

CONFIDENTIAL

REPORT
OF THE
ROYAL COMMISSION ON INDIAN AFFAIRS
FOR THE PROVINCE OF
BRITISH COLUMBIA

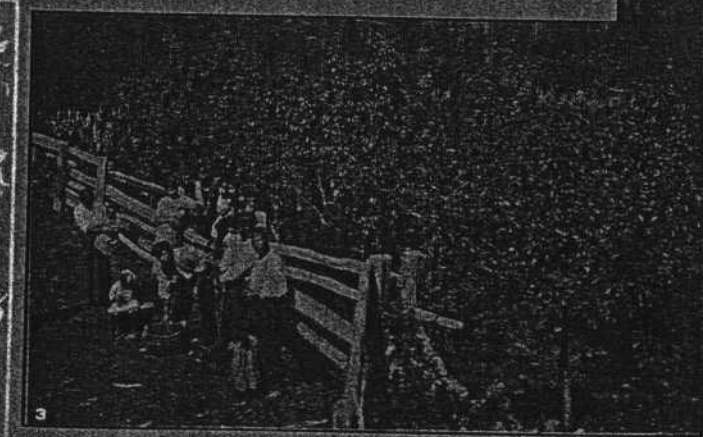
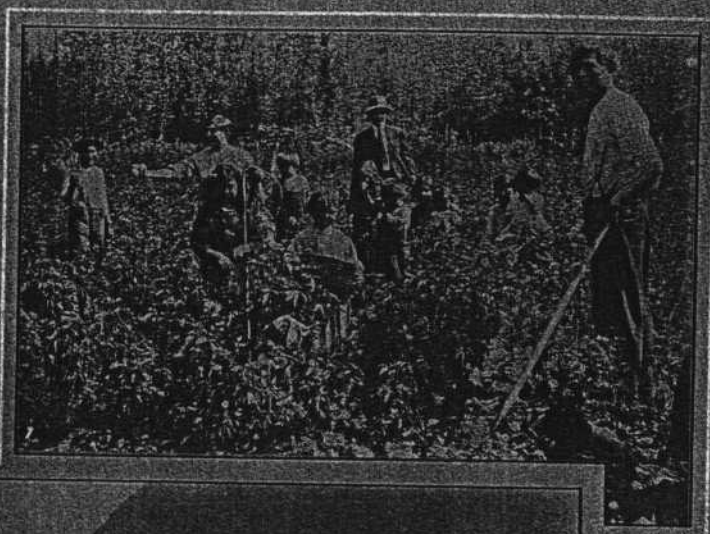
UNDER ORDER - IN - COUNCIL DATED THE
10TH DAY OF JUNE, IN THE YEAR OF OUR LORD
ONE THOUSAND NINE HUNDRED AND THIRTEEN

PRINTED BY ORDER



VICTORIA, BRITISH COLUMBIA

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AGRICULTURE ON BELLA COOLA I. R.
(1) Potato Patch; (2) Harvesting; (3) Apple Orchard

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UNDER ORDER-IN-COUNCIL DATED THE 10TH DAY OF JUNE, IN THE
YEAR OF OUR LORD ONE THOUSAND NINE HUNDRED AND THIRTEEN

To Field Marshal

*His Royal Highness Prince Arthur William Patrick Albert,
Duke of Connaught and of Strathearn, K.G., K.T., K.P., etc., etc.,
Governor-General and Commander-in-Chief of the Dominion of Canada.*

MAY IT PLEASE YOUR ROYAL HIGHNESS:

The Commissioners appointed by Letters Patent under the Agreement made on the 24th day of September, 1912, by Your Royal Highness's Special Commissioner and the then Premier of British Columbia in respect to Indian Reserves and Indian land requirements in that Province, had but shortly entered upon the performance of their duties when they found that matters extraneous to the Agreement would be brought before them, and that for the satisfactory settlement of the whole British Columbia Indian question it would be well to hear such representations as might be made therein, reporting the same with an expression of the opinions formed by the Commissioners consequent upon such representations and their visitations of Indian Reserves.

Your Commissioners thereupon adopted and conveyed to Your Superintendent-General of Indian Affairs a Resolution upon the subject of such extraneous matters. The Resolution and the Order-in-Council defining the extent and nature of the action to be taken by the Commissioners in respect to such matters are as follows:

RESOLUTION OF THE ROYAL COMMISSION ON INDIAN AFFAIRS FOR THE
PROVINCE OF BRITISH COLUMBIA, ADOPTED 20TH MAY, 1913:

"Moved by Mr. Commissioner McKenna,

"Seconded by Mr. Commissioner Macdowall, and Ordered:

"WHEREAS the Commission is of opinion that its jurisdiction is confined to
"the scope of the agreement referred to therein;

"AND WHEREAS it appears that many matters and questions extraneous to
"the agreement will be brought before the Commission;

"AND WHEREAS serious dissatisfaction among the Indians is likely to be created if the Commission declines to consider and report upon such questions;

"AND WHEREAS for the satisfactory disposal of such matters and questions it may be necessary to report upon conditions and make suggestions as to policy;

"BE IT RESOLVED: That it be intimated to the Governments of the Dominion and the Province that if they so desire and instruct the Commission, the Board will be pleased to deal with all such questions and matters and report, submitting suggestions as to the action to be taken and the policy followed."

ORDER-IN-COUNCIL OF 10TH JUNE, 1913: P. C. 1401.

"Certified copy of a Report of the Committee of the Privy Council approved by His Excellency the Administrator on the 10th of June, 1913.

"The Committee of the Privy Council have had before them a Memorandum, dated 31st day of May, 1913, from the Acting Superintendent-General of Indian Affairs, submitting a copy of a resolution passed by the Royal Commission on Indian Affairs in British Columbia, dated Tuesday, 20th May, 1913.

"The Minister observes that it is clear that the Agreement between the representatives of the Province of British Columbia and the Dominion does not contemplate an investigation and settlement of matters appertaining to general Indian policy in British Columbia. It is confined to matters affecting Indian lands which require adjustment between the parties.

"The Minister is of the opinion that it would be inadvisable to burden the Commission with the investigation of all matters that might be brought to their attention by Indians, many of which would be of slight importance not affecting the relations of the two Governments. Unless great care were taken misconception might arise in the minds of the Indians as to the action of the Commission if authorised to make a general investigation; the Commission having power to deal finally with all matters mentioned in the Agreement subject to the approval of the two Governments, but having only instructions to report and make suggestions as to other matters.

"The Minister submits that the Commission would, however, during its sittings in different districts of the Province obtain valuable information as to Indian conditions and progress and would probably form distinct opinions on these points and on the future policy which should be adopted by the Dominion Government towards the Indians of British Columbia.

"The Minister, therefore, recommends that the Commission be restricted in action to the terms of the Agreement but that the Commission be informed that this Government would be prepared to receive a general report on the conditions of the Indians with suggestions as to the future policy and administration of Indian Affairs in the Province of British Columbia, the Indians being distinctly advised concerning the scope of the enquiry under the Agreement and that the Commission will merely convey to the Government the views of the Indians respecting any matters extraneous to the Agreement brought to their attention.

"The Committee concur in the foregoing and submit the same for approval.

"(Signed) RODOLPH BOUDREAU,
"Clerk of the Privy Council."

In accordance with the directions contained in that Order, Your Commissioners heard representations made by the Indians on many matters extraneous to the Agreement, questioned the Indians with the intent to secure, as far as



Totem Pole, Alert Bay.



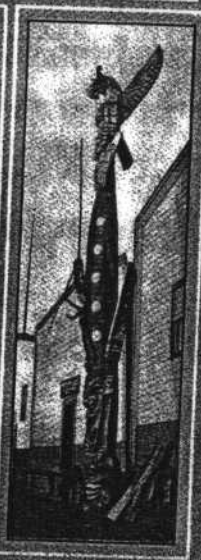
Indian House, Alert Bay, B.C.



Alert Bay, Totem Pole.



Totem Poles, Alert Bay.



INDIAN HERALDRY
Totems at Alert Bay and Fort Rupert, Kwakwaka'wakw Agency

possible, elucidation of their views, and in the examination of the Indian Agents sought to secure their opinions thereon. The views of the Indians and the opinions of the Agents are conveyed in the twenty-seven volumes of evidence transmitted with the Report of June 30th, 1916, on the work of the Commission within the scope of the Agreement, and insofar as such evidence bears on the social conditions of the Indians the same has been summarized in Schedule "C" in the sections of that Report dealing particularly with each Agency.

And Your Commissioners now beg leave to submit in the form of a "general report," as suggested in the said Order, the impressions formed as to Indian conditions and progress and the future policy it might be desirable to follow for the further advancement of the Indians.

CONDITIONS

No one who has informed himself of the condition of the Indians a half a century ago cannot but be impressed by the very great advancement that has been made. In the earlier part of that period the advancement was solely due to the self-sacrificing labours of the missionaries. The work they began and so wonderfully extended and carried on was buttressed by the wise policy of the Dominion in the establishment of schools and the appointment of Indian Agents to help on the advancement and safeguard the interests of the Indians. It was some years after the Union that the Dominion's Indian policy was effectually extended to British Columbia, but as the years have passed it has been broadened in its application and adapted to local circumstances insofar as the peculiar conditions consequent upon the land question admitted.

With the removal of the difficulties to which that question gave rise, there is no reason to doubt that Your Royal Highness's Government will be put in a position to pursue a still more progressive Indian policy in British Columbia.

To that end Your Commissioners respectfully submit the following suggestions:

ADMINISTRATION

Certain Agencies, for instance New Westminster, Kamloops, Lytton, Williams Lake, Stuart Lake and the Naas, are too large for supervision by one Agent and might each be so divided as to give ample work for two; the Kamloops and Lytton Agencies might be advantageously divided into three Agencies. Size of Agencies

In certain districts adapted to extensive farming, Farming Instructors might with beneficial results be attached to Agencies, as in the Prairie Provinces. Farming Instructors

In fruit growing districts there should be made for some years provision for more continuous instruction and more direct supervision of horticulture. Horticultural Instruction

The time has arrived when action should be taken to give the individual Indian security of tenure. That would give an incentive to individual effort and to the making of permanent homes, and Land in Severalty

would create a spirit of self reliance that can never be expected from a system of common Band ownership, where the Chief is the practical dictator as to what land a man may use or cultivate. From a system of holding land in severalty within the Band could be operated a plan which would gradually lead fit Indians to full citizenship, which should be the goal of an enlightened Indian policy.

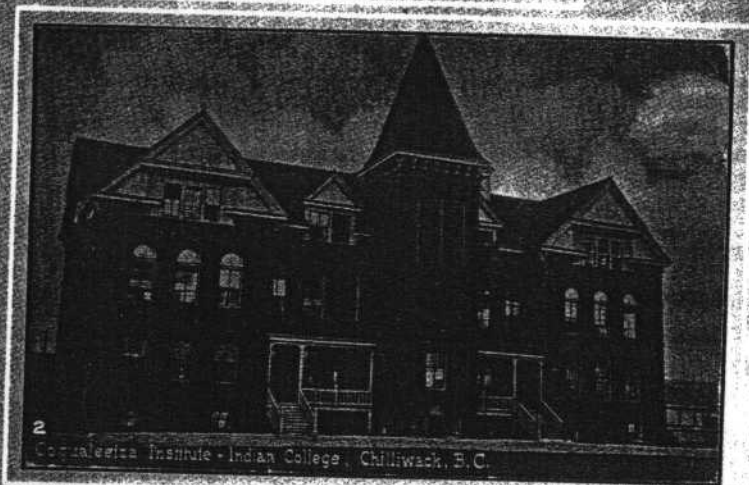
Utilization of
Waste Land

Much good land is kept from cultivation, or has lapsed into a wild state after years of cultivation, because the present holders under tribal customs are unable, through old age or extreme youth or from other reasons, to cultivate it; and under a system of allotment in severalty a similar condition, though not in like measure, would occur, for allotment would have to be made with equitable regard to established individual or Indian family interest, on a per capita basis, and there would be allottees unable to make use of the land by their own efforts through physical inability or lack of capital. To the casual observer unused cultivable land in Indian Reserves appears to be an evidence that the Indians are in possession of much more land than they require and that it should be thrown open for settlement by people who would make use of it. They are quite unaware of the cause of the condition that offends. That land should lie idle which could be profitably cultivated is detrimental to the common weal and a matter of regret. But it is unfair to the Indians that they should be blamed for a condition which in large measure they are unable to change.

There appear to be two means of remedy which might be operated together:

(a) A system under which holdings of Indians unfit through youth or old age or physical inability from cultivating them could be leased to responsible white men. It may be objected that it is undesirable to have whites in such close contact with Indians as such a plan would necessitate. While that objection may have been well grounded in certain parts of Canada, it does not hold good in British Columbia. Under the policy of the Colony "the natives were invited and encouraged to mingle with and live amongst the white population." That policy has rendered them in large degree immune from the dangers that might be feared from the suggested leasing system. There would be the benefit of neighbouring example to Indian tillers of the soil; the Indian owners of leased land would derive a revenue that would, added to their slight and often precarious means of livelihood, ensure them a comfortable subsistence; and what would otherwise lie idle and run wild would be made profitable.

(b) By providing a fund from which the Department, on the recommendation of the Indian Agent, might make advances to industrious and capable Indians able to farm more land than they have, or to fit school graduates unable to obtain sufficient land, for the purpose



EDUCATIONAL INSTITUTIONS

- (1) Bishop Christie School, Clayoquot; (2) Coqualeetza Institute, Chilliwack;
(3) Kuper Island Industrial School



B. C. INDIAN SCHOOL CHILDREN

- (1) Pupils of Alberni Industrial School; (2) Pupils of Crosby Girls' Home, Port Simpson;
 (3) Pupils of Indian Day School, Fort St. James

of purchasing the improvements, if any, and securing the rights to holdings of Indians unable to make proper use of them.

There have been but few instances in which Indians have expressed satisfaction with the medical attendance, and very many cases in which complaint has been made. Improvement might be effected (a) by appointing salaried physicians to devote their whole time to rendering medical attention to Indians and acting as Health Officers where there are a sufficiently large number of Indians within a reasonable radius with facilities of transport, and (b) where Indians are isolated by providing that medical attendance should be on call and the physician paid fixed attendance and mileage rates. Medical Attendance

The suggestion by Indians that a selected number of girl graduates of Indian schools giving promise of proficiency should, year by year, be placed in hospitals for training as nurses, with a view to returning to their Reserves to give their professional services to their people, is one worthy of favourable consideration. Such services would be more acceptable to the Indians than if rendered by others and would go far to furnish what is now lacking and is almost impossible to properly provide for in the medical treatment and care of the sick on Reserves. Nursing

While doubtful whether the question is one coming properly within the scope of this report, it is felt that the salaries of Indian Agents are not proportionate to the cost of living and not on a par with remuneration paid in other spheres for services entailing commensurate labour and responsibility. Salaries of Agents

Upon the question as to whether administration would be made more efficient if there was an executive head of the British Columbia branch of the Department of Indian Affairs, with authority, within defined limits, to act and authorize expenditures, the Commission is divided. Certain Commissioners hold that the administration of Indian Affairs in British Columbia would be facilitated and improved if the Agents dealt with the Department at Ottawa through a local executive who would have such powers as would enable him to act on matters of routine and emergency without reference to Ottawa. Others are not prepared to concur in that view, and also hold that the question does not come within the scope of the Commission's instructions. Local Executive

TIMBER

Almost all the Reserves fronting on the seven thousand miles of Coast line, are more or less timbered.

Many of these Reserves are covered with scrub or wood suitable only for fuel, with here and there some clumps of good cedar used by the Indians for making their canoes; but some of the Reserves, in the more sheltered waters, carry timber of valuable commercial quality.

It has also been noticed that much of the timber of commercial value is ripe and, from an economic standpoint, it would be wise to have such timber cut and sold before it goes to waste.

The reversionary interest of the Province in the Reserves, of course, stood in the way; but that being removed, the way is clear for a policy providing for the cutting and selling of timber and the application of the proceeds to the development of the lands of the Indians. While it is desirable that every practicable facility should be afforded Indians to clear land for cultivation, it would be advisable to allow them to clear and burn timber only in cases where the timber is of no commercial value, either on account of quantity or situation.

There are three methods by which the commercial timber could be cut:

(a) By giving logging permits to Indians when the amount of timber is small;

(b) By employing the Indians to cut the timber under the supervision of a knowledgeable foreman, the Department providing the necessary logging engine and other accessories, the working Indians to be paid wages and the surplus to form a fund for land development;

(c) To sell the standing timber at a specified price and with a specified time for removal.

Either the first or second method would appear to be the more desirable as they would lead to intelligent advancement in useful occupation.

AGRICULTURE

In some parts of the Province the Indians are engaged, in no small way, in farming and stock raising, providing not only what is required for their own consumption but a surplus for sale. This applies to the Okanagan, Kamloops, Williams Lake and Kootenay Agencies, as well as to parts of the Stuart Lake, Lytton, New Westminster and Cowichan Agencies.

In the first four named Agencies the Indians have, by their own exertions, developed into fairly good agriculturists with very little help either financially or by way of education, but rather by imitating white settlers, through employment on farms and otherwise. The time has now arrived when, in order to hold their own, some assistance in the way of advances to Indian farmers becomes necessary, just as it has been found necessary and has been provided for white farmers in this Province. While, perhaps they have reached a stage where they can clear and cultivate the land to a certain degree of efficiency, measures should be taken for the attainment of greater efficiency and for the improvement of their stock by the provision of pure bred sires. In these Agencies agriculture is certain to be practically their principal occupation.



INDIAN YOUTH AND AGE

(1) Old Moses Kelsemart, reputedly 115; (2) Caspar Kalispel and Wife, Cowichan Centenarians;
(3) Blind Tom, Port Simpson; (4) and (5) Skidegate Children

In the Stuart Lake Agency many of the Indians have, in recent years, taken to farming, and their efforts are indeed creditable. Stony Creek and the newly established Eúchinico Reserves are worthy of special mention, while in other Reserves they are doing well though on a less extensive scale.

This Agency affords a splendid opportunity for the establishment of an experimental farm in connection with an industrial school, there being very suitable land; and with the Indians now realizing the importance of this industry as their permanent occupation they would doubtless avail themselves of every opportunity to qualify themselves for the work.

The Indians of Cowichan, New Westminster and Lytton Agencies have a diversity of occupations, some being fishermen, while others are engaged in fruit growing, truck farming and, to a small extent, stock raising, according to their location and the climatic and soil conditions.

Although in the Coast Agencies the Indians are mostly fishermen, there is a tendency to utilize the limited areas of cultivable land; but, as the Indians leave their Reserves at different seasons to engage in fishing, thus causing neglect of the land cultivated and seeded, very little is being accomplished. Arrangements might be made by which some, who are too old or otherwise unfitted to engage in fishing, could be induced to remain on the Reserves and cultivate enough land to provide vegetables, which now are purchased and brought in at considerable cost, or are to a large extent dispensed with.

Taking the Province as a whole, the best means of encouraging agricultural development would be through the employment of capable practical men as farm instructors who would be able to interest and direct the Indians in the best methods of clearing and cultivating land and, by studying local conditions, secure the introduction of suitable varieties of fruit, grain, vegetables and stock. However competent the Agents may be, their many and varied duties preclude them from giving that direct attention to agricultural matters which the advancement of the Indians in the industry demands.

Tools, machinery and seed might in many cases have to be provided to enable Indians who have so far given but little attention to agriculture to take full advantage of such instruction in farming; but whatever expense might be thus entailed would be more than compensated for by the encouragement in production which would result in ample provision for their own requirements and eventually in a surplus for the markets adjacent to their Reserves.

WATER RIGHTS

The importance of securing, under the Provincial law, all requisite water rights for Indians cannot be over-stated. In the dry belt, water is an essential of the land. Without it the land is practically useless.

It is evident that in the past systematic care was not taken to secure water rights in connection with the land. It seems to have been taken for granted that the allotment of water by the Commissioners who set apart Reserves was sufficient, though there is grave doubt as to whether the Commissioners had such power. And, from the evidence of Indians and enquiries made, it appears that there are numerous records of water for Reserves not noted in the Schedule of Reserves, and of which it may be the Department has no official record. A good deal has been done of late to have Indian water rights established, and to compile accurate information as to their source, nature and extent. It would be well, however, to have a thorough checking up of the records, so as to make sure that every possible requisite right is recorded, and that the Indians are given priority where the same is establishable.

There are parts of the Province outside of what is strictly defined as the dry belt where water is in a measure required for successful farming, gardening and fruit growing, and, if in such localities water rights have not been secured for the Indians, steps should be taken to secure them.

And it must be remembered that where water is required for milling or other industrial purposes, or for domestic use from streams flowing through reserves, the Indians' right to the same must be secured under the law and recorded.

There are reserves in the dry belt where Indians have done remarkably well by their own efforts in bringing water on to the land. But there are many cases in which the providing for the proper utilisation of available water is too large and too technical an undertaking for the Indians, even when monetarily assisted by the Department. The direction of an expert is essential. Indeed it would be well to have an Irrigation Engineer go over the Reserves in the dry belt with a view to gathering information for detailed plans and estimates for the utilization of the water recorded for each Reserve, so as to ensure the best possible use thereof and prevent the waste which is now in many places quite considerable. A comprehensive scheme of water utilization could thus be effected for all the Indian Reserves in that part of the Province where without irrigation the land is of little or no use to the Indians; and when once properly put in operation, the system could be easily maintained.

SURVEYS

A great deal of misunderstanding which has led to serious difficulty has arisen on account of the decay or removal of Indian Reserve posts; and lines have become overgrown and obliterated to such an extent that the Indians have inadvertently extended their improvements beyond the boundaries of certain Reserves, to find later on that the lands thus improved were covered by timber concessions or had been otherwise alienated, while there are cases in which white men have



BRITISH COLUMBIA INDIAN BANDS

(1) Sliammon; (2) Squamish Mission; (3) Kincolith; (4) Seshelt; (5) Skidegate; (6) Bella Bella

unwittingly trespassed on Indian Reserves. This has caused considerable friction between the Indians and their white neighbours. To prevent this there should be an examination of the corner posts of all Reserves, and iron posts plainly marked should replace those destroyed or destroyable, and where boundary lines have been questioned by neighbours they should be retraced and clearly defined.

In cases in which the areas of Reserves have been diminished by erosion or other natural cause, or by the passing of unsurveyed roads therethrough, new surveys should be made so as to insure accurate record of acreage.

The area and location of new reserves constituted by the Commission are, in many instances, only approximate, and certain additional Reserves in unsettled districts have had to be allotted subject to location within extensive areas.

If the report of the Commission as to these Reserves is adopted, they should be definitely located and surveyed as soon as possible after such adoption, so that, without evitable delay, they may be conveyed to the Dominion.

For many years Mr. Ashdown H. Green has had charge of the surveys for the Indian Department, and is, without doubt, the best informed surveyor in the Province regarding Indian lands. He has a great amount of information which should be preserved for the future use of the Department; and in view of the extent of the survey work to be done it might be advisable to temporarily establish an Indian survey office at Victoria, with Mr. Green at its head, empowered to select assistants with the requisite local knowledge, to secure the expeditious and economical completion of the surveying of the new Reserves, the replacing of posts, the re-defining of obliterated boundaries in connection with old Reserves, and the compiling of the information of which Mr. Green is possessed. It will of course be understood that instructions to surveyors as to surveying new Reserves allotted by the Commission outside the Railway Belt must have the approval of the Surveyor-General of British Columbia, and in the case of new Reserves within the Railway Belt the approval of the Surveyor-General of Canada.

FISHERIES

Fishing and the policy in operation thereanent give very grave concern to the Indians. Many depend largely upon the fisheries as a principal means of livelihood; and with most fish is the chief article of diet, the fish being preserved by drying and smoking, and in few cases by salting, for the winter's use.

At all meetings which the Commission held with Bands outside of the strictly agricultural and stock raising areas, expression was

given to a sense of injustice consequent upon the operation of the fishery regulations as they directly bear upon the Indians.

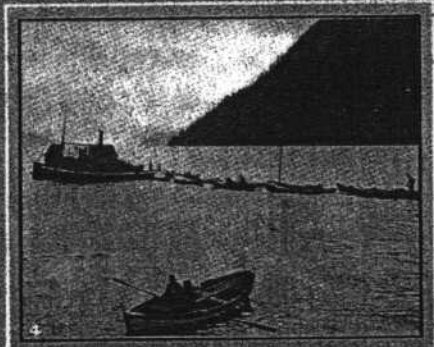
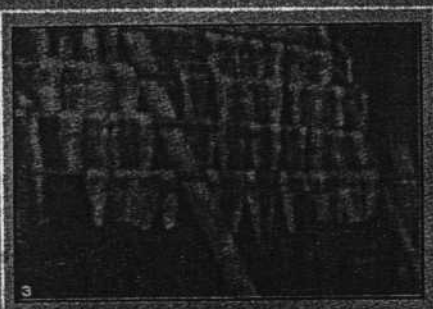
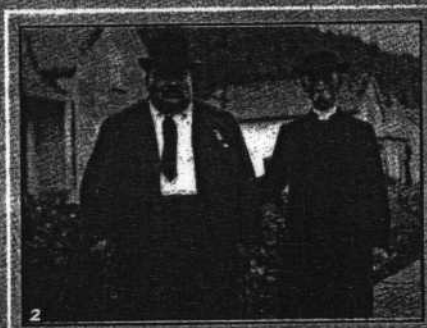
**Independent
Licences**

Throughout the several districts of Northern British Columbia wherein fishing is a principal industry and Indians form a considerable proportion of the population, such Indians have strongly represented to the Commission that they at present suffer through discrimination against them, in that they are debarred from fishing under what are known as "independent" licences. It has also been represented to the Commission, under oath, by some of these Northern British Columbia Indians that they are the owners of suitable boats and are in a position to provide requisite nets and gear to operate under such "independent" licences if allowed. These Indians have also represented to the Commission that the refusal to them of "independent" fishing licences is not a consequence of the exercise of discretion by the local Fishery Officers, but is the outcome of the deliberate Fishery policy of the Dominion insofar as it affects the northern waters of British Columbia. Such "independent" licences are issued to Indians of the Fraser River to their advantage and without any detriment to the public interest.

The Commission is unanimously of opinion that the Indians of Northern British Columbia are—but should not be—discriminated against in the issuance and use of these "independent" fishing licences; and that there is no authority conferred by the law, or intent therein expressed or suggested, for such class or racial discrimination. The Commission is of opinion that in the matter of "independent" fishing licences, applications of Northern British Columbia Indians should (as are the applications therefor of white fishermen and of Indian fishermen on the Fraser River) be considered and dealt with upon their individual merits and not refused because of the applicant being an Indian, the Indians of British Columbia being British subjects and as such entitled to equal consideration with their fellow British subjects.

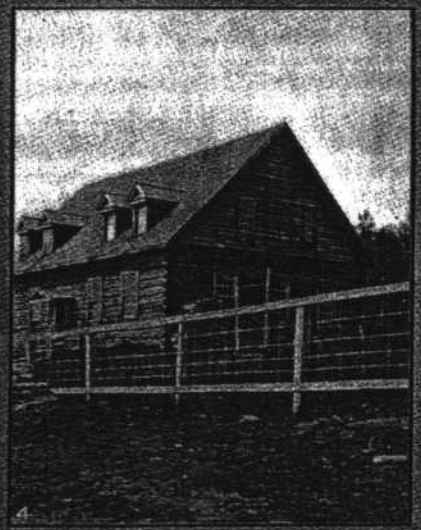
**Attached
Licences**

With respect to the allotment of "attached" fishing licences, general and widespread dissatisfaction also exists among the Indians of Northern British Columbia, the preponderance of Indian testimony received by the Commission herein being to the effect that Japanese fishermen are given preference over Indian fishermen. "Attached" licences are issued in blocks to the several salmon canneries, the number of such licences allowed to each cannery being in proportion to its size and importance; the cannery in turn allots such licences to fishermen engaged to fish with the cannery boats and gear, such fishermen being required to deliver their catch exclusively to the employing cannery. It appears to have been and to be the policy of the Dominion Department charged with the control of the fisheries to provide that canneries in the engagement of their fishermen under the attached licences allotted to such canneries shall give preference to the Indian fishermen of the locality wherein such canneries operate. The evidence of the



INDIANS AND THE FISHING INDUSTRY

- (1) Portable Fish Trap, Clayoquot; (2) Chief Allen of Kincolith, Prize-Winning Salmon Canner (with Ven. Archdeacon Collison); (3) Drying Halibut, Kelsemart; (4) Indian Boats Towing to Cannery; (5) A Typical British Columbia Salmon Cannery; (6) Fixed Fish Trap, Skin's Lake



EDUCATIONAL

(1) Alberni Industrial School and (2) Staff; (3) Rev. Fr. Coccola and
(4) Indian Day School at Fort St. James

Indians is, however, directly and emphatically to the effect that a reverse policy is pursued by many of the cannerymen, the Japanese fishermen being favoured both in the allotment of the attached licences and in the quality of the boats and gear issued to them. These Indians in their testimony declare that the alleged partiality of the management of canneries for Japanese fishermen is due to the fact that the Japanese are willing to and do operate on Sundays and during prescribed closed days of the fishing season, and that they resort to other illegal expedients in increasing the volume of their catch. The statement that Japanese fishermen are favoured on account of their greater dependability and continuity of service is contradicted by Indian witnesses, and the declaration is made by them that the Indian is fully as competent, reliable and successful a fisherman as the Japanese.

The Commission is of opinion that a policy designed to secure preferential treatment of Indian fishermen in the allotment and operation of attached licences having been adopted, the Fisheries Branch of the Naval Department (through its local officers) should see that the intention of the Department in this regard is fairly carried out, and that cannerymen refusing to engage Indian fishermen should be required to show reasonable cause for so doing.

In the beginning of the salmon canning business in the North and for years thereafter only attached licences were issued. Then independent licences were introduced, and the policy was adopted of diminishing year by year the "attached" and increasing the number of "independent" until the attached licences would cease and the canneries of the North, as those of the Fraser River, be made to depend upon the catch of independent fishermen for their supply of salmon. The Indians being debarred in the meantime from independent licences will in a few years be completely cut off in the North from the salmon fishing industry.

Take as an instance Rivers Inlet. The Commission is advised that this season the licences in operation, independent and attached, totalled seven hundred; of these, three hundred were independent and four hundred attached, the latter being divided between Indians and Japanese and possibly some others. Last year two hundred and twenty independent licences were issued, and of the attached licences the Indians received two hundred and fifty-eight. This year their share is much smaller by reason of the increase in independent licences. The result is that many Indians were unable to secure this season any fishing licences at all at Rivers Inlet. Indians from the West Coast and Kwawkwalth Agencies have fished in these waters for the canneries from the very inception of the industry, and they have come to depend upon their earnings as fish catchers for the canneries as their principal means of livelihood. The policy in operation makes dark their outlook. One cannot but marvel at the patience and forbearance they have

Complete
Exclusion of
Indians

displayed in the face of such unfair, inexcusable and most disheartening treatment. It is hard to believe that the policy has been deliberately entered upon; yet the evidence compels to that conclusion. It has no warrant in law. If it could be pleaded—and it cannot—that the early exclusion of Indians as fishermen in the northern waters was in the larger public interest, that would be no justification for the injury inflicted.

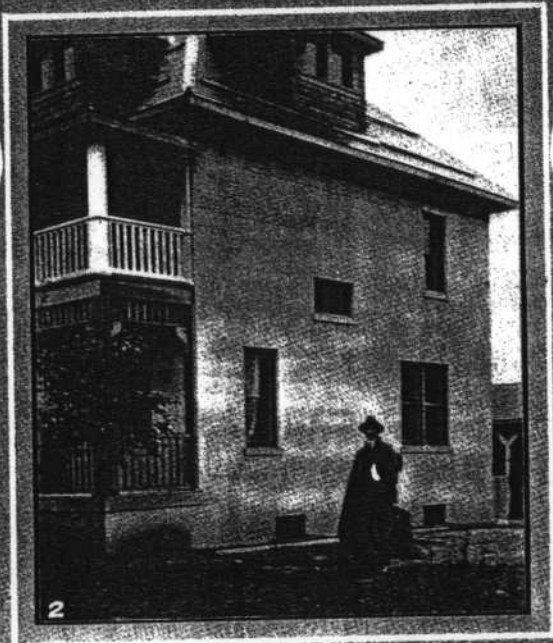
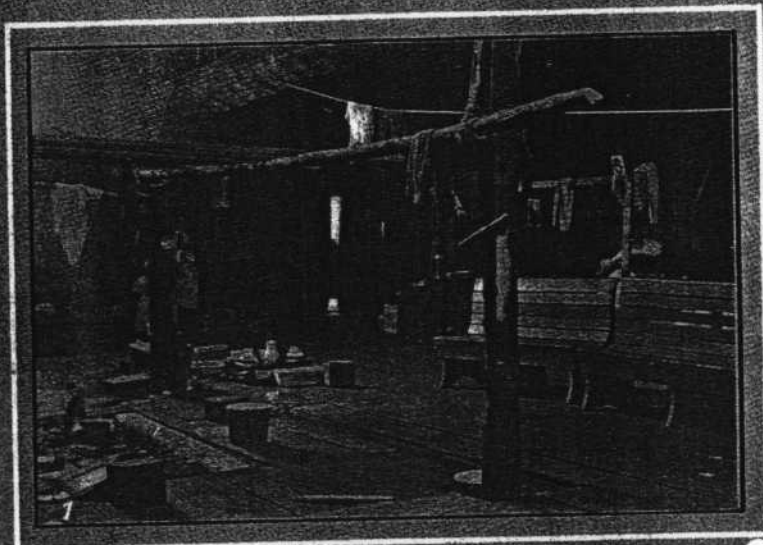
The Commission feels, however, that the Government of Canada cannot be aware that under one of its Departments a policy has been designed and is being enforced which will exclude the Indians of northern British Columbia from the salmon fishing industry; and that when the Government is seized of the unjust bearing of such policy upon His Majesty's loyal Indian subjects—the very men the canneries had to depend upon for fish in the beginning of the industry—prompt and effective remedial measures will be taken.

Indian
Fishery Plants

In 1875 Mr. Walkem wrote: "No good reason exists why 'Fisheries' such as those established by our merchants on Fraser River for curing and exporting salmon and other merchantable fish, should not be erected in suitable places for the benefit of the Indians, and in time profitably controlled and conducted by themselves."

That suggestion is still worthy of consideration. Indians who fish for commercial concerns have in evidence expressed the conviction that they are competent to engage independently in such industry. For instance, at the meeting with the Fort Rupert Band, Wallace Kwawkewlth stated that the Indians wanted the Government to help them "to make a cannery" for the Kwawkewlth people, "that," he went on to say, "we may have something to fall back on when the time comes when we will lose our chance of work at the canneries. We would like to can our own fish . . . and also to can the clams that are on the beach . . . and we would also like to have a place for cold storage in connection with the cannery," the purpose of the cold storage being, as was explained, to enable them to deal in halibut and various kinds of fish, as well as to engage in the business of salmon and clam canning.

It may be urged by others that Indians are not sufficiently constant in effort to warrant the establishment of businesses that would have to depend for success on their unintermittent labours. That, however, has been disproved by the veteran missionary, the Reverend William Duncan, who, with Indian fishermen and Indian labourers as shareholders, successfully carried on the business of salmon canning. A. E. Allan, a member of the Kincolith Band, has successfully operated a small cannery, and his product has been awarded highest honours in open competition with the product of other canneries at the Provincial Exhibition held at New Westminster. And Indians at Skidegate, Queen Charlotte Islands, established of their own initiative and con-



THE OLD ORDER AND THE NEW

(1) Typical Community House, Rivers Inlet; (2) Home of Indian Isaac Harris, near Larkin

ducted with success a dog-fish oil factory. When the Commission visited Skidegate the operators had, it was stated, \$1,500.00 in the bank to their credit.

Of course it would be necessary to have competent operative and financial management, and beginnings should only be made at places where experienced and dependable Indians are within reach, and then under agreement binding to regular work during the fishing season.

The fishing industry of British Columbia may be said to be still in its infancy. Large development may be looked for in the near future. Today it is almost exclusively confined to salmon canning and the shipment of halibut in cold storage to Eastern American markets. There are many other directions in which the curing of fish for home and foreign markets is sure to be developed.

That the Indian, to whom the Pacific waters are as his fields to the farmer, should be put in a position to make, not alone a good living, but a profit therefrom is a matter of an importance beyond the Indian interest alone; it is of public interest, for in proportion to the prosperity of the Indian is his contribution to the common wealth.

The question is difficult and complicated. So was the question of turning into cattle raisers and farmers the buffalo hunters east of the mountains; and similar wise administrative effort might have commensurate beneficial results if applied to the problem of Indian fisheries in British Columbia.

Throughout the printed "Schedule of Indian Reserves, 1913," will be noted references to the allowance and definition of special fishing privileges granted to Indians of British Columbia by former Indian Reserves Commissioners, both in the establishment and constitution of "fishing station" reserves and in the bestowal upon named tribes or bands of exceptional or even exclusive right to fish in certain particularized waters.

Special
Privileges

The Commission would suggest that the acts of former Commissioners in the bestowal of such rights and privileges be reviewed to the end that an authoritative and formal decision be given as to whether they had power and authority to grant such rights and privileges. If such rights are found to have been legally granted, steps should be taken to protect them. In the event of it being decided that such Commissioners went beyond their powers in so doing, then it should be considered whether the acquiescence of the Government therein and the definition of such rights and privileges in the printed Schedule issued by the Department of Indian Affairs have not given the Indians a moral right, which they by official action and usage have been led to believe is a legal right, which now should, if possible, be implemented, and if not possible in all or any case of implementation, compensated for in some form.

Streams in
Reserves

The merit of the claim advanced by certain of the Indians as to their exclusive right to take fish in streams flowing through their Reserves should also, in the opinion of the Commission, be authoritatively determined; and if such right be adjudged to be properly and legally enjoyed by such Indians, steps should be taken to protect the same, nor should the Indians be permitted to be deprived thereof without their formal consent and due compensation.

Fishing
Stations

With respect to small Reserves described and constituted as "fishing stations" and covering streams from which the Indians from earliest days have been accustomed to obtain their fish food supply, it has been in numerous instances declared in evidence by the interested Indians that the purpose and utility to them of these Reserves has been wholly or in large measure destroyed by the subsequent allowance of cannery seining licenses by which such "fishing stations" have been blanketed and rendered of no use to the Indians. It is even stated, in testimony taken by the Commission, that Reserve foreshore has been occupied in connection with the operation of cannery seines, without consent of or compensation to the Indian proprietors of such Reserves.

In the opinion of the Commission this question should be made the subject of careful inquiry so that the purpose for which the fishing stations were established may be preserved, and that no portion of an Indian Reserve be used or occupied in connection with the drawing of cannery seines without formal permission having first been obtained, with due compensation for the use of foreshore and Indian Reserve land.

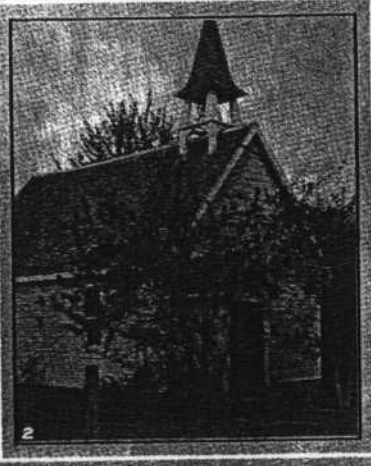
Peddling Fish

During the course of its meetings with the Indians throughout British Columbia, it has been repeatedly brought to the attention of the Commission that the drastic enforcement of the regulation prohibiting the sale of fish (except under fishing licences as prescribed) not infrequently operates harshly upon the older Indians who depend upon fishing almost exclusively for their maintenance, and who count upon selling a few odd fish in order to procure flour, tea, sugar, clothing and other similar present day necessities of the Indian's as well as of the white man's existence.

The Commission would suggest in this connection that consideration might advantageously be given to the desirability of providing for an Indian hawker's or peddler's special permit, under which the holder might, in specified limited quantity, dispose of fish taken at any season, for domestic consumption exclusively, in order to provide for the permit-holder's reasonable requirement of variation in food, and thus, doubtless, prevent his becoming a suppliant for Departmental aid.

HUNTING

Much dissatisfaction has been expressed by Indians over the Province with the game laws and the enforcement thereof. The



INDIAN CHURCHES OF B. C.

(1) Fort George I. R. No. 2; (2) Alberni; (3) Pemberton; (4) Fort St. James Mission;
(5) New Songhees; (6) Stony Creek



BRITISH COLUMBIA INDIAN TYPES

(1) Chief, Chief Councillor and Elected Council, Kincolith; (2) Ahousaht Women; (3) Chiefs and Head Men of Kwawkwalth Nation, at Alert Bay; (4) Long Charlie and Family, Stellaquo

Indians are entitled to special consideration. They are not destroyers of game, and in many parts, though in varying degrees, game is counted upon by them as an important food supply. The question should not be incapable of adjustment; but it is thought that it is one that should be taken up directly by the Dominion Government with the Government of the Province, with a view to the removal of the cause of the Indians' grievances.

TRAPPING

As settlement extends, trapping gradually vanishes as a profitable business. There are, however, parts of the country in which it is still followed with profit and parts which are peculiarly and almost exclusively adapted to fur raising. But conservation must replace crude methods or the fur industry will soon cease to be of appreciable importance.

In 1875, the Hon. George A. Walkem, then Attorney-General of the Province, wrote:

"It is a notorious fact that valuable fur bearing animals—large and small—are wastefully and even wantonly destroyed at unseasonable periods of the year." He thought that the Indians should be taught to regard the localities productive of fur, but, generally speaking, unsuitable for agricultural purposes, "as fur-preserves, to avoid indiscriminate slaughter, to kill only at proper seasons of the year, and to carefully protect a source of wealth" which is "now gradually but too surely" being destroyed.

The Indian trapper had always regard for the preservation of animals whose pelts made merchantable fur. He was indeed the first fur-farmer. The beaver grounds of different family groups were, for instance, well recognized and care was taken to make them a continuous as well as an immediate means of profit. Fox dens too were protected. And the Indians who make fur trapping a principal occupation today have as keen an eye to the future as their forebears.

The danger to the fur industry today comes from casual white trappers who have no interest beyond the profits of the day. Indians have frequently made grievous complaint of the use of poison by such men. Breeding grounds, fox dens and beaver and muskrat houses are destroyed. Even the Indian trapper's right to his traps as placed has been ignored, and in some cases his traps have been destroyed. The Department of Indian Affairs has no authority over trapping in the Province other than it may have on Indian Reserves, but it might be well to make direct representations to the Provincial authorities with a view to devising means to put a stop to such predatory proceedings.

In 1875 Mr. Walkem suggested fur preserves. That is an idea yet worth considering. But the success which white men have met with in fur-farming in this Province, and more particularly in Prince

Edward Island, suggests that the introduction of fur-farming among Indians living in localities suitable to that industry and not much fitted for any other, is a subject deserving of serious consideration. The Indian's instinctive knowledge of nature and his familiarity with the habits of wild animals, would seem to go far towards making him a successful fur-farmer. And it would appear as if the time is not far distant when, if fur is to remain a valuable product of British Columbia, the ancient methods of procuring it must in large measure give way to new.

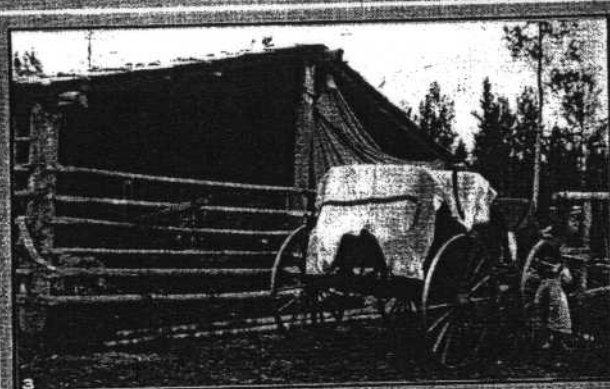
EDUCATION

During Colonial days no particular provision was made by the Government for the education of Indian children. The first teachers were the missionaries who early saw that the education of the youth was a requisite of progress and permanency in the civilizing and christianizing of the natives. As early as 1861 a boarding-school for Indian children was established by the Oblate missionaries at St. Mary's, near what is now Mission City, and in 1864 the Church Missionary Society established a school on the Naas. Instead of ignoring the work of the Churches, the Dominion Government, through the Department of Indian Affairs, builded upon it; and today there are eight industrial boarding-schools with an enrolment of 492 pupils, ten boarding-schools with an enrolment of 398, and 45 day schools with an enrolment of 1367 pupils. The total enrolment at the schools out of an Indian population of about 25,000, is 2257 and the average attendance 1323.

The Commission has been impressed with the quality and extent of the work which is being done. Indian education was given a marked impetus under Mr. Duncan C. Scott, as Superintendent of Indian Education, and, as Deputy Superintendent General, he is, within the measure of the means provided, continuing the work of modernizing the buildings and equipment, and developing and extending the system. It is in no fault-finding spirit, therefore, that the Commission offer the following suggestions:

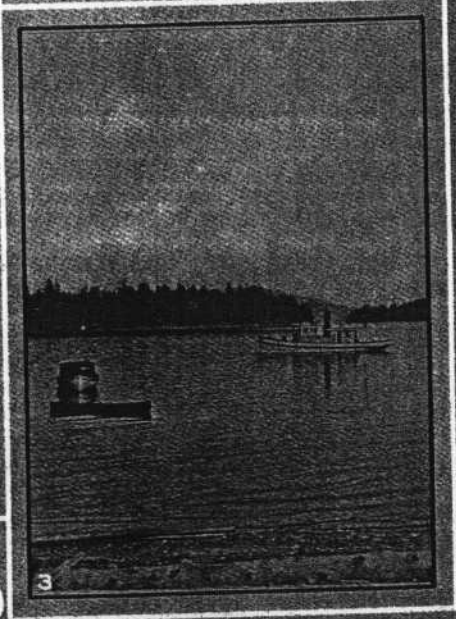
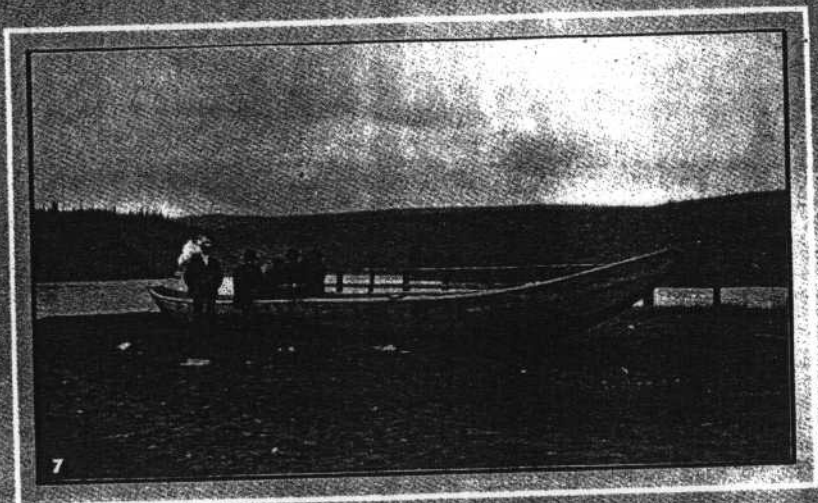
(a) That in farming districts more practical and scientific training be provided for the Indian pupils who are destined to make farming their occupation;

(b) That in the schools, especially on the West Coast, where Indians must depend and must continue to depend almost exclusively upon fishing, some system should be devised of training the Indian boys as fishermen, lest, being long removed during residence at boarding-schools from the influences which at home would make fishermen of them, they grow up unfitted to continue the work of their fathers, instead of being so trained as to improve upon the methods of their forebears;



INDIAN FARM HOMES OF B. C.

(1) and (2) at Pemberton Meadows; (3) Shewing Care Taken of Vehicles and Implements at the Home of Chief Trout Lake Johnnie of the Euchinico Band



INDIAN ARTS AND CRAFTS

- (1) Cottonwood Canoe Cut from a Single Tree, Quesnel; (2) Indian Boy wearing Sweater made from the Wool (of Sheep also raised on the Reserve) by Songhees Women of Discovery Island Reserve; (3) Steamer "Lyacksun," Built and Owned by Indians of the "Lyacksun" Band

(c) That provision should be made for the thorough training in industrial arts of Indian youths who have not aptitude for, or will not in after life have opportunity of occupation as fishermen or farmers;

(d) That, in as far as possible certificated teachers should be employed and the curriculum of the public schools of the Province followed, so that pupils of Indian schools could be prepared where desirable for the examinations, the passing of which are necessary to higher studies under the Provincial system;

(e) That if the per capita system of Governmental aid to Indian boarding-schools is to be continued, the per capita grant should be kept proportionate to the cost of living, so that the educational work will not be crippled or disadvantageously interfered with through the effect upon the management of financial stringency; and

(f) That a system should be devised for establishing school graduates in the occupations for which they have been trained.

It may be added that, while the Commission is pleased with the present educational system and its promises of progress, there are members of the Commission inclined to the view that it would be better if the Government had the direct control and management of all Indian schools and was charged with the full cost of maintenance.

LIQUOR LAW

Frequently at meetings of the different Indian Bands the question of fines imposed on Indians under the clauses of the Indian Act relating to liquor have been discussed, and Mr. George Jay, Police Magistrate for the City of Victoria and also Stipendiary Magistrate for the County of Victoria, which includes the several Indian Reservations situate in Saanich, Esquimalt and Sooke Districts, has made the following statement and suggestion to the Commission:—

“Under the terms of the Indian Act, Sec. 137, an Indian who has in his possession any intoxicant is liable to a fine of not less than \$25.00 and under Sec. 144 an Indian who is found in a state of intoxication is liable to a fine of not less than \$5.00.

“In those cases in which an Indian is found in possession of an intoxicant it is usually confined to a bottle of whiskey or gin, and sometimes only a small flask.

“The penalty of \$25.00 is an inducement to the possessor to consume the liquor as rapidly as possible, as he knows that if only charged with being drunk he escapes with a fine of \$5.00 only.

“The penalty of \$25.00 was fixed by Statute some years ago at a time when it was a practice amongst a certain class to supply large quantities of liquor to Indians in remote Reservations.

"With regard to fines for being under the influence of intoxicating liquor, it frequently happens that an Indian appears in the Police Court at the same time as white men charged with the same offence. The practice for many years here has been in the case of those other than Indians to impose a fine of \$2.00 for a first offence and a slightly increased fine in the case of a second or subsequent offence; but with regard to the Indians a Magistrate has no alternative but to impose the minimum fine of \$5.00, which must to the Indian appear to be a marked discrimination against him.

"I would respectfully recommend that the Indian Act be amended with regard to the penalties for those offences by allowing Magistrates wider discretion and by eliminating the provisions as to minimum fines, thus leaving it to the judgment of the Magistrate dealing with the offence to impose such fine as may in his opinion be proper, not exceeding, of course, the maximum fine provided in the Act.

"I may add that I have resided at Victoria for the past 45 years and have had much experience of the habits of the Indians of the southern portion of Vancouver Island and the Islands of the Gulf."

Your Commission are of the opinion that, were these suggestions followed, it would tend to remove from the Indian the feeling that he is looked upon with contempt and his race deemed unworthy of being treated in a manner similar to other British subjects in His Majesty's Dominions, and that the greater latitude allowed to Magistrates in their discretion, would have a tendency to elevate rather than debase the Indian.

INDIAN ACT

There seems to be a desire among the more intelligent of the Indians to understand the terms of the Indian Act, and it appears to the Commission that, were copies of the Act furnished to such Indians, the result might be beneficial.

All of which is most respectfully submitted.

N. W. WHITE, *Chairman*,
J. A. J. MCKENNA,
S. CARMICHAEL,
J. P. SHAW,
D. H. MACDOWALL,

Commissioners.

Victoria, B.C., 30th June, 1916.