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The British Columbia Indian Land Question

Policy of the Social Service Council of Canada

An Historical Sketch and an Answer to Criticisms

PREPARED BY
THE REPRESENTATIVE OF THE "FRIENDS OF THE INDIANS."

POLICY OF SOCIAL SERVICE COUNCIL.

At the annual meeting of the Council, held on 23rd September, 1910, the following resolution was passed:—

"In view of the national importance of securing full justice for the native race in all parts of Canada, this Council, while not expressing an opinion upon the merits of the claims now being made by the Indian tribes of British Columbia, expresses its sympathy with the aims of the Conference of Friends of the Indians of British Columbia in seeking to bring about as rapidly as possible a just and advantageous solution of the problem presented by existing conditions in that Province, and its sense of the great importance of accomplishing that object. This Council expresses the hope that the Governments concerned will facilitate a prompt and final settlement of the whole question of the Indian title."

At the annual meeting of the Council, held on 26th September, 1911, Rev. Canon Tucker, who had represented the Council in interviews held at Ottawa and in England, presented a report of which the following was the concluding paragraph:

"It was difficult to exaggerate the value of the help which has been given by the Council to the Friends of the Indians, in their delicate and supremely difficult work. As it seems likely that further representations will have to be made to the Governments of British Columbia and of Canada, and also the Imperial Government, it is of very great importance that the Indian Affairs Committee should be authorized to continue to co-operate with the Friends of the Indians, along the lines upon which they have acted in the past."

The following is an extract taken from the Minutes of the same annual meeting:—

"An informing address on the claims and complaints of the Indians of British Columbia was made by Dr. Chown, and heard by the Council with much interest.

"He said that these Indians desired, and were entitled to have, their claims judicially decided, and that they felt keenly the fact that they were not allowed to become on fair conditions enfranchised citizens.

"A Special Committee on Indian Affairs, with full power, was appointed as follows: Canon Tucker, Convener; Drs. Chown, Copp, R. P. Mackay, Keirstead, Carman, and Messrs. Hamilton Cassels, and A. E. O'Meara, and the Secretaries, with power to add."

The following is an extract from the Report of the Executive Committee of the Council which was adopted at the annual meeting, held on 6th September, 1912:—

"The fact cannot be despised, however, that very serious constitutional difficulties stand in the way of an equitable settlement—difficulties that arise mainly from the attitude of the British Columbia Government which persistently refuses to admit that there is any question to be settled. Both

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the Dominion and Imperial Governments seem to be seized with the gravity of the situation, which justifies the hope that some means will be found of bringing the question to a satisfactory issue.

"Meanwhile, to strengthen their hands, it is all-important that the Moral and Social Reform Council of Canada should reaffirm its interest in the question and its solemn conviction that the time has now fully come when the claims of the scattered tribes of British Columbia Indians should at least receive a fair hearing and the whole question permanently settled on a basis that will be generally satisfactory to all the interests concerned."

After interviews had at Ottawa by those representing the "Friends of the Indians" and the Council of Canada, on 29th November, 1912 there was held a meeting of the Indian Affairs Committee from the Minutes of which the following extract is taken:—

"There were present Rev. Canon Tucker, D.C.L., Convener, in the Chair; A. Carman, D.D., R. P. Mackay, D.D., E. M. Keirstead, D.D., T. A. Moore, D.D., and A. E. O'Meara.

"Prayer was offered by Rev. Canon Tucker.

"On motion T. Albert Moore was appointed Secretary.

"Dr. Copp and Mr. Hamilton Cassels wrote regretting their inability to be present, and Dr. Chown and Dr. Shearer being absent from the city, did not receive notice of the meeting.

"Mr. P. D. McTavish, of Vancouver, B.C., the Chairman of the Friends of the Indians of British Columbia, was present, and on motion was made a Corresponding Member of the Committee for this season.

"Mr. O'Meara was requested to state the present situation regarding the Indians of British Columbia. After a brief account of the efforts being made to restore their rights to these Indians, he reported an interview held the previous day with Dr. Roche, the Superintendent General of Indian Affairs, who informed him that the Minister of Justice has advised that the rights of the Indians should be determined and requested him to confer with the Minister of Justice regarding the method by which that end should be accomplished, which he intends to do on Monday or Tuesday next. He also read the resume of the presentation by Rev. Dr. Tucker, to Hon. Dr. Roche and other important documents.

"It was moved by Rev. T. Albert Moore, seconded by Prof. E. M. Keirstead, and Resolved:—

"That in view of the Proclamation of King George III to the Indians of British Columbia, and which they regard as the Charter of their rights; and

"In view of the fact that the Indians have unanimously claimed for years past that their case should be submitted to the Judicial Committee of the Privy Council; and

"In view of the fact that the Government of Canada in the year 1910 promised the Indians that their claims would be submitted to the said tribunal and thus secure a final decision which alone would be fully satisfactory to the Indians;

"We therefore heartily endorse the resolution of the Friends of the Indians of British Columbia, adopted at Vancouver, on 29th August, 1912, as follows:—

"That in view of the letter of the Government of British Columbia, dated 15th April last, refusing to adopt the proposals for settlement made by the "Friends of the Indians" on 23rd January last, upon the ground that there is no question to be settled, and in view of the clearly defined attitude of Premier McBride, evidenced by recent utterances, we reaffirm the necessity of securing at the earliest possible date a decision of the Judicial Committee of His Majesty's Privy Council regarding the claims of the Indians of this Province."

The course of events from the time of that meeting until the month of March, 1913, will be learned by reference to the pamphlet issued in January, 1914 (see pages 3 to 5).

In March, 1913, after preliminary interviews had with the Acting Superintendent-General of Indian Affairs (the Minister himself being absent on account of illness) and the Minister of Justice, the Representative of the "Friends of the Indians" had an interview with the Prime Minister of Canada and the Minister of Justice, the main result of which was soon afterwards stated in a memorandum prepared for the Minister of Justice, as follows:—

"In the course of an interview had on 27th March last with the Prime Minister and the Minister of Justice the last named Minister made a statement outlining the main points of the situation, by which in our judgment it was made perfectly clear that the only feasible method of securing a judicial determination of the rights of the Indians was that of bringing their claims directly before His Majesty's Privy Council."

At a meeting of the Indian Affairs Committee held on 31st March, 1913, after the interviews had at Ottawa and the other steps taken since the meeting of November, 1912, had been reported, the Committee took the action shown by the following extract from the Minutes of that meeting:—

"Upon motion of Prof. Keirstead, seconded by Mr. Cassels, it was resolved as follows:—

"We are glad to be informed by Rev. Canon Tucker and Mr. O'Meara of the interviews had since last meeting by those representing this Committee and the Friends of the Indians with the Prime Minister of Canada, the Minister of Justice, and the Superintendent-General of Indian Affairs, and to know that there is a definite prospect of bringing the claims of the Indians of British Columbia directly before His Majesty's Privy Council at an early date.

"We are also glad to be assured by Mr. O'Meara that, in appointing Commissioners under the McKenna-McBride Agreement, the Government of Canada is committed only to proceeding with necessary investigation of the facts.

"We venture to suggest that it is highly important that all actual dealing with the Reserves under the terms of that Agreement be held over until the rights of the Indians shall have been determined."

On 15th April, 1913, there was had with the Minister of Justice an interview, report of which will be found in the "Pamphlet" (see pages 7 to 10).

On 21st May, 1913, in pursuance of the action taken by the Indian Affairs Committee as above stated and the interview of 15th April, the decision of the Nishga Tribe was carried into effect and a Petition of that Tribe was lodged in His Majesty's Privy Council.

The course of events from the lodging of the Nishga Petition until the month of October, 1913, will be learned by reference to the "Pamphlet" (see pages 10 to 12).

On the 22nd October, 1913, the Indian Affairs Committee adopted a resolution in which, after referring to the action which from time to time had been taken by the Council of Canada, the representations made on 15th April, 1913, remaining unanswered, the Nishga Petition, and the developments which followed its presentation, the Committee proceeded as follows:—

"We therefore declare that in our judgment, apart from all reasons previously urged, the declaration of the Commission above mentioned renders it imperatively necessary that at the earliest possible date there be secured from the highest Tribunal of the Empire a judgment determining the rights of these Indians upon the basis of which every outstanding

question between the Indians and the two Governments may be equitably and finally decided.

'We, therefore, earnestly appeal to the Government of Canada in every way possible to help the Nishga Tribe to secure an early reference of the Petition to the Judicial Committee, and to take action to that end at once.

"We also appoint Rev. Canon L. Norman Tucker, D.C.L., Rev. R. P. Mackay, D.D., and Rev. T. Albert Moore, D.D., to present this resolution to the Government of Canada."

The course of events from October, 1913, to January, 1914, will be learned by reference to the "Pamphlet" (see pages 14 and 15).

At a meeting held on 23rd January, 1914, at which were reported the interviews held since the previous meeting and the opinion of the Minister of Justice, the Indian Affairs Committee adopted the following resolutions:—

RESOLUTION No. 1.

"Whereas in our judgment the present position of Indian affairs in British Columbia, which has arisen from the persistent refusal of the Government of that Province to recognize the aboriginal claims of its native Tribes, is exceedingly grave, not only involving the whole future of the twenty-five thousand Indians, but also affecting the honor and threatening the peace of our country,

"And whereas for upwards of forty years the settled policy of Canada has favored the judicial determination of the claims of the Indians and at times has gone to the length of endorsing those claims,

"And whereas recent events have clearly revealed the possibility that, notwithstanding assurances received by the Indians and the "Friends of the Indians" from the Prime Minister of Canada and other Canadian Ministers, the present Government of Canada will reverse that policy and even refuse to help the Indians in securing a hearing before the Judicial Committee of His Majesty's Privy Council, which for years they have sought, thus leaving them in a position of great difficulty,

"We therefore recommend that, with the object of making the situation fully known to the people of Canada, there be immediately published and widely distributed a pamphlet containing the material documents and other necessary information.

"And we resolve to join the "Friends of the Indians" in seeking to have an interview with the full Canadian Cabinet as soon as it may be practicable to arrange for such interview."

RESOLUTION No. 2.

"In pursuance of the repeatedly declared policy of the Social Service Council of Canada, we earnestly commend to all Canadians who value the well-being of the native races of our Dominion and the honor of their country the supremely difficult task undertaken by the "Friends of the Indians," and express the hope that throughout Canada all possible help will be given to them in carrying that task to a successful issue."

POLICY OF COUNCIL APPROVED BY SOCIAL SERVICE CONGRESS.

On 5th March, 1914, the Social Service Congress of Canada convened by the Social Service Council approved the whole policy adopted and carried forward by the Council, by passing the following resolutions:—

INDIAN CLAIMS

"While not expressing an opinion upon the merits of the claims now being made by the Indians of British Columbia, this Congress would express their most earnest hope that the Governments concerned will as rapidly

as possible bring the Indian question in British Columbia, which has been pressing for solution with increasing force for more than forty years, to a final issue by a submission of those claims to the Judicial Committee of the Privy Council."

CANADIAN ASSOCIATION

"This Congress is of opinion that it is desirable to take steps for the immediate formation of a Canadian Association of Friends of Native Races, which would have as its object to co-operate with the "Friends of the Indians of British Columbia" and deal with matters affecting the Indians of the whole of Canada, and also co-operate with similar organizations in Great Britain and elsewhere in protecting the natives of South America and other countries."

ACTION TAKEN BY ANNUAL MEETING, DEC., 1914.

The report of the Indian Affairs Committee then adopted concludes as follows:—

"The policy of the Social Service Council regarding the British Columbia Indian land question has been repeatedly declared. In seeking to successfully carry out that policy we earnestly desire to have behind us more fully and unmistakably than ever the clear conviction and determined purpose of the whole Council, and therefore recommend:—

"(1) That the importance of the direct and independent petition presented by the Nishga Tribe to His Majesty's Privy Council, be emphasized.

"(2) That the importance of the negotiations now proceeding between the Government of Canada and the Nishgas with a view to arriving at an agreement regarding the whole subject be recognized.

"(3) That the decision of the Nishgas to send delegates to Ottawa, for the purpose of personally presenting their answer and discussing the Government's proposals, and their own, be commended, and that all possible help be given them in carrying out their plan.

"(4) That the newly appointed Indian Affairs Committee be fully authorized to continue co-operation with the 'Friends of the Indians' in accordance with the declared policy of the Council, subject only to the understanding which already exists, that all financial responsibility connected with such co-operation shall be borne by the 'Friends of the Indians.' "

NEGOTIATIONS WITH GOVERNMENT AND RESULT.

In pursuance of the action taken at the Annual Meeting of 1914, the Nishgas having sent delegates to Ottawa, the negotiations mentioned proceeded during the months of February, March and April, with the help of delegates representing the Social Service Council.

The main proposals of the Government have been stated and explained in the "Explanatory Statement."

The main position taken by the Nishgas with regard to the Government's proposals and also their own counter-proposals brought before the Government will be shown by the following extract from the statement presented by the Nishga delegates to the Government on the 3rd February:—

"With regard to the terms upon which it is proposed that we shall surrender our title, we think it very important first of all to point out the limitations under which lands will be set aside by the Royal Commission. The report of Special Commissioner McKenna, presented in October, 1912, makes perfectly clear that all such lands will be set aside out of Crown lands remaining undisposed of. We are, therefore, very sure that the land situation confronting us in the Naas Valley, explained in our former Statement, cannot be fully and justly dealt with under the agreement of 1912. Even if the position were different and it were possible for the Com-

missioners to restore to us lands wrongfully disposed of by the Province of British Columbia in violation of the Proclamation of King George Third, we would claim to have a real voice in deciding what lands are to be reserved for our use and benefit. Moreover, while we are prepared to consider the findings of the Royal Commission on their merits when known to us, we are not prepared in advance to bind ourselves to accept such findings, not knowing what they will be, and not even knowing that any additional lands will be set aside.

"The Government of Canada having promised to consider any proposals that we might make, we beg to make for consideration of that Government and the other Tribes the following proposals, without, however, saying that they are the only terms to which we would agree:—

"1. That when the findings of the Royal Commission are known, each tribe that may consider such findings insufficient shall have opportunity of making application for additional lands to be reserved for the use and benefit of the Tribe for reasons to be stated in such application, and every such application which cannot be dealt with by conference between the Tribe and the two Governments shall be decided by His Majesty's Imperial Minister, the Secretary of State for the Colonies, in pursuance of the principle embodied in Article 13 of the "Terms of Union."

"2. That in fixing compensation regard shall be had to all the terms and provisions of any treaty made between the Crown and any Tribe of Indians in Canada.

"3. That in fixing compensation regard shall also be had to all restrictions and disabilities imposed upon Indians by Provincial Laws and those imposed by Canadian regulations relating to the fisheries.

"4. That all remaining matters, including an equitable method of fixing compensation, shall be adjusted by enactment of the Parliament of Canada."

The attitude assumed by the Government towards the proposals of the Nishgas will be learned by referring to report of interview of 25th March, especially the remarks of Dr. Roche to be found on page 82 of the "Record."

The Statement regarding this attitude of the Government made by Dr. Tucker on behalf of the Council will be found by referring to report of interview of 27th April (see "Record," pages 94 to 99).

By Order-in-Council passed in June last, the Government decided not to accept the proposals of the Nishgas. The terms of that Order-in-Council will be found on page 105 of the "Record."

At a meeting held on 19th August last the Indian Affairs Committee, after full and careful consideration of the Order-in-Council last mentioned, adopted a "Statement for the Government of Canada" from which the following is an extract:—

"1. We deeply regret that the Privy Council of Canada on 19th June, 1915, found itself unable to modify or alter the terms of the Order-in-Council of 20th June, 1914. We heartily endorse the statements of the Chairman of this Committee concerning the attitude of the Government made upon occasion of the interview had on 27th April last. We regret that the Government felt compelled to that decision by the McKenna Agreement. We believe that it is not sufficient for the Government to arrange some plan, which does not carry the mind and heart of the Indian people, and call it a settlement. We express our strong conviction that it is impossible by any such means to bring about a real settlement.

"2. In view of our conviction herein expressed, we believe this Committee should continue to co-operate with the 'Friends of the Indians' until a real settlement shall be reached."

In October last the Chairman of the Indian Affairs Committee and the Chairman of the "Friends of the Indians" issued an Explanatory Statement in the concluding paragraph of which they advised that all other Tribes of the Province should take their stand with the Nishgas in seeking to secure an early reference of their Petition to the Judicial Committee and assured the Nishgas and other Tribes of the continued help of the Council and the "Friends of the Indians."

THE CHURCHES STAND BEHIND THE COUNCIL.

Note.—The Churches specially mentioned below are those in case of each of which some special action has been taken.

POLICY OF THE METHODIST CHURCH.

The first step of outstanding importance taken by the "Friends of the Indians of British Columbia" was that in August, 1910, a Memorial was presented to Sir Wilfrid Laurier upon occasion of his visit to the Pacific Coast. The second step was that immediately thereafter a copy of that Memorial was brought before the General Conference of the Methodist Church at its meeting then being held in Victoria, together with a Memorial addressed to the Conference. The whole subject was then discussed between a special committee of the Conference and delegates of the "Friends of the Indians." As a result the General Conference adopted the following resolution:—

"Re Memorial from 'The Conference of Friends of the Indians of British Columbia,' concerning the title to Indian Lands in the Province of British Columbia.

"This question is too complex and involves too many intricate and legal matters to permit an expression by the General Conference upon the merits of the case.

"We are impressed, however, with the importance of such measures being taken as will allay all existing unrest and discontent.

"To this end we would express the hope that the Governments concerned will facilitate a prompt and final settlement of the whole question of the Indian title.

"We desire to impress all friends of the Indians with the supreme importance of dealing with these matters with the utmost calmness and judicial spirit; and we further instruct our missionaries to remind the Indians under their care that they can only hope for a satisfactory adjustment of their claims by proceeding along constitutional lines.

"We also recommend that copies of this resolution be forwarded to the Department of the Interior at Ottawa, and to the Attorney-General at Victoria, B.C."

It is requested that very special consideration be given to the resolution of the Methodist General Conference above set out, for two reasons:—

1. It embodies the fundamental principles upon which the work of the "Friends of the Indians" was commenced and has ever since been carried on.
2. Upon the basis of that resolution the Council of Canada acted in passing its first resolution and deciding to take its first step at Ottawa in co-operation with the "Friends of the Indians," which was taken upon occasion of interview had with the Government of Sir Wilfrid Laurier in October of that year.

The British Columbia Indian land question was further dealt with upon occasion of the meeting of the Methodist General Conference held at Ottawa in the year 1914. Following is an extract from the opening address of the General Superintendents then delivered:—

"It is also essential to the lasting influence of our workers amongst the Indians, and the success of their work, that what is known as the land question in the Province of British Columbia should reach a speedy and evidently just settlement. The scope of the Commissions hitherto appointed

does not cover the whole area of the problem as seen and felt by the Indians, and they will never be content until their full claim is investigated. The agitation now progressing makes our work difficult, and if suffered to continue will render our hold upon the Indians very precarious indeed."

Also the Indian Affairs Committee presented to the General Conference a Memorial reporting the progress which had been made in efforts put forth by the "Friends of the Indians" and the Committee on behalf of the Indians and asking the help of the Conference in carrying those efforts to complete success. That Memorial was referred to the Department of Social Service and Evangelism.

Also this subject was considered by the Missions Committee of the Conference. Following is an extract from report of the Missions Committee adopted by the Conference:—

"Your Committee recommend that the General Conference expresses its gratification that there appears to be a good prospect that the intricate, irritating question of the Indian title to lands in the Province of British Columbia may shortly be decided by the Highest Judicial authority in the Empire."

"Inasmuch as negotiations with this end in view are now in process between the Indians and the Government, we recommend that a Committee of five, to be nominated by the General Superintendent, be appointed, whose duty it shall be to assist in securing for our Indian brothers full and fair consideration of their claims and through whom all representations to the Government on their behalf by the Methodist Church shall be made."

The General Board of Social Service and Evangelism at a meeting held in September, 1915, adopted the following resolution:—

"Whereas for many years the Indians of British Columbia have made claims to certain rights in regard to the lands in that Province, basing these claims upon the fact of their being the original inhabitants, and because of a proclamation of King George III; and

"Whereas these claims have never been recognized, but much land has been taken from them without treaty or remuneration, such as has been given to Indians in other parts of the Dominion; and

"Whereas our last General Conference, recognizing the injurious moral effect of this unsettled question upon the Indians, recommended that the Government of Canada refer this matter to the Courts; and

"Whereas by an Order-in-Council, dated June 20th, 1914, the Government intimates its decision to submit the matter to the Exchequer Court, with privilege of appeal to the Privy Council, providing the Indians would consent to certain terms of surrender and other conditions.

"Therefore, this Board expresses its hearty approval of the submission of this matter to the proper Courts, provided the Government and the Indians can agree upon the terms, with the earnest hope that every facility shall be given to bring this matter to an equitable solution at the earliest possible date; and further, we respectfully express the opinion that the end desired would be more speedily gained if the Indians were permitted to nominate their own counsel to represent them in the Courts and throughout all these negotiations; and, having the welfare of these Indians in mind, we beg further to suggest that in case their claim is sustained in whole or in part, the remuneration given be in such a form and administered in such a way as may conserve the best interests of the Indians throughout the future."

POLICY OF THE PRESBYTERIAN CHURCH.

The policy of the Presbyterian Church is shown principally by the fact that from the beginning, through the Council of Canada and members of the Indian Affairs Committee, that Church has taken an active part in our efforts.

Upon occasion of last General-Assembly a memorial of the Indian Affairs Committee reporting progress and asking for the help of the Assembly was presented. In response the Assembly referred the matter to the Board of Home Missions and Social Service with full power to act.

POLICY OF THE CHURCH OF ENGLAND.

The general remarks above made regarding the Presbyterian Church apply equally to the Church of England.

In the year 1914 the Committee on Moral and Social Reform adopted the following statement:—

“For forty years the Indians of British Columbia have made certain claims in regard to the land of their fathers, by reason of their being the original inhabitants of the country, and in virtue of a proclamation of King George III.; and for forty years those claims have remained unheeded. The very existence of such claims has had an injurious effect on the condition of the Indians, and on the development of the Province. It is satisfactory to know that steps are now being taken to settle this long-standing difficulty. It is not too much to expect, in justice to the powers that be, that, in the settlement of this troublesome question, due regard shall be had to the future of the Indians, the honor of the country, and the eternal principles of justice and equity.”

This subject has not yet been dealt with by the General Synod, having been at last meeting crowded out by business of special urgency which occupied most of the time available.

POLICY OF THE BAPTIST CHURCH.

The general remarks above made regarding the Presbyterian Church apply also to the Baptist Church.

The Baptist Convention of Ontario and Quebec, upon occasion of meeting held at London on 19th October last, adopted the following resolution:—

“This Convention desires to express its warm appreciation of the honorable way in which Canada in general has recognized and adjusted the aboriginal land claims of the native races. We at the same time regret that British Columbia is an unhappy exception and that the Government denies the existence of any such rights and refuses the reasonable request of the Indians that the question be referred to the Judicial Committee of His Majesty's Privy Council for decision. We therefore urge our people to support by their influence and contributions The Social Service Council in its efforts to induce the Government of Canada to do its utmost to secure the Reference to the Privy Council, that a just and permanently satisfactory settlement of the very serious question may be reached.”

CRITICISMS ANSWERED.

Recently there have been brought forward against the policy of the Social Service Council three criticisms which it is important to answer with some fulness

1. It is alleged that those who are taking an active part in the movement are engaged in promoting a harmful agitation amongst the Indians of British Columbia. This criticism is wholly without foundation and is one of the political devices by which members of the Government of British Columbia

have persistently endeavored to mislead the public. This charge has often been publicly refuted. I quote the following from an interview with myself published by the Victoria Times on 23rd August, 1912:—

“Undoubtedly there is great uneasiness based upon widespread dissatisfaction among the Indians of the Province, but it is distinctly incorrect that the “Friends of the Indians” have done anything in any way to create dissatisfaction. The very opposite is the fact in the highest degree. We have from the first sought to allay uneasiness by assuring the Indians that British justice would be done them. The greatest achievement in our record has been our success in keeping the Indians quiet and we have been able to do this by inducing them to act along peaceable and constitutional lines. Our object from the first has been to allay uneasiness and we have actually prevented bloodshed in some parts of the Province.”

Also in proof of the fact that the real cause of all the unrest among the Indians has been the land question itself I quote the following from the Charge delivered by Bishop DuVerne: at Prince Rupert in August, 1909:—

“* * * * In reviewing the Indian Work of the Diocese during the past year, while there is much to record that is encouraging, especially in the way in which some of our enlightened natives are proving themselves worthy of being ranked as useful citizens and should be enfranchised, yet it cannot be denied that there is much unrest on account of the land question, and this unrest has hindered spiritual work. It was inevitable that the inrush of settlers taking up land over which the natives have been accustomed to hunt should cause agitation, but I cannot help feeling that much of this friction might have been avoided had there been a better understanding between the Dominion and Provincial Governments in regard to the rights of the Indians, and had there been at the outset a formal treaty. While it is true that the Dominion Government has dealt liberally with the Indians, looking well after their interests, yet the natives do not understand this. They were not properly consulted when the reserves were set apart. They do not see that the money spent upon their education, etc., has any connection with the surrender of their lands. Undoubtedly the demands that many of the Indians are now making are unreasonable, but behind all the unrest there is a cause which must be dealt with according to the principle of equity if this feeling of unrest is to be finally removed. For this reason I am glad to hear that the two Governments are submitting a test case to the Privy Council, and I earnestly trust that a final and authoritative answer which will settle the conflicting claims of the three parties—the Indians, the Dominion and the Province—will soon be given. I wish to commend the way in which our missionaries have counselled our natives to be law-abiding and to patiently await the settlement of their grievances. * * * *”

2. Another ground of the criticism brought against the friends of the cause of the Indians is to be found in the question why so much struggle should be required to get the Dominion Government to do justice to the Indians in British Columbia. I give the main answer to the important question thus raised. As result of an interview had with the Dominion Government in November, 1911, and of an interview had with the Government of British Columbia in January, 1912, it was made clear to both Governments that the British Columbia land question must be dealt with. Shortly after the last mentioned interview, the Premier of British Columbia approached Mr. Rogers, then Minister of Interior in the Dominion Cabinet, and an arrangement was made calculated to meet the exigencies of Provincial politics in that Province. In pursuance of this arrangement, Mr. McKenna, an official of the Indian Department, was appointed Special Commissioner for Canada and sent to British Columbia. He met the Indians and told them they should consider themselves a conquered people and should not dare to make claims to the lands of their forefathers.

He then made with Premier McBride an agreement which, while in its dealing with the matter of reserves a step in advance, ignores the larger matter of the aboriginal claims of the Indians. Upon the subject of that Agreement, in course of an interview had on 5th November of same year with Dr. Roche (who meantime had succeeded Mr. Rogers), Dr. Tucker addressed the Minister as follows:—

“It is understood that Mr. McKenna's report is in the hands of the Government and various rumors are afloat, apparently not without some foundation, that an arrangement has been arrived at with the Government of British Columbia and that that arrangement entirely ignores the claims of the Indians. It is difficult to credit such rumors, though they are stated with confidence and with much appearance of truth. We can only venture to represent that such a course of action would be in direct conflict with the action deliberately taken and consistently pursued by the British Government for a century, arising out of a Royal Proclamation which the Indians have always claimed as the Magna Charta of their rights; such a course of action would be in direct conflict with the action consistently followed by the Canadian Government for half a century, under which the Indians have hoped and trusted and remained at peace; such a course of action, instead of settling this long-standing question, would throw it into hopeless confusion and run the risk of fanning into a flame elements of danger that now lie in a smouldering state.”

Notwithstanding the warning then given, the course of action spoken of was entered upon, the McKenna-McBride Agreement was adopted and the struggle already rendered necessary by the persistent refusal of the Government of British Columbia to recognize the claims of the natives was rendered doubly necessary by the action taken by the Government of Canada in ratifying an agreement ignoring those claims.

3. But by way of further criticizing the policy of the Social Service Council and justifying a political settlement of the land question, it has been suggested that all the lands of British Columbia belong absolutely to the Crown and that therefore the two Governments must decide what should be done for the benefit of the Indians.

This is the view upon which, from the year 1870 until the present time, the policy of British Columbia has been based. This is the view upon which have been based the proposals of the Deputy Superintendent-General embodied in the Order-in-Council of June, 1914. This view is in direct and unmistakable conflict not only with the Proclamation of King George Third upon which the Indians of British Columbia so strongly rely, but also with British principle and Canadian practice firmly established by the whole course of past dealing with native races.

This suggestion is most conclusively answered by the emphatic way in which the view under discussion was, in the year 1875, repudiated by Canada. In a report presented in January of that year and adopted by the Governor-General-in-Council, the then Minister of Justice declared that the claim of these Indians was well founded and that they were entitled to an interest in the lands of British Columbia. In that report the Minister expressed the opinion that to treat these lands as the absolute property of the Province is “an assumption which completely ignores, as applicable to the Indians of British Columbia, the honor and good faith with which the Crown has in all other cases since its sovereignty of the territories in North America dealt with their various Indian tribes.”

THE POWER UPON WHICH WE RELY.

Before concluding this attempt to place the policy of the Social Service Council in its true light before members of the Council and others taking active part, let me add one remark. Our undertaking is a serious one, and for its

successful accomplishment will require sustained effort, real sacrifice, and earnest prayer. I trust that, as we look back to the lamentable conditions under which the natives of British Columbia have suffered for nearly half a century, and look forward to the struggle which will still be needed in order to deliver them and open a new future before them, we shall also constantly look up to Him whose power is greater than even the power of Governments, and with all our hearts make use of the prayer contained in the following lines:—

"Thy will! It bids the weak be strong,
It bids the strong be just,
No lip to fawn, no hand to beg,
No brow to seek the dust.
Wherever man oppresses man
Beneath Thy liberal sun,
O Lord be there, Thine arm make bare,
Thy righteous will be done."

John Hay

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