Asst. Indian Commissioner for B.C.,
Victoria, B.C.

Copy for file 18
Supply of Dried Fish

RG 10, C-II-2, vol. 11298

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18/30623.

August 10, 1933.

Dear Sir:

I have the honor to refer further to Departmental letter dated July 20th, ultimo, No.74-150-2, in regard to Mr. Agent Ball's request for authority to expend a sum of money on the purchase of salmon from the Coast Indians for supply in dry condition to Interior Indians of British Columbia for winter food in which connection I beg to transmit herewith copy of my letter addressed to Mr. Ball, dated August 4th, instant, and of his reply dated August 8th, instant. From Mr. Ball's reply it will be quite apparent that he knows nothing of the requirements of the Interior Indians and therefore his letter to the Department dated July 15th would appear to be somewhat superlative in dealing with the matter. I shall be pleased, however, upon receiving from Mr. Ball or any of the other Agents request for relief in the form of dried fish to make such recommendation as the circumstances will warrant. Mr. Ball has had the whole year to find out what fish would be required and it is somewhat unfortunate that he has left the matter to be deal with at the last moment.

Your obedient servant,

Encl
P/AC

C. C. Perry,
Asst. Indian Commissioner for B.C.

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

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(C O P Y)

Department of Indian Affairs
Canada

Office of Indian Agent

203-6 Rogers Bldg.,
Vancouver, B.C.,
August 8, 1933.

Your File 18/30846.

Dear Sir:-

Replying to your letter of the 4th instant, I am writing the various agents as to their requirements for dried salmon and will advise you later.

With regard to the Upper Skeena, the Fisheries Department are very anxious that some fish be sent there and last year paid part of the expenses. Unfortunately Agent Mortimer handed them to the Hudson's Bay factor for distribution and naturally, being in competition with his own dried fish, were adversely reported upon.

We had more requests for fish last year than we had money to supply them.

Your obedient servant,

"Fredk.J.C. Ball"

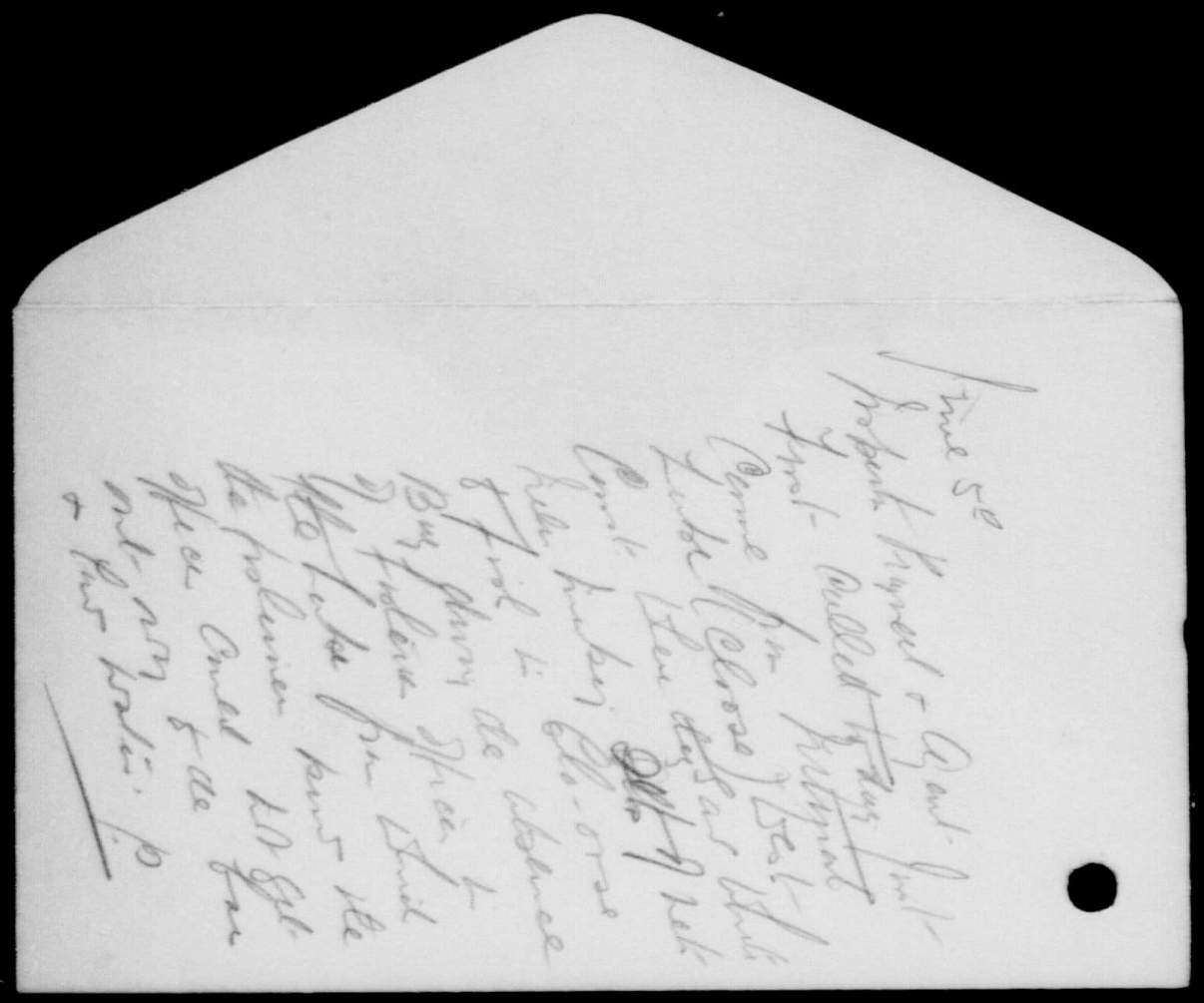
B/HM. Indian Agent.

C. C. Perry, Esq.,
Assistant Indian Commissioner
for B.C., Victoria, B.C.

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18/30546. August 4, 1933.

Dear Sir:

The Department has sent me copy of your letter of July 15th in regard to the matter of furnishing dried salmon to Interior Indians from the Coast for their winter food supply and has asked me to furnish a report and recommendation, but as you have not given me any particulars of the requirements, such as would be indicated possibly in letters received by you from the Interior Agents, I am not able to furnish the Department with a report without hearing from you. I do not understand your request for dried salmon to be sent to the Upper Skeena country as Mr. Indian Agent Mortimer recently applied for and obtained from the Department three tons of coarse salt to enable the Indians to preserve their winter's food supply of fish. Kindly furnish me with copies of all requisitions received from the several Agents in order that I may be in a position to advise the Department what sum should be authorized for the purchase of fish.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

F. J. C. Ball, Esq.,
Indian Agent,
Vancouver, B.C.

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National Archives of Canada
Archives nationales du Canada

6661-00

18/30549. August 4, 1933.

Dear Sir:

I have the honor to acknowledge receipt of Departmental letter dated July 20th, ultimo, No.74-150-2, enclosing copy of a letter received from Mr. Indian Agent Ball at Vancouver, dated July 15th, ultimo, with reference to the purchase of salmon from the Coast Indians for supply to Interior Indians for winter food. In reply thereto I beg to say that up to the present date no application has been received at this office from Mr. Ball for my approval and recommendation with respect to the purchase of fish for the coming winter and I have therefore written to him asking him to advise me what requisitions have been received by him, if any, from the Interior Agents. When I hear from Mr. Ball I will again advise the Department.

I do not understand why Mr. Ball asks for fish for the Upper Skeena since the Department has recently been good enough to authorize the purchase of three tons of coarse salt by Mr. Agent Mortimer of Hazelton to be used for the salting of fish by the Indians of his Agency for winter food.

It is considered that the contents of the second paragraph of Mr. Ball's letter are irrelevant and unnecessary.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

IN YOUR REPLY REFER TO
No. 74-120-2
ALSO TO THE DATE OF THIS LETTER
PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS
CANADA

May 30,1933.

Sir:-

I have to refer to previous correspondence with reference to the continuance of the experiment to provide Interior Indians with pink and chum salmon caught and cured by Indians on the coast as a substitute for sockeye salmon.

The department is now in receipt of a communication from the Deputy Minister of the Department of Fisheries, from which I may quote for your information as follows:-

"I do not think there is anything to add to my letter of the 25th ultimo in this connection, except possibly to point out in respect to the final paragraph of Mr. Perry's letter, that as the disbursement of moneys in the interests of the Indians as wards of the Government is vested in your department, it is not competent for this department to provide the funds in question. Secondly, that if Mr. Perry will let this department have any information he may have regarding the illegalities by whites suggested in the penultimate paragraph of his letter, it will receive prompt attention."

Your obedient servant,

COMMISSIONER'S OFFICE
JUN 5 1933
VICTORIA, B. C.

A.F.MacKenzie.
Secretary.

C.C.Perry,Esq.,
Asst.Indian Commissioner,
Victoria,B.C.,

INDIAN AFFAIRS
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RG 10, C-11-2, vol. 11298
National Archives of Canada
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18/29348.

May 12, 1933.

Sir:

I have the honor to acknowledge receipt of Departmental letter No.74-150-2, dated May 5th, instant, covering copy of a letter dated April 25th, ultimo, received at the Department from the Deputy Minister of Fisheries.

In reply I beg to say I am pleased to note that Mr. Found appears generally satisfied with the representations made in my lengthy report dated March 2nd, last. It would, of course, be a wonderful thing if Mr. Found were agreeable to the report in its entirety, the fishery interests of the Indians being somewhat apart from,although involved in, those of the fishery industry.

The conclusions reached by Mr. Found appear to be in harmony with my report, except that he thinks the local officers of this Department in British Columbia may not have realized the extent of what was contemplated by the Fisheries Department. I may say, however, that the officers referred to are fairly well aware of the situation, and my report of March 2nd embraces the views of years of Departmental experience. The general acceptance of the report by Mr. Found is sufficient recognition of our interest in the fisheries.

Mr. Found's suggestion that for the time being, at least, furtherance of the plan (for supplying of dried fish as a substitute for sockeye), might be restricted to supplying Indians at headwaters of the Fraser River where the situation, from the standpoint of scarcity of sockeye salmon reaching the spawning grounds, is most acute, meets with approval and was advocated in my report wherein it was pointed out at the top of page 6 that the sockeye fishing in the Williams Lake Agency should be regarded seriously.

It is recognized that the conservation of sockeye is regarded as one of the principal interests of the Fisheries Department in British Columbia, and I think all our officers are quite sympathetic towards conservation where such is not attended by overzealousness to deprive the Indians of their reasonable moral and legal rights;

Mr. Found's remark in the third paragraph of page 2 of his letter, wherein he thinks Inspector Pragnell and I have the understanding that whites as well as Indians have the privilege of taking salmon for food,etc., our view is that whites as well as Indians take the privilege of having salmon whether legally or not, and we felt that any restrictions imposed on Indians should also be made applicable to all.

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

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INDIAN AFFAIRS
AFFAIRES INDIENNES

National Archives of Canada
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18/29348.

May 12, 1933.

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The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

I shall

REPEAT
REPETITION

RG 10, C-11-3, vol. 11298

INDIAN AFFAIRS
AFFAIRES INDIENNES

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I shall be glad to support every effort of Mr. Found or Mr. Ball in the direction of conservation and substitutional fish supply commensurately with the willingness of the Indian Department to supply the necessary funds if the Department feels it should do so instead of asking the Fisheries Department to supply the money.

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

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ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

YOUR REPLY REFER TO
No. 74-150-2

ALSO TO THE DATE OF THIS LETTER

PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS
CANADA

May 5, 1933.

encl

Sir:-

I am enclosing herewith for your information copy of a letter that has been received from the Deputy Minister of Fisheries, with reference to the experiment of providing Indians of the Interior of B.C., with pink and chum salmon caught and prepared by coastal Indians, from streams where the taking of such fish would not jeopardize conservation requirements, as a substitute for valuable sockeye salmon the Interior Indians take from the streams adjacent to their reserves. Please report.

Your obedient servant,

A.F.MacKenzie.

Secretary.

C.C.Perry,Esq.,
Assistant Indian Commissioner,
Victoria,B.C.,

COMMISSIONERS OFFICE
MAY 11 1933
VICTORIA, B. C.

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055-10-55

COPY

DEPARTMENT OF FISHERIES
Canada

729-4-3

Ottawa, April 25th, 1933.

Sir:-

I return, herewith, the correspondence from the local officers, which you enclosed with your letter of the 9th ultimo, File 74-150-2, regarding the experiment of providing Indians of the interior of British Columbia with pink and chum salmon caught and prepared by coastal Indians, from streams where the taking of such fish would not jeopardize conservation requirements, as a substitute for valuable sockeye salmon the interior Indians take from the streams adjacent to their Reserves.

There seems to be some misunderstanding on the part of several of your officers judging from the comments as to what was contemplated by the experiment. The cooperative action of this Department with that of Indian Affairs throughout the years will, in itself, be sufficient indication as to what our attitude has been in enabling the Indians to procure salmon food supplies. There can be no lack of appreciation of the importance to the entire Indian population of the value of excellent salmon runs not only from the standpoint of winter food supplies but also the employment they afford to a very large number of Indians in commercial fishing and as cannery workers. Hence, it is eminently desirable that efforts be extended by all concerned to assist in maintaining existing supplies of salmon, as well as rehabilitating runs where it so happens they are not as great at present as they once were.

In view of the failing supplies of valuable sockeye to the headwaters of the Fraser, as you know, for some years this Department, as well as a section of the commercial fishing industry has spent considerable time and money in trying to find a substitute that would reasonably be acceptable to the Indians there for the sockeye salmon they have been taking from the diminishing returns to these waters. No success was met with until in the fall of 1931 the Indian Agent at

The Secretary,
Department of Indian Affairs,
O t t a w a.

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Vancouver, in cooperation with local officers, arranged to have some local coastal Indians procure surplus pink and chum salmon in streams adjoining their reserves, cure them in the accustomed manner, and provide them at a small charge per fish to the Indian Agent for distribution to interior Indians. The reports received were encouraging. The plan had a further feature, it was understood, to commend it; namely, that the money paid out by your Department really accomplished two purposes--firstly, the provision of an acceptable food supply to the interior Indians, and secondly, the furnishing of the coastal Indians with money in payment for their services in making this supply available and thus possibly reducing their dependency on your Department. Then, of course, from the standpoint of this Department there was prospect that the plan would mean a lesser drain on the sockeye supplies, that reach the spawning grounds, so badly in need of every possible protection.

It was in this light, my letter of October 27th last was sent to you. No immediate drastic interference with the customs of the Indians was intended, but it was and is still felt that the plan holds promise of something decidedly worth while, if care is taken in developing it. Further evidence of the acceptability of the substitute is afforded in the results of last fall's continuation of the experiment. A wider distribution was effected than it was expected would be made, although it is interesting to have the general feeling of the Indians throughout the Province as to their reaction to the substitute. It is felt that for the time being, at least, furtherance of the plan might be restricted to supplying Indians at headwaters of the Fraser, where the situation, from the standpoint of scarcity of sockeye salmon reaching the spawning grounds, is most acute.

There was one statement in Mr. Perry's letter to which it is thought desirable to refer. The fourth paragraph on page 7 suggest that both he and Inspector Pragnell have the understanding that Whites as well as Indians have the privilege of taking salmon for food purposes from the spawning grounds and upper reaches of streams. Whites have absolutely no privileges to so take salmon, and it is unlawful for them to do so. In the commercial fishing areas, of course, Indian and White fishermen operate under the same Regulations, except in the case of salmon drag-seining, which is reserved exclusively for Indian fishermen.

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This Department is strongly of the view that it is most desirable to give the experiment a further trial. I shall be glad to hear from you in the premises, following consideration of the matter in the light of the foregoing.

I am, Sir,

Your obedientservant,

(Sgd.) Wm. A. Found,

Deputy Minister.

INDIAN AFFAIRS
AFFAIRES INDIENNES

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18/29154.

May 1, 1933.

Dear Sir:-

I beg to acknowledge receipt of your letter dated April 24th, File F-5-652, covering letter dated April 21st, received by you from A.R. McDonnell, Fishery Inspector of Smithers, also copy of your letter dated February 6th, addressed to Mr. McDonnell, all of the above correspondence having connection with a shipment of fish by Mr. Indian Agent Ball, of Vancouver.

In compliance with your wish I am returning herewith the letter sent to you by Mr. McDonnell and would suggest that if correspondence is necessary on the subject of the item for transportation mentioned, you should take the question up with Mr. Indian Agent Ball who was responsible for the shipment.

Your obedient servant,

P/KD.

Enclosure:-

Chas. C. Perry,
Asst. Indian Commissioner for B. C.

C.C. Mortimer, Esq.,
Indian Agent,
Hazelton, B. C.

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BABINE AGENCY

DEPARTMENT OF INDIAN AFFAIRS
CANADA

F-5-652.

OFFICE OF
INDIAN AGENT
Hazelton, B.C.
April 24th, 1933.

Sir,-

re - A. R. McDonell, Fisheries Inspector.

I beg to enclose a letter,for your information,received from Mr. A. R. McDonell with respect to expenses incurred in freighting dried salmon to Babine.

The first information I had of this expense was a telephone message from Mr. McDonell on April 21st when I advised him to pay the Indian and pass the account through this office. I may say that I am sending my cheque for $3.00 to Mr. McDonell to-day.

The shipment on which this expense was incurred was taken by a Babine Indian who visited Smithers with his team for supplies and no notification was made to this office at that time.

I am enclosing a copy of my letter to Mr. McDonell,regarding the distribution of the dried fish, to which he refers. This shipment was sent direct to Mr. McDonell by Mr. Indian Agent F.J.C.Ball at the request of the Fisheries Department.

I shall be glad if you will kindly return Mr. McDonell's letter at your convenience. I may say that I have made a copy of same.

GCM/SM.

Your obedient servant,

G. C. Mortimer,
Indian Agent.

Encls.

C. C. Perry, Esq.,
Asst. Indian Commissioner for B.C.,
Victoria, B. C.

COMMISSIONER'S OFFICE
APR 26 1933
VICTORIA, B. C.

RG 10, C-II-2, vol. 11298

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Copy.

Department of Fisheries.

Office of the Fisheries Inspector,

At Smithers, B. C.,
April 21, 1933.

Sir:-

Enclosed herewith please find A/c in my favor Three dollars paid to Blind Donald for freighting dry fish to Babine.

This Indian should have been paid long ago by you or your Department as he performed the work, which was done on your instructions, and neither you nor your Department has any right to keep one of these destitute Indians waiting around for a couple of months for a few paltry dollars that is due to him.

Kindly give this matter your immediate attention as I have enough troubles to finance myself and I have no inclination or desire to finance the Department of Indian Affairs.

Yours truly,

"A.R. McDonnell"

Fishery Inspector.

G.C. Mortimer, Esq.,
Indian Agent Babine Agency,
Hazelton, B. C.

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C O P Y.

BABINE AGENCY

F-5-494.

Hazelton, B.C.
February 6th, 1933.

Sir,-

re - Dried Salmon.

I am in receipt of your letter of January 28th regarding a shipment of dried salmon from Vancouver.

If the shipment to you is sent in four boxes - similar to the one sent here - may I suggest that the distribution be made as follows:-

1 box to Hudson's Bay Co., Fort Babine,
1 " " " " " Old Fort,
1 " " Mrs. Maclean, Moricetown,
50# " Daniel Leon, Topley Landing,
50# distributed amongst the Smithers and Telkwa Indians.

I will notify the Hudson's Bay Co., Mrs Maclean and Daniel Leon regarding the distribution of the fish and shall be glad if you will advise this office what re-action takes place amongst the Indians you meet.

The shipment to Hazelton will be distributed amongst the Skeena River Indians and at Hagwilget.

Yours obediently,

GCM/SM. (Signed) G. C. Mortimer,
Indian Agent.

A. R. McDonell, Esq.,
Fisheries Inspector,
Smithers, B. C.

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FILE CONTINUES ON NEXT REEL

LE DOSSIER CONTINUE SUR LA BOBINE SUIVANTE

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END OF REEL

FIN DE LA BOBINE