

No. 854-1B

Don't Copy
M. J. K.

Reverend Col.
J. W. Powell, Esq.,
Indian Superintendent
Victoria, B.C.

Ottawa, 2nd day, 1877

Dec

Sir, - I telegraphed you today
briefly, indicating the
line which I believed
the Government of Canada
would feel themselves
obliged to take if the
Land Commissioners
do not deal with the
Indians of British
Columbia in the most
liberal spirit, completely
satisfying them as to
the extent of land set
apart as reserves.

A copy of the telegram
referred to is herewith
enclosed.

I never have been
able to understand
why the Local Authorities
in British Columbia
should hesitate to
deal with the Indians
in the most generous
manner in regard
to any lands which
they may desire.

2
The country is of immense extent. the white population few in numbers. ~~And~~ The Indians contribute by far the greater proportion of the public revenue and it is not less in the interest of the people of British Columbia than it is in the interest of the people of the other Provinces of the Dominion that nothing should be done to give rise to an Indian war.

In reading over some of the communications which you formerly sent to this Department, I observe that a policy has been pursued towards the Indian population of British Columbia wholly of variance with the course that it has been thought necessary to pursue towards the aboriginal inhabitants in every other part of the Dominion.

3
OK
You mention one
instance in which
the Indians of Kichik
Lake had been
subjected to the great
at cruelty ^{at the hands of} the
white settlers by whom
they were surrounded,
that their lands, which
they had always culti-
vated, had been
taken from them
by the white settlers,
and that, in the
absence of the Chief,
a small reserve
had been made for
them by Mr. O'Reilly,
one of the Stipendiary
Magistrates. In
another case which
you ^{relate how} mentioned
an Indian whose
cattle wandered upon
an open field of grain
that was not two
inches high, was pro-
secuted for damages,
before this same
Mr. O'Reilly, and was
fined \$111.00, with
costs amounting to \$140.00.

I only refer to these
cases, as mentioned
in your former com-
munications, as evi-
dence of the spirit in

and thus avoid the
continuance of the
Commission

in which the Indian
population in British
Columbia has been
dealt with. and
I might here say
that my principal
reason for declining
to agree to the proposi-
tion of the Local govern-
ment, to authorize
the Stipendiary Ma-
gistrates throughout
the Province to act
as agents for locating
the Indian Reserves,
was that I did not
think it right or
proper to place the
Indians at the mercy
of ~~those~~ ^{anyone} who would
deal with them in
the manner described.

I am not at all
impressed that the
Indians should become
discontented, and
that when driven to
the wall by treatment
so ^{cruel} ~~harsh~~, they should
at last, impelled by
a sense of injustice
and a feeling of indig-
nation, have undertaken
to secure to themselves
that measure of protection
which is necessary.

5
to their existence and
which seems better to
to have been denied
them

showed anything
so disastrous as
an Indian was
overtake the Province
of British Columbia.
I do not believe that
the Provincial au-
thorities would be
permitted to deal with
any portion of the
lands claimed by the
Indians until the
Indian title had
been first extinguished.
It is perfectly
apparent from all
the information re-
ceived at this Department
that the discontent
of the Indian popula-
tion, and the dangers
which this dis-
content is likely to
give rise to, are wholly
due to the treatment
which the Indians
have received in
reference to the lands
which they have
heretofore occupied.

I do not know
whether, if they permanently

by making them
reasonable compen-
sation.

6
of Canada were
fully aware of the
condition of things
at the time British
Columbia was
admitted into the
Union. ~~I do not~~
~~know~~ whether they
were aware that
the government of
British Columbia
had undertaken to
deal with the public
lands of that Province
without first having
extinguished the In-
dian title. But,
however this may be,
there can be no
doubt whatsoever
that no arrangement
between the Govt.
of Canada and the
Govt of British Colum-
bia could take
away the rights which
the Crown has
always recognised
as belonging to these
Indian natives.

As far as I
know, in no colony
that the government
of Great Britain
has

has established upon
this Continent, with
the single exception
of British Columbia,
has it been under-
taken to dispose of the
~~public~~ public domain
without first having
treated with the In-
dians for ^{its} ~~the~~ pos-
session. In the
various colonies
of New England, in
Virginia, New York,
and in all the Southern
Colonies, as well as
~~with~~ those (with the
exception named)
which now form the
Dominion of Canada,
the proprietary rights
of the Indians in
the soil have ~~in~~ =
variably been respected.

The government
have no desire to
raise this question
with British Columbia
if it can be avoided,
and, in my opinion,
if the government
of British Columbia
will instruct their
Commissioner to
deal with the Indians

8.
in the same liberal spirit that the Indians on the east side of the Rocky Mountains have been dealt with by the government of Canada, there will be no necessity for raising it. But it would be indeed unreasonable to expect that the fort could remain in different to the rights of the Indians, while a policy is being pursued ^{towards them} which must inevitably lead to an Indian war, to a massacre of the white population in the interior of the ^{Pro-}vince, to enormous additional burdens upon the population, and to the disgrace of the country in the eyes of all men who might become acquainted with the circumstances.

The government of Canada, in addition to paying liberally for the extermination

9
extinguishment of the
claims of the Hudson's
Bay Company
in the Northwest
Territories, have
not only made liberal
reservations for the
Indians, but have
also granted them
annuities amounting
to about \$10 per
head of the entire
Indian population,
and they have done
so because they
believed that such
a policy is not
more just than it is
wise and economi-
cal.

The Government
of British Columbia
have retained pos-
session of the waste
lands of the Crown
within the limits of
the Province, but
they have never
extinguished the Indian
title, nor have they
made any provision
for annuities to the
Indian population.
I have no doubt
whatever that any
practical

guardians of the
aboriginal inhabitants
of the Dominion.
The Government of
Canada have the
right to insist upon
the extinguishment
of this title before
the Provincial Govt.
assume absolute
control of these lands,
and if it becomes
necessary, in order
to prevent an Indian
war, to assert this
right on behalf of
the Indians, there
can be no doubt
as to the course
which it ~~would~~^{will} be
the duty of the Fede-
ral Government to
pursue. I sin-
cerely trust however,
that the local au-
thorities will be pre-
pared to deal with
the Indians in so
liberal a spirit
that they will be
satisfied with the
lands set apart for
their use and that the
discredit and calamity
of an Indian war will
be avoided. J.

Have not deemed
it necessary as yet
to bring this matter
formally before
my colleagues, with
a view to entering
into any discussion
with the local gov.
as to the Indian
title to the Crown
Domain in British
Columbia, and I
earnestly hope
that, with the present
danger so plainly
before them, the
local government
will take such steps
as to render any
discussion of the
subject unnecessary.

I shall be glad
if you will, in-
formally, make
yourself acquainted
as far as possible
with the views of the
local authorities
upon this question,
and communicate
to me such in-
formation as you
may obtain.

12
order that I can
know what action it
may be necessary
to take in the
premises.

Have to
(signed)
David Mills
Min. of Int.

Indian Affairs... (RG 10, Volume 3651, File 8540)

Reel C10114

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA