

425 I.B.

25th August 1876

PM
Sir,-

19th Aug.
1876

Referring to the official letter of the 9th May last, I have the honor to transmit to you herewith a Commission appointing you Commissioner of the Dominion Government, for the purpose mentioned in that letter

25th Aug.
1876

2. I also enclose, for your guidance in the performance of your duties, a memorandum of instructions.

3. Mr. Archibald McKimley has, I am advised, been appointed Commissioner on behalf of the Government of British Columbia and Mr. Gilbert Malcolm Sproat has been appointed as the third Commissioner by the Dominion and the Local Governments.

4. I take this opportunity of acknowledging the receipt of your letters of the 1st and 10th June last and of your communication of the 10th July last in reference to your appointment.

5. It will be left entirely to the Commissioners themselves to determine at what point they should commence their operations and in what order they should proceed.

In coming to a determination upon this point the Commissioners must be guided in a great measure by local circumstances with which they are best acquainted.

It would be well, however, that in this, as in all other matters connected with the Commission they should confer with the Indian Superintendents at Victoria and New Westminster.

6. The Commission to Mr. Sproat, together with a copy of the memorandum of instructions and other documents sent you, have been forwarded to that gentleman by to-day's mail.

I have the honor to be,

Sir,
Your obedient servant,
(sgd) D. Laird,
Minister of the Interior

Alexander Anderson, Esq.,
Rossbank,
Victoria.

Memorandum of instructions to the Dominion Commissioner
on the British Columbia Indian Land Question 25th August
1878.

You will assure the Indians of British Columbia of the friendly feeling of the Government of the Dominion towards them, and that it is the anxious desire of the Government to deal justly and reasonably with them in the settlement of their reserves. The aim and object of the Dominion Government in their general Indian policy in British Columbia, as in other portions of the Dominion, is to assist the Indians in their efforts to raise themselves in the social and moral scale, so that they may ultimately enjoy all the privileges and advantages which are enjoyed by their fellow white subjects.

The general views of the Dominion Government on the land question are sufficiently explained in the documents on the subject printed in the last annual report of this Department, copy of which has already been furnished you. Your attention to these documents is especially directed and by them your conduct generally should be governed. You should bear in mind that the Dominion Government think it very important that in the settlement of the land question nothing should be done which could interfere with or militate against the establishment of friendly relations between the Dominion Government and the Indians of British Columbia. You should therefore, endeavour to allay the fears existing among the Indians in reference to land matters, and in all your subsequent dealings with them you should carefully avoid anything which might be calculated to alarm or disturb the Indian mind.

While it appears theoretically desirable as a matter of general policy to diminish the number of small
reserves

reserves held by any Indian nation, and when circumstances will permit to concentrate them on three or four large reserves, thus making them more accessible to missionaries and school teachers, you should be careful not even for this purpose to do any needless violence to existing tribal arrangements, and especially not to disturb the Indians in the possession of any villages, fishing stations, fur-trading posts, settlements or clearings, which they may have occupy and to which they may be specially attached, and which may be to their interest to retain. Again it would not be politic to attempt to make any violent or sudden change in the habits of the Indians, or that those who are now engaged in fishing, stock-raising, or in any other profitable branch of industry should be diverted from their present occupations or pursuits, and in order to induce them to turn their attention to agriculture. They should rather be encouraged to persevere in the industry or occupation they are engaged in, and with that view should be secured in the possession of the villages, fishing stations, fur-posts or other settlements or clearings which they occupy in connection with that industry or occupation, unless there are some special objections to so doing, as for example, where the Indian settlement is in objectionable proximity to any city, town, or to a village of white people.

Should circumstances require that the number of reserves for a particular nation be three, or even more, from the fact of the nation being divided by natural physical barriers, or from differences in the habits, pursuits and modes of life of different portions of the nation or for other causes, you will in determining the number of reserves to be assigned to any particular Indian nation be guided rather by the special circumstances of that nation, their habits, tastes, pursuits and physical surroundings, than by any fixed theoretical rule.

With respect to that part of Clauses 5 and 6 (Agreed upon by the two Governments) relative to the diminution or surrender of reserves once granted to the Indians, you must bear in mind and have it clearly understood ab initio that these clauses must be read by the light of the provisions of the 31 Victoria, Chapter 42, extended and made applicable to British Columbia by the 37 Victoria, Chapter 21, and re-enacted in effect by the Indian Act of last Session, whereby it is provided distinctly that no part of any Indian reserve once appropriated can be surrendered or alienated in any way without the sanction of the Indians to whom it has been assigned.

See Clause
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The Commissioners should lose no time in conferring with the Indian Superintendent in British Columbia, as to the general mode of proceeding in carrying out the labours of the Commission, after such conference, they will be in a position to decide as to the order in which they should proceed and as to the particular nation with whom it is most important they should deal at once.

The Superintendents have been instructed to co-operate in every way with the Commissioners in the execution of their labours and will be authorized, each in his own Superintendency, to accompany the Commissioners wherever it may be practicable so to do for the purpose of assisting them in their labours.

Reports of the proceedings of the Commission should be made from time to time to the Government, and I must impress upon you the importance for many reasons, of the labours of the Commission being brought to a close as early as may be practicable and consistent with the satisfactory adjustment of this grave and long pending controversy.

(Sgd) D. Laird,

Minister of the Interior

William Anderson, Esq.,
Secretary,
Victoria,
B.C.