

Royal Commission on Indian
Affairs for the Province of B.C.

OKANAGAN AGENCY

1913

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

MEETING WITH THE SPULMACHEEN or ENDERBY BAND OF INDIANS ON
THEIR RESERVE AT ENDERBY, B. C. October 2nd, 1913.

In opening, the Chairman explained the Text and object
of the Commission.

ISAAC HARRIS was duly sworn as interpreter.

and

CHIEF EDWARD CLEMAH, addressed the Commissioners as follows:-

"What I think is, that the Indian Affairs Department
has administered the Reserves before, therefore, I wish
that it should be carried out right through by the same
administration. I think that these reserves should be the
same all the time, and I am afraid to have the boundaries
disturbed. The Queen long time ago put posts in this
reserve and said "We are done. This is your land, and she
said that no one was to break this". She also said that
you Indians and whitemen were to work peaceably all the
time, and that is the reason I am making you a reserve."
That is all right through and I don't want to fix it over
myself again, and I don't want anyone else to fix it over
again. I think that the Indians and the whites are quite
peaceable at the present time, and getting along fine -.
That is all I have to say."

THE CHAIRMAN:- Does anyone else wish to speak?

BIG LOUI AND OTHER MEMBERS OF THE BAND REPLIED,
that the Chief had said the words, "And we all think he is
right."

THE CHAIRMAN:- Do I understand you, Chief to be speaking
for the whole band?

THE CHIEF:- Yes, I am speaking for the whole band.

Q. Is there anyone here who will give some evidence
- sworn evidence I mean - regarding the size of this
reserve, the population, what you do for a living,
what stock you have, and such other information as
may be deemed necessary.

WILLIAM ANDREW WAS DULY SWORN TO GIVE EVIDENCE.
THE CHAIRMAN:- You are a member of the Spulmacheen Band?
A. Yes.

Q. What is the population of the band, that is men, women and children.

A. I don't know - Sam Pierre knows. [p.1]

THE CHAIRMAN TO INDIAN AGENT BROWN:- How many reserves do they own here? [p.2]

AGENT BROWN:- Three sir.

THE CHAIRMAN, perusing map:- Yes, one is the Salmon River Reserve, the other is the Enderby, and the other a small graveyard containing about 3/4 of an acre.

THE CHAIRMAN TO THE WITNESS:- Well now Salmon River Reserve contains about 3853 acres, does it not?

A. I don't know.

Q. Do you know how many acres the Enderby Reserve contains?

A. No, I just see the posts of the Spulmacheen Reserve.

Q. Is this the Spulmacheen Reserve?

A. Yes.

Q. I suppose the Salmon River Reserve and the Enderby Reserve Indians live on both of them, do they?

A. Yes.

Q. How do these Indians here make their living?

A. We work, we do anything.

Q. You work outside at any work you can get - you work in the Reserves and off the Reserves I suppose, do you?

A. Yes, when we have no work on the Reserves we work outside the Reserves for the Whitemen.

Q. What wages do you get?

A. From \$2.00 to \$2.50 a day.

Q. What kind of work do you do on the Reserves?

A. We farm. We put in seeds.

Q. I suppose you have cattle and sheep?

A. We got no sheep, but we have horses and cattle.

Q. Have you any pigs?

A. We used to have some pigs but they seemed to be too much bother.

THE CHAIRMAN:- Do you know how much land the Indians here have under cultivation.

A. Quite a few acres.

Q. Can you give me any idea how much - I don't want to get it to the acre but just approximately?

A. I guess the white people know - Personally at my place the machine thrashes from one day to two and a half days.

Q. Where is that?

A. At Salmon River Reserve, and this year I put in a hay crop and a potato crop.

Q. Did you get a good crop?

A. Yes, I am selling it now.

Q. Can you give me any idea how much cleared land the Indians have on the Salmon River Reserve - By cleared land I mean land that you can farm?

A. What do I have to tell you for.

Q. Well we want to know just in what state your Reserve is.

A. The Chief is here and he is looking after the whole thing.

Q. Do you decline to answer the question?

A. No - The Chief is here, and whatever he says I don't want to say anything about it.

Q. Well then I will ask the Chief if he is disposed to answer the question - I am not going to force it, because I can get the information elsewhere. I am only asking you for this information for the purpose of giving you a show.

A. If you want to find out, you can go and see and follow the lines yourself.

Q. Well we don't intend to do that. We will try and get the information elsewhere.

A. I don't want to say anything about it - The Chief is here and let him tell you.

[p.3]

THE CHAIRMAN:- I will ask the Chief if he will, answer this question.

[p.4]

THE CHIEF:- All the land that is able to be worked is already ploughed up.

Q. How many acres would that be?

A. I never surveyed it but I know where the boundary lines are, but I cannot read or write and can't tell you how many acres - Any land that is fit to be cultivated it is cultivated and the crop is taken off and used for the benefit of the Indians.

Q. So any land in this reserve that is ploughed up is being farmed for the benefit of the Indians, is that so?

A. Yes.

Q. How much is there of that land that is cleared?

A. I have already told you I don't know the acreage.

MR. MACDOWALL:- Would you say one-half or one-quarter of it?

A. Pretty nearly $\frac{1}{2}$, not quite $\frac{1}{2}$ is cultivated.

Q. How much of the other reserve, I mean the Enderby or Spallumcheen Reserve is under cultivation?

A. About the same proportion, anything that is fit to be cultivated is cultivated, and I think about $\frac{1}{4}$ of the whole reserve is under cultivation.

THE CHAIRMAN:- Do I understand you to say that that is all that is fit for cultivation on both reserves?

THE INTERPRETER:- The witness means the cleared land of the Spallumcheen reserve.

THE CHAIRMAN:- I see what you mean - You mean all the land that is cleared is under cultivation, is that so?

A. Yes, that is what I mean.

Q. What about the land that is not cleared - If it was cleared would it be good land?

A. Yes the land is good, but the Indians don't want to destroy the timber in a hurry. [p.4]

MR. SHAW:- Is that the same on the Salmon River Reserve - [p.5]
Is the land good there too?

A. The Salmon River Reserve, part of it is mountainous.

DR. McKENNA:- What proportion of it is mountainous?

A. I don't know.

Q. Would it be a quarter or a half?

A. It might be a little better than a quarter.

MR. SHAW:- Is there some land on that reserve which if it was cleared would be good land?

A. There is some, but it would be very small.

MR. WHITE:- Do you raise any cattle?

A. Yes, we raise cattle.

THE CHAIRMAN:- Do you know another Reserve called the Sicamous Reserve?

A. Yes, Sir.

Q. Does anyone live on that Reserve?

A. When the Indians are fishing some people live there, but it is a fishing station.

Q. They only occupy it temporary for fishing purposes is that all?

A. Yes.

Q. They don't farm it at all?

A. A long time ago they used to crop it.

Q. Is it good land?

A. Yes, good land.

Q. No farms on it though?

A. No, nothing. A long time ago there used to be.

DR. McKENNA:- When you speak about the Sicamous Reserve, do you mean the Reserve at Mara Lake or the old reserve called Sicamous?

A. Right at Sicamous - One end of it the railway goes through.

THE CHAIRMAN:- This Reserve is said to contain 201 acres, is that right.

A. Yes, I think that is right. [p.5]

DR. McKENNA:- Where is that Reserve that you speak of? [p.6]

A. The railway goes through across the river from the C. P. R. Station.

Q. Is it the main line or a branch line?

A. Yes the main line.

THE CHAIRMAN TO THE INTERPRETER:- Ask the witness if he is not speaking about the little Reserve at Sicamous across the river from the town of Sicamous.

NO ANSWER.

DR. MCKENNA:- Is there not another Reserve at Mara Lake?

A. We Indians know this place at Mara Lake, but all the people speak about the Reserve across the river.

THE CHAIRMAN:- Do you know where this place at Mara Lake is, have you ever been there?

A. Yes, I see it, but the Indians do not claim it, they say that the other Reserve is theirs.

Q. I am going to say this, that the Indians disclaim it, is that right?

A. Yes, that is right.

DR. MCKENNA:- It is about 3 or 4 miles down the line from Sicamous?

A. I don't know anything about that Reserve on Mara Lake. All I know is that our Reserve is at Sicamous and there is a graveyard there.

MR. SHAW:- How large is that Reserve at Sicamous?

A. I don't know how big, but I see the posts there myself.

Q. How long ago is it since the Indians cropped it?

A. I don't know how many years ago, but I was there this Spring and I saw where the Indians had potatoes there.

THE CHAIRMAN:- Can you give us any idea how many acres were cultivated?

A. When that Reserve was cultivated at that time, it was cultivated by hand in raising potatoes not by horses.

[p.6]

MR. SHAW:- Did you ever see any potatoes there that the Indians had planted?

[p.7]

A. I used to see them when I was a boy.

Q. Did you ever see a Chinaman planting potatoes there?

A. No.

MR. WHITE:- Is Mara Lake a Fishing Station - Can you catch fish there?

A. Yes, there is good fishing in Mara Lake.

DR. MCKENNA:- Do you Indians go there to fish?

A. Yes, we always go to Mara Lake to fish.

THE CHAIRMAN:- Do the Indians use it for a camping place while they are fishing?

A. They just go through it towards Sicamous.

DR. MCKENNA:- They have no houses there?

A. No.

THE CHAIRMAN:- I understand they don't stop there at all for fishing purposes, but they go right past it?

A. Yes.

DR. MCKENNA:- Do they fish at Sicamous at the old Reserve?

A. The Indians used that for a fishing station a long time ago. Before the whites came they used to put in a trap across the river where the bridge is now.

Q. That is where they got the salmon?

A. Yes.

THE CHAIRMAN:- Have you any idea what that Reserve at Mara Lake is like - Is it good land?

A. No good.

DR. MCKENNA:- Is it rocky?

A. Yes, rocky.

THE CHAIRMAN:- I suppose in farming the land here you use agricultural implements do you at Salmon river and Enderby?

A. Yes Sir, we use all kinds of machinery. [p.7]

THE CHAIRMAN: This land which you say you farm, is it divided up among the Indians in any way? I mean does each man have his own farm? [p.8]

A. You know it is all divided up. One man works a piece, the other man ploughs a piece, and the others do the same.

MR. MACDOWALL:- Do all the Indians farm?

A. Some of them got no machinery and they don't farm.

Q. What do they do?

A. They work the same as any Whiteman for others.

Q. Do they make a good living?

A. Yes, they make a good living.

THE CHAIRMAN:- Do you farm?

A. Yes.

Q. Well, I suppose you farm the same piece of land every year do you?

A. I am just the same as a whiteman. I work my ground all the time, and everyone who has ground works their ground.

MR. MACDOWALL:- How many are there who don't farm - I don't want the exact number you know, just approximately?

A. Just the young people who don't farm, like the single fellows who have not got their own homes.

DR. MCKENNA:- Do the Indians of this country make their living principally by farming and cattle raising?

A. We are just like you are - We all eat of the land just like the white people or chickens. They all eat off the land.

Q. Do they depend upon hunting and fishing for their living?

A. They are able to pick up anything to eat from the land like the white man.

[p.8]

DR. MCKENNA:- You said in the first part of your examination [p.9] that the Reserves were timbered, and that you did not want to destroy the timber in a hurry, did you mean by that that you wanted to use this timber for firewood?

A. Yes, we want to use that for firewood and other improvements.

Q. What do you mean by OTHER IMPROVEMENTS, what improvements do you mean?

A. If I want to build a house, I can make the timber into a house.

MR. SHAW:- Do the Indians cut and sell any of this wood?

A. Yes, we cut and sometimes sell a little.

DR. MCKENNA:- Do they sell saw-logs to the sawmill?

A. A little.

MR. SHAW:- Are there any of these men who do not farm?

A. Yes, I told you before there are some of the young men who do not farm.

Q. What is the reason they don't farm?

A. Just like any of the other white people. The young white people have not got their own place.

Q. Suppose a young Indian wanted to have his own place, is there land enough for him to have his own farm?

A. Yes, he can get land any time he wants it. Just as I said before, the inside of the boundary lines is all our land, and each one who wants to work his land is entitled to a piece.

Q. Is all the land taken up that way by separate farms?

A. There is land left, it is not all taken.

Q. Do you Indians sometimes trade farms one with another?

A. Just among ourselves, but we don't sell any to outsiders. [p.9]

MR. SHAW:- Would you like to have a Title to your land? [p.10]

A. As I said before, "Is the Queen's word no good"? The land is placed for me already.

Q. That is placed for the Band, but would you or the other Indians on this Reserve like to have a Deed for their own farm so that they could sell it not only among themselves but to an outsider?

A. I want to know whether the Queen's word was no good.

THE CHAIRMAN:- You are content with things as they are and you want them left as they are?

A. Yes. God made me here and the Queen is next to God, and she told me "that this land is yours" and I don't want to have it made over again.

Q. And you want to be protected by the Dominion Government as the Indians are now?

A. Yes, whoever fixed my reserve before I want to have the same all the time.

SAM PIERRE IS DULY SWORN BY MR. WHITE TO GIVE SWORN TESTIMONY.

THE CHAIRMAN:- Do you belong to the Spallumcheen Band?

A. Yes sir.

Q. Are you acquainted with the two reserves that are situated here?

A. Yes.

Q. How many acres are cleared on the Salmon River Reserve and under cultivation?

A. I will ask you a question first. What do you intend to do with the land that is already under cultivation. If you will tell me your purpose, I will explain it all.

THE CHAIRMAN:- I can't say anything about that until we find out what the character of the Reserve is like.

WITNESS:- I am in the same fix, and would like to know what is going to be done with the land that is already under cultivation. [p.10] [p.11]

THE CHAIRMAN:- We are not here to be examined by the Indians. We are here to examine the Indians, and if we cannot find out what we want here we will find it out elsewhere. Do you know that we could place you in prison for not answering our questions? We have all the powers of a Court, and we can deal with persons who refuse to answer questions as Contempt of Court, but we don't intend to go that far.

WITNESS:- I want to find out right here in Court to-day what is right myself, and what was your object for putting me in gaol.

THE CHAIRMAN:- Because you did not answer our question - But we don't intend to do that - I am only telling you what powers we have.

WITNESS:- Well if you will tell us, I will tell you the whole thing.

THE CHAIRMAN:- I won't tell you anything. If you don't want to tell us, we will get the information elsewhere.

INDIAN AGENT J. ROBERT BROWN IS HEREUPON SWORN TO GIVE EVIDENCE.

THE CHAIRMAN:- You are Indian Agent in this Agency?

A. Yes.

Q. Have you been over this Reserve, I mean Salmon River, No. 2?

A. Yes.

Q. How many acres of this is cleared?

A. It is mostly prairie land and mountain.

Q. How much of it is mountainous?

A. Well I should say about one-third of it is mountain.

Q. And the rest?

A. Principally prairie and open land.

Q. How much of it is under cultivation?

A. About half - Nearly all the arable land is used for [p.11]
pasture - all the land that is not cleared, is practically [p.12]
all mountain or timber.

THE CHAIRMAN:- What is the character of the Enderby Reserve?

A. All timber except what has been cleared - I should
judge about 1,000 acres out of the 6500 acres. Of
course I am only speaking approximately.

Q. I suppose in that timbered land there are no residents?

A. No, except where a person is clearing or starting to
cultivate.

Q. And there are patches of that sort?

A. Yes.

Q. What farming implements do they use?

A. They have ploughs, harrows and seeders.

Q. Do they use binders?

A. Yes, and down at the Salmon River Reserve they have all
kinds of modern machinery.

Q. Modern rakes?

A. Yes, and purchased by themselves and with their own money.

Q. How are these Indians off for money. I mean from the
standpoint of wealth?

A. They are all in good circumstances - Some of them are
practically independent.

Q. What is the character of these young men who do go out
to labour - Are they constant, or are they casual?

A. Well some of them are exceptionally good, and others
again are not so good.

MR. WHITE:- Have they any cattle?

A. No, not very many cattle.

DR. MCKENNA:- Is it the custom when an Indian marries to take up land?

A. Yes.

Q. So that really the Indians who have not taken up land are those who are not yet married; but the custom is that when they marry they take up land & build a house.

[p.12]

A. Yes.

[p.13]

THE CHAIRMAN:- Can you give me any idea of the cattle they own?

A. I could by looking up my papers.

Q. But just approximately?

A. Well, I should judge they have not more than 100 head of horned cattle on the two Reserves - They have all the horses they want to do the work.

DR. MCKENNA:- How many horses would you say they have?

A. I should judge about two or three hundred head of horses.

Q. Have they any stallions?

A. Yes, I believe they have.

MR. SHAW:- How long have you been an Indian Agent?

A. Just over 3 years.

Q. How does the stock of horses and cattle stand since you first visited this reserve?

A. As far as I can see, there is very little difference.

DR. MCKENNA:- Do they do any domestic dairying?

A. Very rarely. You will very seldom see an Indian milk his own cows for market purposes.

CHAIRMAN:- I suppose you can't tell how much the farming implements amount to?

A. Yes, I have them here.

CHAIRMAN:- Never mind now, we will get that from you later on.

Q. Well now in regard to the Reserve at Mara Lake, what about that?

A. Well there is a Reserve there which is mostly all rock. No one lives there and on one will acknowledge it.

Q. You don't know under what circumstances?

A. Well I wrote to Ottawa two or three times stating that the Indians objected to Mara Lake reserve and wanted their line at Sicamous. They requested me to go and see the

Sicamous Reserve, but the Inspector thought it was not
{p.13] *necessary as the Department did not own it.* [p.14]

DR. MCKENNA:- *Who owns it?*

A. *I don't know who owns it.*

Q. *Did you report to the Department?*

A. *Yes, but the Department stated it was not theirs.*

CHAIRMAN:- *What is the population of these Indians?*

A. *168 on these two reserves.*

Q. *Have they got a village?*

A. *Well hardly a village - they live as farmers.*

DR. MCKENNA:- *They live on their own land, do they?*

A. *Yes.*

MR. WHITE:- *Have they a church?*

A. *Yes.*

Q. *What is this building?*

A. *A Council House.*

MR. MACDOWALL:- *I suppose there are about 50 or 60 children*
out of the 168?

A. *There are about 40 men and 40 women, and the balance*
children.

DR. MCKENNA:- *How many would there be of school age?*

A. *I can't tell you.*

Q. *Have they a day school on this reserve?*

A. *No sir.*

Q. *Where do the children go to school?*

A. *They don't go to school.*

Q. *Do none of the children go to school?*

A. *No sir.*

Q. *Is there no boarding school they could go to?*

A. *There is a boarding school at Kamloops, and I believe*
the Chief had a child who went there.

Q. *Are the Indians anxious to have a school?*

A. *The late Inspector and myself were desirous of having*
a school and we wrote for seats, but the Indians refused
to have anything to do with it.

[p.14]

Q. *Why?*

[p.15]

A. *I can't tell you - They simply said they did not want to*
have a school.

MR. FORTUNE WAS HEREUPON EXAMINED IN RESPECT TO THE
ENDERBY RESERVE.

THE CHAIRMAN:- Now Mr. Fortune we shall be glad to hear
what you have to say.

MR. FORTUNE:- I have lived here with the Indians for a
very long time - 47 years - There were no Indians
when I came here first - I took up the land when there
were no Indians in the place in 1866.

CHAIRMAN:- What is your first name?

A. Alexander L. Fortune.

I saw no signs of any Indian encampment when I came
here, but I learned when I came back that the Indians
were in the habit of coming here during the salmon
time. Then in the following year, that would be in
1867, there were somewhere about 22 Indians composed
of men, women and children and they told me that this
place was their home. They told me that some years
previous, I expect it would be 1862, that there were
quite a large number of Indians here and small-pox
had killed the most of them. I could quite understand
that because I had travelled through the country and
found that the Indians had suffered very much with
the small-pox in that year, and some of the Indian
women showed me some of the bones of the Indians which
had just been put under the surface of the ground.

They had one little patch of potatoes, I should say
about 5 or 6 yards square that I saw when I came here
in 1867 and the grass was growing up amongst them.

I just happened to come across the patch and that was

[p.15] on the other side of the bridge. I didn't learn who [p.16]
it belonged to, but in the fall of the year, when I
came in 1866 to make a cabin, I did not see anyone
digging the potatoes, but later an Indian came and
told me the patch belonged to him. His name was
Qui Tone, and I told him he could go on my land until

such time as there was a Reserve established, and he planted potatoes on my land for years after - Then when his Reserve was established he dropped this spot. The first Reserve here was where the Church stands at present. There were about 200 acres granted by the late Judge O'Reilly who was sent up by the Government to give the Indians some Reserves.

DR. MCKENNA:- In what year was that?

A. That was in 1871.

Q. Did you meet Judge O'Reilly at that time,?

A. Yes, he stayed at my house, and the late John Trutch was the Engineer who came with him and he surveyed this block of land besides a little piece of land that I granted to the Indians out of my first staking of the land as a fishing ground and united with the river.

CHAIRMAN:- How much was that?

A. About 32 acres. This was over and above the land which Mr. O'Reilly had given to them.

Q. Was that before the 200 acres was allotted?

A. It was about the same time.

Q. As I understand it, in the first place you gave the Indians a piece of your own land making about 32 acres for a Fishing Station, then about that time Judge O'Reilly came along and added a small strip but he did not say how much and also about this time this 200 acres where the church now stands was added making in all about 232 acres; but the 200 acres was here, and the other 32 acres was down by the river.

A. Yes.

MR. MACDOWALL:- And that was the whole of the Reserve?

A. Yes, and that was in 1871. [p.16]

DR. MCKENNA:- You say that you gave the Indians 32 acres out of your own land? [p.17]

A. Yes I did. They said they wanted some land near the river, and I said "We will arrange it", and I gave them what they wanted.

Q. What Township was that in?

A. I really forget the Township?

Q. Can you remember the Number?

A. I think the number was 148 - Yes it was 148.

WITNESS:- In the meantime, if you will allow me a little "Side talke", Mr. Brown was kind enough to compare our Indians here favourably with the rest of the Indians in the country.

CHAIRMAN:- Keep on to the land question Mr. Fortune.

WITNESS:- Sometime afterwards Indian troubles in Washington and Oregon created considerable excitement and anxiety on the American side and the disquiet among the Indians spread to this side, and the Indians of this side thought it was an opportune time to make an effort to get justice from the Government and they thought that they should apply, and they did apply to the Government for larger Reserves. The few whites that were in the country at. that time were mostly on good terms with the Indians, but we did not know what would happen and it was considered advisable to enlarge the Reserves - Accordingly the Dominion Government sent a Commission up through the country and they gave the Indians all the land or Reserves they wanted.

DR. MCKENNA:- What year was that in?

A. That was in 1878.

Q. Who were the Commissioners?

A. Sproat, McKinley and Anderson. I may say that there were no Agents looking after the Indians's interests at that time - The Indians looked after their own interests and pointed out where they wanted the land which they got-
There was an Agent who was supposed to represent the Department. [p.17]

DR. MCKENNA:- What Department? [p.18]

A. The Indian Department at Ottawa.

Q. And the land set aside for them in 1877 by the Commissioners, that is now included in the Reserve is it?

A. Yes Sir.

CHAIRMAN:- And over 5,000 acres was added to the Reserve here?

A. Yes Sir. You will note that the Indians had increased in numbers by this time - They came in from other parts and added to the Tribe that was already here, quite a number came from the Shuswap Tribe, and there were a few from the American side.

THE CHAIRMAN:- The Shuswap, where is that?

A. East of Kamloops.

Q. What would the population be about at that time?

A. I could not say exactly - I think there would be about 70 at that time.

Q. That would be in 1877?

A. Yes.

MR. MACDOWALL:- About 70 Indians altogether?

A. Yes, I think about 70.

Q. How is it there are 168 now?

A. Well they had families then, and they have all grown up.

Q. They are on the increase then?

A. Oh yes. Just to give you an instance, Loui here has six daughters married and all but one of the daughters have families.

THE CHAIRMAN:- White people could not do better than that could they?

A. No. Loui also has a son and he has a family, and Edward and his brother has six or seven children.

THE CHAIRMAN TO THE INTERPRETER:- You can tell the Indians that this is the first Reserve that has shown an increase since we started.

WITNESS:- And then there are many young boys here growing up. They have no homes of their own just now, but they will have homes by and by. [p.17] [p.18]

THE CHAIRMAN:- We will get on with the story.

WITNESS:- The situation now is somewhat puzzling - They hold a great deal of land of course and more than is essential to their interests. A great deal of the land

is covered over with weeds I am sorry to say. You will be going to some of the places during the next few days and you will find nothing but weeds growing. Formerly these stretches of country were clean and free from weeds, and along the road and all along the reserves the thistles are growing up. They are not only a detriment to the lands of the Indian but they spread on to the lands of the white man also.

CHAIRMAN:- Did the weeds and thistles originate in the first place from the Reserves?

A. No they came in by the railway - Civilization brought them in.

Q. What I mean is did they commence to grow so as to become a nuisance on the reserves?

A. Yes, I am sorry to state they are a serious menace to the reserves. Well as I was going to say there are a great many people not living in the neighbourhood holding land here, and they are waiting for some big syndicate to buy them out, and I am of the opinion that if the Indians had smaller holdings it might be better for themselves and for the country. When I was requested by the Indians to lay off their first reserve, I gave them on an average about 20 acres to each head of a family and 10 acres to each single man. I had taken up myself 320 acres which I cultivated.

MR. SHAW:- Is every foot of that under cultivation?

A. Very nearly.

Q. Was it timbered land? | _____ [p.18]

A. No it was prairie. [p.19]

Q. Was this land out here where we are now, was that all prairie?

A. Yes it was all prairie - There were a few trees on it. Across the road was timber and all along the road down to the sawmill.

CHAIRMAN:- You have made one recommendation, and that is you think that the Indians would be better off if the holdings were not as large?

A. Well I think if their holdings were smaller they would be better off.

MR. MACDOWALL:- Do you think 10 or 20 acres would be enough?

A. I would give every man over 18 years of age not less than 50 acres or a widow, besides that they should have some timber land so that they could procure firewood whenever they wanted it.

MR. WHITE:- How many acres of timber land would you give them?

A. I would not like to pass an opinion upon that or be culpable for advice.

Q. But supposing you were laying of the lands for them?

MR. MACDOWALL:- Would you give them 500 acres?

A. Yes, 500.

DR. MCKENNA:- How about 1000 acres?

A. Well I wouldn't begrudge them that amount.

MR. SHAW:- For the whole Band?

A. Yes, for the whole Band, and I would like to see them get the full value for their land if it is sold. Of course I should like to see them protected against spending the money foolishly.

DR. MCKENNA:- Do you think that the Indians are fairly entitled to the land they have here as reserves?

A. Yes I think they are.

Q. If any of these lands were sold, do you think the Indians should get the whole of the proceeds of the sale? [p.20]

A. I certainly do. [p.21]

MR. MACDOWALL:- You think it would be better to have the whole proceeds than to get so much land?

A. Yes, I do.

DR. MCKENNA:- You would not rush the sale of it if you owned it would you?

A. I think I would be glad to sell it if I owned it.

Q. You would be glad to have it to sell as you sold your own land?

NO ANSWER.

MR. FRANK HAZARD ANOTHER PIONEER WHITE SETTLER WAS HEREUPON
EXAMINED.

THE CHAIRMAN:- Very well Mr. Hazard:-

WITNESS:- In order not to take up too much time we will
start in with regard to the prosperity of these Indians.
I might say that in '88 or '89 when I first came to
this country, there are many Indians here who were not
here then at all.

CHAIRMAN:- Do you mean they have not increased?

A. I mean they have come from other reserves, and I don't
think these Indians are as prosperous now as they
were before. In 1905 they cultivated their land more
successfully than now. At present they did not produce
much of anything on their prairie land, and in regard
to clearing I do not think that the Indians during the
past 20 years had cleared up 50 acres at the outside.
There are some bright clever men among these Indians who
can do any work they are put to but apparently no good
on their own lay-out - When they work for themselves
they are no good at all. Fifteen years ago these Indians
were growing about 80 to 100 tons of grain, now there is
no grain produced of any kind. To just demonstrate this [p.21]
point more clearly, the Indians are like the whites [p.22]
growing more hay as there is more money in it, but the
Indian is to a very large extent allowing his land to
grow up wild.

CHAIRMAN:- There are 9,000 acres here is these two Reserves,
Now in the opinion are the Indians entitled to the
whole 9,000 acres, or should be cut off?

WITNESS:- My opinion is that some should be cut off.

CHAIRMAN:- Are there any parts of these Reserves where
there are no Indians living?

A. No, they are scattered pretty well all over them, and
also if the whole number of Indians resident here were
counted as members of the Band the Reserve should be

reduced by half, and I would throw out of consideration all these Indians whom I regard as interlopers.

DR. MCKENNA:- But in doing that you would have to interfere with the individual holdings of Indians, would you not?

A. Yes, I expect you would.

CHAIRMAN ADDRESSING MR. FORTUNE:- What did you mean to convey Mr. Fortune when you said that the lands of these two Reserves should belong to these Indians.

MR. FORTUNE:- I meant that these Indians were entitled to both of their reserves as it had been granted to them by the Government.

CHAIRMAN:- Well gentlemen I think this is about all we can do here, and I wish to thank you gentlemen for the information you have given us.

[p.22]

ROYAL COMMISSION ON INDIAN AFFAIRS FOR THE PROVINCE OF BRITISH COLUMBIA

MEETING WITH THE OKANAGAN BAND OF INDIANS ON THEIR

No. 1 ON SATURDAY, OCTOBER 4, 1913

THE CHAIRMAN in opening addressed the assembled Indians

as to the powers and scope of the Commission, and Issac Harris acted as Interpreter.

ALEXANDER CHILLIHITZA, son of Chief Nicola, addressed the

Commission as follows:

I am glad to see your Royal Commissioners here today. One thing I am glad to hear from you and it is this - You say that you will go over the Reserves and come back and discuss with us what you have seen. My feeling is exactly the same - It is just like the time when the Indian Chiefs went to Victoria - 177 Chiefs at that time when we visited McBride and he said that I was not Chief - they will hear about it at Ottawa and they will hear about it in England - Why does he say now that he has an interest in the Reserves - There is no business to be done right now, but we waited for you to say "Come on we will have a meeting at such a place for the Indian Chiefs will come from all parts of the Province to meet you like it met before. It would not make much difference whether any of the Chiefs would say anything to you while you are travelling - it would be better for all the Chiefs to be together at a certain time before business could be done. That is all I have to say.

THE CHAIRMAN: Do any of the other Chiefs wish to say anything?

CHIEF PIERRE MICHEL addresses the Commission as follows:

I am glad to see the Royal Indian Commissioners. I feel that if I see the great Government, I don't think that we are to fight over anything or anybody to have any feelings of any sorrow. I am glad to hear all the comments that was to be done here, and I don't think that we are to deal with that at the present time. I know myself for sure that the Commissioners

will not tell me now that those reserves are to be cut off.

CHAIRMAN: How is that?

A. I know myself for sure that the Commissioners with the Commission will not tell me that these reserves are going to be cut off, and I feel all right towards it.

This reserve was staked off a good many years ago. Since then I hear lots of times that the Government was going to destroy this Reserve, and I always think I do not know - May be it is so, and may be it is not so, but whoever laid out this Reserve is greater than the Greater Chief and justice, for since I was able to see, and now I see the posts for the Indian Reserve, and I know that these posts are put down to stay and not to be disturbed by anyone - Therefore our Indians say that our Reserves will not be surveyed, and the land will not be cut off.

CHAIRMAN: You mean to say that these Reserves are not to be cut up?

A. Yes, that is what I mean. I got one more word to say - I will not take up your time much - All the Indians that have commenced to talk about this big land, about the timber and about other things, and myself I don't feel very strong about that kind of work. I don't feel like if I want to get some money from the whiteman for cutting timber off this Province - I mean that I do not want to claim any money from the whiteman who cuts timber in B.C. I know myself our blood are split here first and we are the right owners of the land, and my heart never gets angry to see any whiteman making money from anything that he is doing in this Province. Just now I hear the Commissioners say that if the Indians want to do anything they like with their land, and I feel glad to hear that. I want to have one word to say about what the Commissioners said now, and what the Indians say.

About game laws, the Indians they always did kill their games and eat them themselves for their own use - not for sale

and the law is now that we can go to gaol for killing game. We were told by the policeman that we must not use a spear to catch the fish - We cannot catch them by the naked hand, and I don't think there is one of my people ever went to the river to get any salmon this year - They are all afraid.

THE CHAIRMAN: Where is the river?

A. The Salmon River.

Q. What are they afraid of?

A. Going to gaol.

Q. How do the other Indians catch fish in their streams - they don't go to gaol, do they?

A. I don't know how it is, but one of the Councillor's boys went down to fish with a spear, and his boy nearly went to gaol.

THE CHAIRMAN: Is there any other member wishes to speak?

KOMIASKET, a member of the Band addressed the Commissioners as follows:

I see now your five Royal Commissioners - I guess we are to deal with what is right today - I am glad to see you. You will find out what is in my heart - I guess you are the one that is doing what is right. I know what you said - I want to say a little. This land belongs to my Chief, and anything that is on top of the earth is his, therefore I tell you that this land is mine, therefore I will not sell it, and I don't want to have my land cut up. You can see that it is from my land that I am good and strong and big - That is all I have to say.

SAM PIERRE addressed the Commissioners as follows:

I am glad to see the Royal Commissioners. I have two youngster, and I always think how I am going to feed them young ones. This land, it is true, is my parents, and if it was not for my land here, I would not be so good and alive; therefore I cannot sell the land. Soon there will come young children, and I guess they will want that land when they become

and the law is now that we can go to gaol for killing game. We were told by the policeman that we must not use a spear to catch the fish - We cannot catch them by the naked hand, and I don't think there is one of my people ever went to the river to get any salmon this year - They are all afraid.

THE CHAIRMAN: Where is the river?

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SAM PIERRE ADDRESSED THE COMMISSIONERS AS FOLLOWS:

I am glad to see the Royal Commissioners. I have two youngster, and I always think how I am going to feed them young ones. This land, it is true, is my parents, and if it was not for my land here, I would not be so good and alive; therefore I cannot sell the land. Soon there will come young children, and I guess they will want that land when they become

big, and I want all open roads so that I can travel anywhere,
It is quite true that you said I am the Chief of these mountains
of the Province. I want everything what I eat, anything that I
...?.....I don't want to go to gaol on
account of it - The Government has told me now that I will have
to get a license before I can go shooting.

That is all I have to say.

THE CHAIRMAN: Now with regard to your statement just now in reference
to a gun license, it is true that whitemen are
prohibited from hunting and killing any animal
or bird or from carrying fire-arms without a licence
- that is true, but that does not apply to Indians at all. They
can carry a gun and shoot animals and birds of any kind
provided you shoot the animals in the season that they
can be killed. The law has provided close seasons
in which birds and animals can be killed, and as a rule they are
applicable to Indians, but in some cases provisions with respect
to killing big game which applies to a
whiteman, will not apply to an Indian, but so far
as taking a license to take out a gun is concerned,
it does not apply to Indians at all, and on this point you have been
misinformed.

WITNESS: And then we can't go fishing with a weir or a trap.
The Game Warden told me "If you don't stop it, I will put you in
gaol".

THE CHAIRMAN: That provision goes through the whole of Canada,
and it is done for the purpose of preserving the
fish in the streams.

WITNESS: That is quite true - All that fish was given to
us, and lots of it, and it is not for us to make
that fish increase.

THE CHAIRMAN: Some of these days they will play out all the fish
and then you will have no fish at all - How

about that?

A. There is plenty of room for the fish to go up the stream to make their young ones to where this old man was trying to catch them.

CHAIRMAN: If they can confine this to only this old man it will be all right.

DR. MCKENNA: Was not the old man allowed to use a weir provided left one-third of the entrance open?

A. It was only a small stream.

C. And the old man closed up the whole of it?

A. There is lots of places where the fish can go round.

THE CHAIRMAN: We are now prepared to hear evidence respecting these reserves and the condition of the Indians - that is how they got their living, the amount of stock the Indians have both cattle and horses, as to the amount of land they have under cultivation, how much is used for hay-land, what farming implements they have, the pasture land they have, the size of the allotments to each member of the tribe or how much each member of the Tribe owns as a rule, and information of a similar character. This information we will have to acquire for making up our report.

PIERRE MICHEL here makes the following statement: There is one thing which I have forgotten. I want to tell you now so that you will know about the Reserve at the "B X" Creek. There are Indians say that we were along with the Surveyors a long time ago, and we have a similar Reserve at the "B X " Creek which is not shown on the map. The white men never put it on the map. Right from the first when the first map was given to the Indians it never was on, and yet the Indians always say that we have a reserve there.

CHAIRMAN: Where is it?

A. At BX Creek, we have put this case before Indian Agent Brown and he never said anything about it, and one more Reserve we had trouble about last winter - I was not along at that time, but the Indians say that they know all about it.

PIERRE MICHEL AGAIN MAKES THE FOLLOWING STATEMENT REGARDING
PRIEST'S VALLEY RESERVE

Mr. Brown, the Indian Agent, and Mr. Cummiskey tells me that is all the Reserve that there is now, but the Indians claim that the Reserve is bigger than what it is now. After the Surveyor surveyed it he said "There are your posts and there is where it sets in Cummiskey's map. It shows just the same as my map. Perhaps the man who made the map, made the map similar.

CHAIRMAN TO INSPECTOR CUMMISKEY: Since this trouble has come up, has the Reserve been resurveyed?

A. Yes, Sir, it was surveyed last year.

C. That is all I have to say, and I am ready now to give evidence regarding this Reserve.

CHIEF PIERRE MICHEL IS HEREUPON SWORN BY MR. WHITE TO GIVE
EVIDENCE.

MR. YOUNG: You are the Chief of the Okanagan Indians?

A. Yes.

Q. And where do you live?

A. I live on this place where we are now, No. 1

Q. And are you a farmer - do you farm this land?

A. Yes.

Q. About how many Indians are living on this No. 1 Reserve?

A. About 236 men, women and children, but there are some who died since, and I didn't keep track of the people who died.

MR. YOUNG. And are the Indians - are they using the part that is

fenced at the present time?

A. Yes, they plow and crop it and get hay off it.

Q. And what use is being made of the other that is not farmed?

A. We use that for pasturing our cattle and horses.

Q. How many cattle and horses have they in the whole Band?

A. About 200.

Q. 200 horses or 200 cattle?

A. Perhaps more than 200.

Q. How many horses?

A. There are more horses than cattle.

Q. About how many horses are there?

A. About 600 head of horses.

Q. And how many cattle?

A. About 260 head of cattle.

Q. And how many pigs?

A. Over 100 head of pigs.

Q. That is for the whole Band?

A. Yes, for the whole Band.

Q. Are you speaking of the cattle, pigs and horses on No. 1 Reserve?

A. Yes.

Q. Is there any part of this No. 1 Reserve that is on mountains or hills and which is unfit for cultivation?

A. Yes, very big lot.

Q. About how much, would it be $\frac{1}{2}$, $\frac{1}{3}$, or $\frac{2}{3}$ of it?

A. The good land is little better than $\frac{1}{2}$.

Q. And can you use the balance for pasturage?

A. Yes, we use it for pasturing our stock.

Q. Is there any of it with timber?

A. Yes, there is timber.

Q. How many acres under timber?

A. I could not tell how many acres.

Q. Is it good timber - Could you sell it, or is it only fit for firewood?

A. Yes, I can sell it - it is good merchantable timber.

Q. What kind of timber is it?

A. Fir and pine.

Q. Are not the trees scattered?

A. Yes, they are scattered.

MR. YOUNG: Is it just wooded land?

A. Yes.

MR SHAW: Is this timbered land part of the $\frac{1}{2}$ that could be cultivated?

A. Yes, I mean that is good land.

MR. YOUNG: Is there any timbered land fenced?

A. A Little.

Q. How much?

A. Not big timber, I mean small timber.

MR. SHAW: The witness stated that $\frac{1}{2}$ of this land could be cultivated without irrigation - Is that amount of land free of timber?

A. There is some timber in this $\frac{1}{2}$ could be cultivated.

MR. YOUNG: The land that is outside of the fence, what kind of land is it - Is it rocky or stoney land?

A. Yes, there is rocks and stones on it.

Q. And where is it not rocky and stoney, what kind of land is it outside of the fences?

A. Not very good for cultivation.

Q. Why is it not good for cultivation?

A. It is pretty steep and rocky.

THE CHAIRMAN: Is not that land near the Salmon river very light sandy soil?

A. Yes, that is so.

MR. YOUNG: One of the Commissioners wants to know that if this timber that is on the Reserve were taken off the Reserve would the land be fit for cultivation?

A. Some of it is good land, and some is not.

Q. Would as much as $\frac{1}{2}$ be good land?

A. I think about $\frac{1}{2}$.

Q. Are the Indians on this No. 1. Reserve trying to culti-

A. Yes.

Q. And what are they doing - Are they raising hay or raising grain?

A. They got hay and oats and wheat and potatoes.

Q. Do any of the Indians ever complain that they have not got enough land to farm?

A. I guess they would like to have all they can get.

Q. Do any of the Indians ever say that if they had more land they would farm it?

A. Yes.

CHAIRMAN: Why, don't they get it if they want more land?

A. All the Indians that used to farm here a long time ago have nearly all died off, and it is just one or two years ago that the Indians began to farm again.

Q. That does not explain to me why, if they want to get more land on this Reserve they can't do so?

A. Because the good land is not very plentiful yet.

MR. YOUNG: Is there no land outside of the fenced part that it would pay an Indian to farm?

A. With more work he could.

Q. Is there any land outside of the fenced part that is not cleared that it would pay an Indian to farm?

A. As I said before it is not very good, and it would take pretty hard work to make good land out of it.

Q. What would he have to do to make it pay to farm?

A. Clear it.

Q. And when he had done that, what would he have to do?

A. Plough it.

Q. If he cleared and ploughed it, would it pay him to work it then?

A. If he is not lazy he will make a good crop of it.

Q. And that is outside of the fenced part?

A. Yes.

Q. Commissioner Shaw wants to know what is the largest area of land under crop by any one Indian?

- A. I don't know - it is pretty well evenly divided
- Q. What is about the average size that each Indian farms?
- A. From 60 to 100 acres.
- Q. Does that include the hay land and pasture land?
- A. Just the cultivated land.
- Q. That does not cover the hay land?
- A. I mean the cropped land and hay land.
- CHAIRMAN: Do they use much machinery on these Reserves?
- A. Whatever machinery the whiteman uses we use too.
- Q. Now in regard to Otter Lake No. 2, what sort of land is that?
- A. Good land.
- Q. Does anyone farm there now?
- A. It is not cultivated land, it is just hay land.
- Q. How much of it is good for hay land?
- A. More than half.
- MR. MACDOWALL: And what is the balance?
- A. Timber. It's got to be cleared.
- MR. YOUNG: Is there anyone raising hay on that $\frac{1}{2}$ now?
- A. Yes.
- Q. Does anyone live on that Reserve?
- A. There is one living nearby and he uses that place.
- CHAIRMAN: Does the one who lives there use it all alone?
- A. Yes.
- MR YOUNG: Now Chief in regard to No. 3 Reserve containing 160 acres, is that good land?
- A. Yes, that is good land.
- Q. The whole of it?
- A. There is a portion of it in heavy timber.
- Q. How much of it?
- A. Less than $\frac{1}{2}$.
- Q. Anyone living on it?
- A. Yes.
- Q. How many families?
- A. One big family.
- Q. Is the part not under timber cultivated?

- A. Yes, it is all cultivated.
- Q. Now in regard to No. 4 Swan Lake, containing 68 acres. what part of land is that?
- A. It is fenced in.
- Q. The whole of it, and is it all cultivated?
- A. Part of it is ploughed, and the other part is used for hay land.
- Q. How many families live there?
- A. Just one family.
- Q. And in regard to Long Lake Reserve No. 5, containing 128 acres what kind of land is that?
- A. Hay land and cultivatable land, and half of it is mountain.
- Q. Is the part that can be cultivated, is it under cultivation?
- A. They used to crop it, but of late years they put in only hay.
- DR. MCKENNA: There is considerable marsh land is there not?
- A. Yes Sir.
- Q. It grows good bull rushes?
- A. Yes.
- MR YOUNG: You say about $\frac{1}{2}$ of it is good land?
- A. Yes.
- Q. Anyone living there?
- A. Yes, there is one family living there.
- Q. Are they pasturing it at all, any of it?
- A. Yes, they look after it.
- Q. Now regarding No. 6 Priest's Valley Reserve containing 83 acres, what kind of land is it?
- A. A little better than $\frac{1}{2}$ is good land.
- Q. And what is the other that is not good land?
- A. Sand and rock.
- Q. Could the part that is not good land be used for pasturing?
- A. It could be used, and it might make fair pasture.
- Q. Is there anyone living there?
- A. It is all fenced and there is a house and farm buildings on it- Just two families there.
- Q. And all the good land is being used and is fenced?

- A. Yes, all fenced, good or bad - it is all fenced in.
- Q. And all being used?
- A. Yes, all being used.
- Q. Now No. 7 Duck Lake, what kind of land is that?
- A. Good land. It is all being used and short of pasture.
- Q. How many families live there?
- A. Four families.
- Q. How much of that is good land?
- A. No not very good, some if it is rock.
- Q. How much of that is rocky land?
- A. About half of the Duck Lake is rocky or poor land.
- Q. And what sort of land is the other ½ that is not rocky or poor land?
- A. To raise crops and plough it.
- Q. Is it as good land as the best land on No. 1 Reserve?
- A. At Duck Lake they can use irrigation. If the irrigation was not there it would be equal to the No. 1 good land.
- Q. The best of the Duck Lake land without irrigation is not as good as the average good land on No. 1 Reserve?
- A. No.
- MR. SHAW: Is any part of the Duck Lake Reserve irrigated land?
- A. Yes Sir.
- Q. How much of the Duck Lake Reserve is under irrigation?
- A. I can hardly answer as to how many acres under irrigation.
- MR. YOUNG: How about Mission Creek No. 8, can you tell us anything about that Reserve?
- A. My friend will tell you about that?
- CHAIRMAN: What is his name?
- A. Charlie Williams.

CHARLIE WILLIAMS IS HEREUPON SWORN BY MR. WHITE TO GIVE
EVIDENCE.

- MR. YOUNG: Are you a member of the Okanagan Band?
- A. Yes.
- Q. And do you live at Mission Creek No. 8?
- A. Yes.

- Q. How many families live on that Reserve?
- A. Just one family - My father owned it and I own it r
- Q. How large is your family?
- A. I have no family, but I have my wife and my five brothers with me.
- Q. How many in all?
- A. Five or so.
- Q. What is the land like on that Reserve?
- A. All good land.
- Q. Is it all under cultivation?
- A. In plough.
- Q. What is on it?
- A. It is all bush land -The Government gave my father a long time ago 80 acres all told in the two Creeks.
- Q. What two Creeks?
- A. Kelowna and Mission Creek.
- Q. Have you a house there?
- A. No.
- Q. What do you want to say about that Mission Creek matter?
- A. I want to say that I didn't want to say there was anyone occupying this little Reserve here. I am there all alone and my brothers are here.
- Q. What do you mean by "here"?
- A. I mean my brothers are on this Reserve No. 1. That 25 acres at the Kelowna Reserve it is not in the map. I know where the little Reserve was given to my father-I know the posts and I know the spot well. I know that that is my father's property. The whites have crowded me out of it so that I cannot get near to get fish -That is all- My father got the paper from the Government that gave me those two little places there, and my father gave this paper to the Priest.
- CHAIRMAN: Is the church on that 25 acres that you speak of?
- No answer.
- MR. SHAW: What has become of that land now?

A. It is all turned into a townsite.

MR. YOUNG: It appears from the Files that this matter has already been brought to the attention of the Department by Mr. Brown the Indian Agent.

CHAIRMAN: Well I am afraid we cannot do anything about that matter.

WITNESS: I want to say one more word. I want to know why it is the Chief never informs us to do any business. He goes right straight to town and does business without letting us know- I want to know why?

CHAIRMAN: Do you mean the Chief of your Band?

A. Yes.

Q. Well I am afraid that is a matter between you and your Chief-We cannot help you out in that matter.

A. That is all I have to say.

OLD WILLIAM MAKES THE FOLLOWING STATEMENT

My irrigation ditch the roadman always fills it up when they fix the road, and this summer I was not able to raise any crop on account of it. My irrigation ditch was below the road and the roadman had filled it up so that I was not able to get water this summer. I have had that ditch since thirty years ago.

MR. SHAW: Where do you live?

A. Near Whiteman's Creek.

Q. Is that on the west side of the Lake?

A. Yes.

CHAIRMAN: Did you ever complain to the Agent about that?

A. No.

Q. Well the Agent is the man to fix that.

WITNESS: Which Agent shall I complain to?

A. Mr. Brown.

WITNESS: (going over to Agent Brown) Brown, I always talk to you but you throw my words away - you never listen to me. You promised that I was to get \$60.-I never got it.

October 6th, 1913

NOTES BY CHAIRMAN IN REFERENCE TO DUCK LAKE I.R.

All flat, level, bottom good land. A large portion of it cleared. Stated to be hard to clear, but no more difficult than other land of the same character down east that has been cleared, and it will pay for the work.

Only two families resident on the Reserve, Victor Bore and David MacDougall.

Bore said he cleared 30 acres of this which must have been done in recent years, and he is the only one that has any interest in the land. The land is evidently used for making hay. Apparently no other growth, but the hay land is excellent. The 30 acres cleared is practically all his own allotment.

CHAIRMAN TO MR. SHAW: How much would you say was cleared altogether?

MR. SHAW: I would say between 40 and 50 acres.

BORE: There was more than 100 acres cleared around here besides what I cleared - Some of it was prairie land.

THE CHAIRMAN TO VICTOR BORE: Do you and your wife belong to the Okanagan Band?

A. Yes.

Q. Has Mrs. MacDougall any land here?

A. Yes.

Q. Where is her land?

A. Down towards the south behind that building where the haystacks are.

Q. Who owns the rest of it?

A. The old man over there Alexis.

Q. Does anyone else own land on this Reserve?

A. Enoch, the Chief owns some land back of Mrs. MacDougall.

CHAIRMAN TO CHIEF ENOCH: How much do you own?

A. About 40 acres.

THE CHAIRMAN: Do you know how much land is cleared on this Reserve - I mean of all the land on this Reserve, how much is cleared?

A. Very big. There is a place over there ploughed up - altogether, there is quite a lot.

THE CHAIRMAN TO INDIAN AGENT BROWN: Have you any idea how much land is cleared on this Reserve?

A. About 200 acres.

Q. Has anyone else got holdings here besides Enoch, Alexis, Victor and Mrs. MacDougall?

A. That is all. Just the four you mentioned.

ENOCH IS HEREUPON SWORN TO GIVE EVIDENCE

MR. SHAW: What Band of Indians do you belong to Enoch?

A. The Okanagan.

Q. Did you ever belong to the Penticton Band of Indians?

A. A long time ago I camped there a little - I got married to a woman belonging to Penticton.

Q. Are you a sub-Chief at this Reserve?

A. Yes, when the Reserves were surveyed out, Basille the old Chief at the Head of the Lake, me and him was appointed as Chief.

Q. How long ago was that?

A. Over thirty years ago.

Q. Are you recognized now as the Chief or head-man of the Okanagan Indians?

A. Yes, I know what the Chief told me a long time ago.

Q. Have you been living on this reserve for the last 10 or 20 years?

A. Yes. It is not quite 10 years since I began to travel between here and Penticton, but I work here every year.

Q. You come here every year to do your work?

- A. Yes.
- Q. How many Indians have an interest in this Reserve?
- A. Just the four.
- Q. Who are they?
- A. Victor Bore, Alexis and his family, Mrs. David MacDougall and Enoch.
- Q. And there is no other Indian that has any claim on this land?
- A. Only a long time ago there was another family wanted to come and take up land here, but we told him that there was no room for any more, and that the four families was quite enough to work all the land here.
- Q. How does Mrs. MacDougall - how is it that she has a claim on this land?
- A. Because I was married to her mother, and I took her as an adopted child.
- Q.. Is Mrs. MacDougall married now?
- A. Yes.
- Q. Does David MacDougall belong to any Band of Indians in this Province?
- A. He is an Indian.
- Q. What Band does he belong to?
- A. He stops here and down at the head of the Lake.
- Q. Does he own any land outside of the Indian Reserve?
- A. It is better for him to say it - he is here.

DAVID MACDOUGALL IS DULY SWORN TO GIVE EVIDENCE.

-
- MR. SHAW: What is your name?
- A. David MacDougall.
- Q. Where were you born?
- A. In British Columbia.
- Q. Whereabouts in British Columbia?
- A. Right in Victoria City. Right in Cedar Hill.
- Q. Were your father and mother Indians?

- A. My father is a half breed, and my mother is a full-blooded Indian.
- Q. What Band of Indians did she belong to?
- A. She belongs to this part of the country from Kamloops to the Okanagan.
- Q. But what Band?
- A. She is half.
- Q. What Band did your father belong to?
- A. My father belongs to Fort Garry.
- Q. What Band of Indians did your mother belong to?
- A. Right from Kamloops to Okanagan.
- Q. But to what Band of Indians?
- A. Shuswap and Okanagan.
- Q. What Band of Indians do you belong to yourself?
- A. I am not supposed to be an Indian - I am a voter
I am not a whiteman, but I was brought up with the whites.
- Q. Do you hold any land on the Indian Reserve?
- A. None.
- Q. Do you live on the Indian Reserve?
- A. Once in a while I come here to visit these people.
- Q. Where is your home?
- A. I am a miner and trapper. I work out wherever I can find a job.
- Q. Do you own any land in B. C?
- A. I owned some once, but I sold it.
- Q. Where was it?
- A. In Scotty Creek.
- Q. It was Government land, was it?
- A. Yes.
- Q. And you are married to this woman Mrs. MacDougall?
- A. Yes.

ROYAL COMMISSION ON INDIAN AFFAIRS FOR THE PROVINCE OF B. C.

Meeting in the Vernon Court House with Government Agent Leonard
Harris, on October 6th, 1913, at 10 a.m.

THE CHAIRMAN: Mr. Morris, we have come here to ask you a
few questions regarding the Indians and their
Reserves in and around this locality.

MR. MORRIS: I shall be only too glad to give you whatever
information I can.

Q. What is your full name?

A. Leonard Morris.

THE WITNESS IS DULY SWORN BY MR. MACDOWALL

MR. MACDOWALL: I understand that you have been a long time
in this District?

A. Yes.

Q. When did you first come here?

A. In 1884.

Q. And what offices have you held?

A. I was cattle ranching for a couple of years,
and for two years I was collector of Inland
Revenue, and in 1893 I was appointed Govern-
ment Agent, and I have held that position ever
since.

Q. I suppose the duties of Government Agent takes
you over the country quite a bit, does it?

A. Yes, quite a bit.

Q. You are also a Stipendiary Magistrate, are you
not?

A. Yes.

Q. And I suppose in that position you are brought
into close touch with the Indians?

A. Yes.

Q. And what would you say regarding the Indians
in and around your District?

A. Well I must say that the conditions of these
Indians treaty years ago were in many ways

better than it is today, there being in the early days little or no whiskey in the country and obtainable by the Indians, and many of the natives living on the Reserves being excellent farm labourers and finding no difficulty in obtaining employment; these Indians were men who could rope and break horses, drive a four horse team, handle cattle on the range, ear-mark and so forth. There are not the same proportion of good workers now among the Indians, the degeneration of the aborigine being due chiefly to bad whisky and association with a low class of whites. In the reserves of the Okanagan Agency there are I believe approximately 175,000 acres. From my personal experience with the Indians, a good Indian could use any quantity of land - He is exactly like a whiteman in this respect. Twenty years ago Chief Brazil and his son had worked a 150 acre farm, raising a big crop of wheat. There is nothing like the same thing going on now as there was then.

THE CHAIRMAN: What is the average amount of land held by the whiteman in this District?

A. It runs from five acres to five thousand acres.

MR. MACDOWALL: How many 5,000 acres ranches would there be?

A. The Companies would have them now.

Q. As a rule how many acres does the white farmer use?

A. The fruit farms around here work about twenty acres as a general rule.

THE CHAIRMAN: My observations while passing through the Reserve has led me to think that if the Indians could not grow fruit better than they appeared to, 500 acres would be of little use to them. Suppose the Indians were not engaged in fruit farming, what acreage do you think would be reasonably sufficient for their requirements?

A. I am afraid it would be difficult to answer such a question. Conditions in this district are undergoing

a radical change - many of the largest ranches such as the Coldstream, being in the process of being cut up into small fruit farms.

Q. Do you know this piece of land they call the Commonage

A. Yes.

Q. Is it fairly well cultivated?

A. The commonage in this vicinity is generally rolling country and very much broken up, and is cultivated wherever the soil is good.

Q. And how would you compare the commonage with the general run of land on the Indian Reserves?

A. The land in the immediate vicinity of Vernon cannot be compared with the Indian reserve lands. The Commonage land is practically useless without irrigation, and the Reserve land of similar character is in about the same position.

Q. And what is the size of the holdings on the Commonage?

A. From 160 to 320 acres.

Q. How long is it since that land was first cultivated?

A. It was first put on the market in 1893.

Q. And is it still being farmed?

A. Yes.

Q. What is the condition of these farms?

A. Well they are fairly prosperous - the land is light and the crop is light, but even under adverse circumstances it is possible for them to make a fairly good living.

MR. MACDOWALL: You were saying Mr. Morris that the present condition of the Indian was not as good now as it was 20 years ago. Have you any suggestions to make?

A. Well, in my opinion, the Indians should be isolated in their own best interests. They should be put on one big Reserve and whiteman prohibited even going upon the Reserve except under special permit. In my opinion the village community system should be adopted, and a portion of the reserve lands being disposed of, the

the proceeds of such sale should be devoted to provision of facilities for the practical education and improvement of the condition of the Indians. Present conditions could not be much worse for the Indians. The Indians being so footloose at present, mixed with the worst class of whites, while it is also possible for the Indians to get liquor at many points. On the Reserve there is no attempt made to provide rational amusements and beneficial recreations, and, as a natural result, there is a tendency among the Indians to get drunk because there is nothing else to do to keep their mind occupied, and unless you do something like this you will never make anything out of the Indian.

CHAIRMAN:

I suppose you mean segregation in the same way as they do in cities - They apply the same system to the under-world class?

A.

It is not the same with the Indians, because there is a great deal of difference in the personal characters of these men - Some of them are absolutely good, they are nice, they never touch whiskey, they obey the priest and the parson, and they are good living men. On the other hand on the reserves you will get Indians that are just as bad as they can be - They get drunk, and in fact will do anything to get hold of a bottle of whiskey.

Q.

Would you give any of these Indians a chance to become a pre-emptor?

A.

I would give some of them a chance tomorrow, but of course there are others again I would not.

Q.

If that was true, would you segregate one and not the other?

A.

The segregation plan that I speak of would be in no sense harsh or possible of consideration in the light of a punishment. That seems to me to be the only

feasible way of stopping these low class of whites from mixing with the Indians.

CHAIRMAN: Suppose a man wanted to go on the Reserve to buy some grain?

A. Well of course that is a different story. I am simply now alluding to the lower class of whitemen who now frequent the reserves for the express purpose of selling bad liquor to Indians.

MR. WHITE: Don't you find the Indians particularly attached to their respective reserves?

A. Well, I don't know - speaking personally, I don't think you know that love of country is a marked characteristic of the North American Indians. It is the love of his friends that appeals more to an Indian than anything else. Of course the Indians have been led to believe that their best interests lay in non-interference with their reserves, and for that reason there might be strong opposition offered on the part of the Indians against parting with their reserves.

Q. If you were to segregate them that would make a good deal of trouble, would it not?

A. It all depends how it was gone about. If they were properly handled I don't think there would be any trouble about it; and another thing I would suggest is that when it comes down to a question of doing anything with the Indian Reserves, such as putting a road through it or disposing of it for the benefit of the Indians, I would not leave it to them to decide whether it could be done or not.

MR. WHITE: It is not left to them to decide.

MR. MACDOWALL: But land cannot be sold without the consent of the Indian, and supposing this was done, do you think the Indians would consent to it?

A. They would not at first, but if it was put up to them in the proper light and they were shown that they would benefit thereby, I am satisfied they would consent.

- DR. MCKENNA: Do you mean that if the Indians got the whole benefit from the sale, that then they would consent to sell?
- A. Well as to that I cannot say, but I don't think that the whole purchase money should go to the Indians even if the reserves were sold.
- MR. MACDOWALL: Do you know that part of the money will go to the Provincial Government?
- No answer.
- MR. WHITE: Would you segregate the Indians on the Coast who depend entirely on fishing for their living?
- A. I don't know, because I have never lived there. Any observations I make are limited and I am sorry I cannot give you an answer to that Mr. White.
- THE CHAIRMAN: You advocate that no portion of the sales money should be paid to the Indian directly, but that the whole of the proceeds in which they are concerned should be expended for schools, no? So that they could be educated both from a business and a moral standpoint?
- A. Yes.
- MR. MACDOWALL: And do you think that the Indians would consent to such a sale?
- A. Yes, I think so.
- Q. Would there be any interference from outsiders do you think?
- A. Yes, there would be a lot of interference from these low class whites that I mentioned a few minutes ago as they exercise with considerable influence and a bad influence with the Indians around here.
- Q. Are there any of these people who go around the Indians and advise them badly?
- A. Yes, quite a few, and it makes it very difficult to handle them.
- THE CHAIRMAN: Have you any further observations to make?

Well, I might point out that the Indians who were here 100 years ago were living a very strenuous but interesting life, being occupied with their hunting, fishing and tribal wars. Now their lives are less interesting and strenuous and the result is very harmful. For this reason I think they should be got into communities and that some rational plan should be devised to provide them with occupation for their minds, amusements and recreation. AS to the condition of this locality, there are about 700 Indians occupying from 175,000 to 200,000 acres, broken up into various reserves. Now I would estimate that the whole land would be worth on an average of \$100. per acre. The sale of a small part of the reserve would provide sufficient money to establish a model farm with suitable machinery, buildings and everything else to make the farm successful. The establishment of such a model farm, would in my opinion, be comparatively easy, and the Indian would be put altogether on a different footing.

MR. SHAW: On these small reserves that you speak of, do they have villages?

A. No.

THE CHAIRMAN: Would you not call that a village where we held the meeting yesterday?

A. Well, I suppose you would, but it is hardly large enough to be called a village.

MR. SHAW: Are you in favour of individual allotments to the Indians?

A. Yes, I am in favour of each Indian holding his own house and a certain number of acres in severalty; the Indians would live in the villages and farm outside, which I think would be found a feasible arrangement, and that is one of the

reasons why I consider it would be better to have them concentrated in villages where the Indians could have their farm instructors, school-masters, doctors and so forth.

Q. In these villages, would you give each Indian his own place and conditional title to it?

A. I have not given that any consideration.

Q. What have you to say as to the amount of grain grown to-day on the Reserves of the Okanagan Agency?

A. Well, as to that I could not give you a very definite answer. But I know this that in the early days they used to grow quite a quantity of grain, and they had their own binders and other farming machinery, and they also had their 2 and 4 horse teams hauling wheat, and taking it altogether they seemed to be interested in their work and they were making money.

THE CHAIRMAN: Have they some facilities now?

A. I don't know. They are not farming now as they did then.

DR. MCKENNA: Has not the same change occurred among the white-man as among the Indians?

A. Well, the cultivation of grain has fallen off a great deal, and large fields of grain, I might say are a thing of the past.

MR. SHAW: Now what have you to say about the whiskey traffic among the Indians?

A. Well now with respect to the liquor, I might say that 20 years ago there were in the Okanagan district no licences for the sale of liquor; and now there are licenses in a large number of population centres.

THE CHAIRMAN: Well how did this whiskey get in here all of a sudden. The first time I came out to British Columbia they were keeping their bar-rooms open all the year

round.

MR. SHAW: But you must remember this that where there was one bar then there are twenty-five now.

MR. MORRIS: The time to which I refer you could not get any whiskey around here Kamloops. And then another thing you must take into consideration, and that is, during the last twenty years the number of whites have increased enormously and at that time there were quite a lot of good for nothing whitemen hanging around the reserves, but now the numbers have considerably increased, and there is no question in my mind but that the Indians are not as prosperous now as they were then, and the reason for that change is the introduction of whiskey.

CHAIRMAN: Don't they attempt to stop that business?

A. They are being punished right along. About four years ago there was a general understanding among all the magistrates throughout the Okanagan to punish the crime by imprisonment without the option of a fine, and roughly that rule has been adhered to.

Q. And what has been the effect?

A. The number of Provincial Constables has been increased. We have a better police service in the Cities now than we had then, and it has been checked to a considerable extent.

MR. MACDOWALL: You think imprisonment has had the desired effect?

A. No doubt. It has made a big difference, but you will never entirely stop or prevent it.

THE CHAIRMAN: In the old system did they confiscate the licenses?

MR. SHAW: It is not the hotel man that sells it, it is the peddler in 90 cases out of a 100.

MR. And has the Indian suffered more from the whiteman than the whiteman has suffered from the Indian?

A. I cannot answer that question.

Q. What is your belief?

A. Well my belief is that mixing with two races it is bad for everyone.

Q. Do you know the history of Duncan or Metlakata?

A. No.

Mr. Young: Now Mr. Morris in regard to the character of the land around the small reserve called Priest's Valley, can you tell us anything about that land?

A. It is all flat - it could be irrigated.

Q. Without irrigation what is it?

A. It would be hard to say.

Q. But there is no mountain there?

A. No.

Q. Now there is another Indian Reserve called the Duck Lake Indian Reserve?

A. Yes, I mentioned there is some land there that is not fit for cultivation without irrigation.

Q. Well I suppose all the land there could be farmed without irrigation although the crop would be small?

A. Yes.

Q. Would it pay a whiteman to farm it? Without irrigation?

A. The land in and around that neighborhood has been farmed without irrigation.

MR. SHAW: How would the land compare with the land on the commonage?

A. It is superior land altogether - the commonage is light land.

MR. YOUNG: Referring to that bare land on the side-hills, how many head of cattle would 100 acres afford pasture?

A. The rule back in early days was 10 acres of land to one head of cattle.

Q. So that would be 10 head of cattle to 100 acres?

A. Yes.

Q. And what would you say about the other reserves - that is regarding the land?

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A. Well it is all big flat country. There are several hundred acres that could be all irrigated, but the system of bringing water would require a ditch of 5, 6 or 7 miles long.

THE CHAIRMAN: This Long Lake Reserve here on the map?

A. Yes.

Q. It goes up to Salmon River, does it not?

A. Yes.

MR. YOUNG: Following the west side of the Okanagan Lake, how far does the good bottom land extend out from the lake?

A. It varies a great deal.

Q. Quite a portion of it is not of very much use unless it could be irrigated?

A. We do not know. The Provincial Government is now looking into that question.

Q. What is the character of the land on the East side of the lake?

A. It is nearly all ranging land.

THE CHAIRMAN: Very little flat land?

A. Very little.

MR. SHAW: There is no cultivation at all except at the extreme north-end of the Lake (where Mr. Morris marks with a pencil on the Map marked "A") EXHIBIT E1 There is no cultivation extending around the head of the Lake.

ROYAL COMMISSION ON INDIAN AFFAIRS FOR THE PROVINCE OF BRITISH COLUMBIA

MEETING WITH THE TSINSTIKEPTUM BAND OF INDIANS ON THEIR NO. 9
OKANAGAN INDIAN RESERVE, October 7th, 1913.

THE CHAIRMAN addressed the assembled Indians as to the scope,
powers and objects of the Commission.

ISAAC HARRIS was duly sworn as Interpreter,
and

CHIEF CHARLES addressed the Commission as follows:

Yes, I learn what the Commissioners want or what
their duties are, I am glad to see the Royal Com-
mission. I guess my heart is going to get better now
that I see the Commission - Just like as if I was the
great Government that looks after the Indians. I
don't want to sell my land and I don't want any land
to be cut up. I have no land to spare, and I have no
land short. I am not short of land - my land contin-
ues right down to the shores of the big water, right
down to the salt water - All the mountains and all
the land is all good - The Indians all own it, and I
don't want to be judge for this land.

MR. MACDOWALL: What do you mean by "Judge"?

A. Expression of opinion, or do any act of destruction
over the land - There is one man who administered
this land before, and I guess he will come back here
pretty soon to administer this land again - I don't
want to administer this land myself.

THE CHAIRMAN: Who is this man that is coming back again pretty
soon?

A. The Son of God -.That is what I mean. He can adminis-
ter himself like He did before, therefore I say now
I don't want to sell the land, therefore I say that
the land must not be cut off. Therefore I say
all the animals and all the birds and everything
that is eatable it is all mine. I am an Indian on an
Indian Reserve - that is all I have to say.

THE CHAIRMAN: Does anyone else want to speak, or will anyone volunteer to give us some sworn evidence as to the state of their Reserves, what stock they have, and generally what they do for a living?

CHIEF TOMET addresses the Commission as follows:

Because the Indians never saw a whiteman a long time ago, therefore we say it is our land. The Indians since they seen it like that, never said nothing until today, and the three men who gave us the Reserves a long time ago and the Indians were called for them to do so. The Indians did not think at that time that this land was given to the Indians will be administered again - The Indians thought that this land would be Indian land forever. The Indians always wait for the land outside of the Reserve, what the whiteman is going to say about it. The Indians have bad feeling about the whiteman stopping the Indians from getting any game or deer from these mountain lands. If the Government would let the Indians hunt and shoot, I guess the Indians would not think anything else any more. Towards everything the Indians feel the same that way. The towns of whiteman in British Columbia you cannot count them, but the Indians have no feeling about them, and the Indians never thought the lands would be administered again. Now this house is my house, and the four posts that are planted inside the Reserve is just the same as my house because no one helped me to build this house, and I think it is just the same with my land. That is all I have to say.

THE CHAIRMAN: Does anyone want to testify?

SUB CHIEF TOMET is duly sworn in by Shaw to give evidence.

SUB CHIEF TOMET: Before I take the oath, I don't want to be examined. What I will say will be nothing but true and I don't want to be examined or questioned.

THE CHAIRMAN: But that will not do.

A. All right then, I will give evidence.

MR. YOUNG: You are the sub-Chief of this Band?

A. Yes.

Q. And you live on this Reserve No. 2?

A. Yes.

Q. And how many horses have you here altogether on the Reserve?

A. I don't know,

Q. About how many?'

A. I don't know how many.

Q. As many as 100?

A. About 100. If it is any more or less it would be about 100 cattle in all. I am talking because I kissed the Bible because they say it was God Almighty's law.

Q. And are all the Indians on this Reserve farmers?

A. Yes.

Q. All the young men on the Reserve are working on the farms?

A. Yes.

Q. And have they the same employment as a whiteman?

A. Yes.

Q. And they are farming just the same as whitemen are farming?

A. Yes.

Q. Where do they raise their crops and their hay - on the bottom land?

A. Yes, on the bottom lands.

Q. And what do they do with the land that is not good bottom land?

A. About my land, I have no range land that I own personally myself. It is all bottom land.

Q. What do the other Indians do with the range land - do they use it for pasture?

A. Yes.

- Q. And it is not good for anything else?
- A. That is all just for pasture.
- Q. And how much good bottom land have they got here?
- A. I don't know. I can't write or read. I never
[?] there was.
- Q. Where is the good land down by the Lake?
- A. Right from here. There are apple trees and hay land right down by the Lake.
- THE CHAIRMAN: Is there land under crop right off there from this house?
- A. Yes, you will see fields there where there is crops
- Q. You would not call that bottom land - it is good upland it is not..
- A. I thought when you mentioned bench land it was up among the rocks?
- THE CHAIRMAN: What I think you mean to say is that the land on the hills is only good for pasture, but all the flat land that is not on the hills is good for raising crops and hay?
- A. Yes, that is what I mean.
- MR. YOUNG: Do you mean this land along the road as we came through the Reserve - could they raise crops on that land?
- A. Yes.
- Q. Without water?
- A. Yes.
- Q. Are they raising any crops on any of that land now?
- A. I don't farm any of that myself.
- Q. Do any of the Indians grow crops or hay on that land?
- A. I guess you have seen some of the crops all along towards the Creek.
- Q. About how many acres are in hay or crops on this Reserve?
- A. That, I am afraid to say how many acres. I took the

Oath on the bible, and I don't want to tell any lie.

MR. YOUNG: What part of the Reserve would there be - 1/4 of it, ½ of it or 1/10th of it under cultivation?

A. About 1/4 of it, but it is all fenced.

Q. How much of that is good land?

A. It is all good.

Q. But show me on this plan of the Reserve about where the good land is?

A. I can't. I don't know where it is on the map.

Q. How much of the other Reserve No. 10 is under cultivation?

A. I am not able to tell you how many acres on this Reserve, and I can't say how much on the other.

Q. Do the Indians make their living off these Reserves by farming together, or do they work outside for whitepeople?

A. Yes, I never steal anything, I get my living off my Reserve, and therefore I say that my Reserve should not be sold or should not be cut.

MR. MACDOWALL: And do none of these men work out for other people?

A. Sometimes for a few days - just casually.

THE CHAIRMAN: They can make their living off their land without going out to work?

A. Yes, because all whitemen make their living off their own place, and the Indians are just the same.

MR. MACDOWALL: How do they get money to buy things with?

A. Everything that we raise off our Reserve we get money for it.

MR. YOUNG: Have you any sheep?

A. No.

Q. Any hogs?

A. No.

Q. Any poultry?

A. We got some.

Q. Just enough for your own use?

A. Yes.

Q. Many orchards?

A. Yes, lots of trees.

Q. Do they sell fruit?

A. Yes, I can't eat it all and I sell some.

Q. You don't sell very much though, do you?

A. I sell all the apples I have to spare.

Q. And the other Indians do the same?

A. Yes, we all get along that way.

THE CHAIRMAN: That will be all, and I wish to thank the Indians
for the way they have answered our questions.

ROYAL COMMISSION ON INDIAN AFFAIRS FOR THE PROVINCE OF BRITISH COLUMBIA

MEETING WITH THE PENTICTON NO. 1 RESERVE BAND OF INDIANS, ON THE
8th. DAY OF OCTOBER, 1913.

Mr. White addressed the assembled Indians as to the scope and
powers of the Commission,

and

ISAAC HARRIS IS DULY SWORN TO ACT AS INTERPRETER.

THE CHAIRMAN: If any of the Indians desire to make any state
ments, we shall be glad to hear them now.

CHIEF EDWARD MICHEL ADDRESSES THE COMMISSION AS FOLLOWS:-

I am glad to see the Royal Commissioners. I am
always friendly with any Government Commission-
ers. I have heard the directions and voice of
our great Chief a long time ago, and I said that
indeed he has made a good law in regard to the
Indians. I always know that for a fact - I never
thought that they would change that to any
different way - That is all I have to say.

THE CHAIRMAN: Does any other member wish to speak?

ANTOINE PIERRE ADDRESSES THE COMMISSION AS FOLLOWS:-

I don't want to sell my land, and I don't want to
have my land cut up - I don't to lend my
land because I love my land. From the land I
make my good living - That is what I feel about
my land from my home country.

I want to say something about Crown lands out-
side the Reserve - From that land I got some of
my living in regards to hunting and shooting -
That is all I have to say.

THE CHAIRMAN: Where is your place that you say you don't want
to sell?

A. This Reserve.

Q. Whereabouts on this Reserve?

A. Near the boundary line - Trout Creek.

Q. Away down there near Summerland?

A. Yes, near Summerland.

THE CHAIRMAN: Are you married?

A. Yes.

Q. How many children have you got?

A. Three left, some died.

Q. Does anyone else live there with you?

A. Just me alone right there at the boundary line.

Q. Have you any cultivated land there?

A. Yes, I have a farm.

Q. How much have you got cleared and under cultivation?

A. My field I don't know how many acres, the Indians we don't know. We cannot count how many acres.

Q. How big is the field?

A. I guess you saw it yesterday as you came along.

MR. MACDOWALL: Have you any fruit trees on it?

A. Yes, a few peaches and plums. The town people of Summerland have taken all the water and my trees are dying for want of water.

THE CHAIRMAN: What do you mean by the people taking all the water?

A. The Creek went dry where the main creek comes by my house.

Q. Did it go dry because they tapped the water further up the hill?

A. Yes, if they did not take the water above, there would be lots of water there all the time.

Q. Where did they tap the water - was it on your land?

A. It is above my place. When they took the water above my place, the Creek at my place went dry.

Q. Had you a record on the stream?

A. Half the water belongs to the Indians.

Q. Why?

A. Because it is just the same all over. When the Government gives a Reserve, a certain amount of water goes with it.

THE CHAIRMAN: I understand. Where the ditch was put it was not

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on your land, it was above your land.

THE CHAIRMAN: Does the Creek form the boundary of the Reserve?

A. Yes.

MR. SHAW TO THE CHAIRMAN: (turning up the Schedule) The Schedule shows they have a record of 100 inches on Trout Creek.

MR. SHAW: Are there any Indians taking water out of this Creek besides you?

A. That is all I want to say.

THE CHAIRMAN: Have you much stock there - cattle or horses?

A. I have one cow.

Q. Is that all?

A. Yes.

Q. Any horses?

A. I got some horses - not many.

Q. How many?

A. About 8 head.

Q. Any pigs?

A. I don't want to say any more - That is all I have to say.

THE CHAIRMAN: Very well then we will find it some other way. Now we are prepared to hear evidence as to the work done on this Reserve - Does anyone wish to testify?
CHIEF EDWARDS IS DULY SWORN BY MR. MACDOWALL TO GIVE EVIDENCE.

THE CHAIRMAN: You are the Chief of this Penticton Band on this Reserve?

A. Yes.

Q. Where is the principal village here - where do the people usually reside that belong to this Band?

A. Right here the majority, and a few around the farms, but the most of our land is not very good for cultivation.

Q. Is not the land right about here good for cultivation?

A. This is good right here.

Q. It is good all the way up to Dog Lake, is it not?

A. It is good for hay land.

Q. Hay is your principal crop is it not - leaving fruit out of the question, is it not?

- A. Yes, the hay is our principal crop here.
- Q. And I suppose you make something out of your apples?
- A. We don't make much out of apples.
- Q. Do you raise any grain?
- A. We tried to raise grain a long time ago, but we have turned it into hay meadows.
- Q. Leading further up this valley, you come to a place at the mouth of Sheep Creek and Saddle Creek - There is a settlement there?
- A. Yes, our boundary line is a little bit higher up on the hillside.
- Q. But there are some settlements there?
- A. Yes, there are some Indian's fields, and also a little bit further north.
- Q. How many acres would you suppose there are in all the lands that are occupied by the Indians for farming?
- A. I cannot say, but we are farming quite a bit.
- Q. You cannot give any idea as to the size?
- A. You mean all over this Reserve here - all that is fenced. You mean the pasture land also that is fenced.
- Can you allow me a minute - I can find it out for you.
- Q. Yes, I will be very pleased, and I would like to know how much farming land and how much pasture land you have here.

NOTE: After consultation outside with a large majority of the Indians present, he returned and said:
Because you say I must tell the whole truth and nothing but the truth, I cannot find out how many acres we have, but there is quite a large quantity that is fenced.

The Chairman: You have no idea how much?

- A. No, I don't know.
- Q. How do the Indians here get their living?
- A. From hay cropping and from raising horses and from raising cattle. That is the way they get their living; but there is not one-quarter of our Reserve fit for cultivation.

THE CHAIRMAN: The land on the hills, is it fit to be cultivated?

A. It is very bad - it is rocky and covered with timber.

Q. I suppose it cannot be cultivated without water?

A. Yes, you have seen it - it is very dry.

Q. And it cannot be cultivated without irrigation, can it?

A. It would be no good without water - just for cattle and horses.

Q. They can range on those hills and pick up something, can they?

A. Yes.

Q. Now you say there is timber on those hills. Is the timber any good?

A. Yes, it is good.

Q. Is it good for saw-logs?

A. Some good, and some not good.

Q. I suppose there is quite a quantity that would be good for poles, are there not?

A. Not very much.

Q. Do the young men of the Band hire out for work in the neighbourhood for whitemen?

A. Sometimes - not very much.

Q. I suppose they do no fishing of any consequence here do they?

A. No.

Q. It cannot be said that fishing enters into their means of living to any extent?

A. No, it would be very poor - there is no fish.

Q. Have the Indians any horses?

A. Yes, all the Indians have lots of horses.

Q. How many are there in this Band of Indians here - I don't want the exact number, you understand?

A. The Indians have quite a few horses.

Q. How many?

- A. I have about 140 head myself, and some are pretty near like that, and some less among all the Indians. The Indians have lots of horses on this Reserve.
- Q. How many cattle have you got?
- A. The horses will be about 30 head.
- Q. Well you said you had 140 head of horses?
- A. Because the horses will be about 30 head or better and the cattle will be about 100 head or better.
- Q. Can you say how many heads of families there are on this Reserve?
- A. Men, women and children all told 163 or 164.
- Q. How do you know how many families there are?
- A. Quite a few families and lots of children.
- Q. Have they any pigs?
- A. No pigs - only got 1 or 2. We don't go into pigs.
- Q. I suppose the Indians sell a lot of hay, do they?
- A. That is all on our pasture land outside.
- Q. Do they sell a lot of cattle?
- A. Yes we sell cattle every year.
- Q. Do you breed your cattle and horses here?
- A. Yes.
- Q. Have you stallions and bulls?
- A. Yes. We pick out our best mares and breed them to the whitemen for good stock.
- Q. I suppose the land here is all allotted; that is each man has an allotment to himself?
- A. Yes each one has his own field.
- Q. What is the size of the allotments as a rule?
- A. Some of them have a pretty good sized field and some of them not very large.
- Q. What do you call a pretty good sized field?
- A. Some of the big fields I guess will be a hundred acres or better.

THE CHAIRMAN: And the smaller ones, about how big would they be?

A. Same of them are not very big - I can't exactly say I don't know about what they would be.

Q. Would they run from 5 acres up to 100 acres?

A. Same of them more than 100 acres. My field is bigger than that.

Q. Are there any as small as five acres?

A. About from 20 acres up.

Q. How about the pasture land - does each one hold his own in common?

A. Each one has his own pasture land.

Q. Are the pasture lands always enclosed or not?

A. Yes - my own field has a fence around it.

Q. In addition to that, I suppose the cattle roam all over the fields at times, do they?

A. Yes, the cattle travel all over the range.

Q. How many tons of hay did you sell last year?

A. Myself personally, I did not sell any hay at all because my cattle would starve.

Q. And you use it all for feeding your cattle?

A. Yes, I feed it all, and I use some more.

Q. Did you sell any cattle last year?

A. I sold last year 27 head of cattle.

Q. How many horses did you sell?

A. One.

MR. MACDOWALL: How many calves did you have this year?

A. I did not see them all yet - they are all around.

Q. Well last year, how many?

A. About more than 20 head. May be 22 or 23.

THE CHAIRMAN: Do the Indians sell very much hay, or do they use most of it in feeding their stock?

A. Some that have stock, they do not sell it, and some that no stock they sell it.

Q. I suppose some have more hay than they have stock to feed - and anything left over they sell?

- A. Yes.
- Q. There are two reserves across the River at the south end of the Town. Do you know them?
- A. Yes
- Q. No Indians live on them do they?
- A. No.
- Q. Is it poor land or good land?
- A. A little good and quite a lot no good.
- Q. There are large banks of gravel under the soil and a good deal on top of it is that not so?
- A. Yes very hard gravel.
- MR. MACDOWALL: Do they use it at all?
- A. Just for getting wood. We cut our wood from there.
- THE CHAIRMAN: The wood is scattered and thin is it not?
- A. There is a lot of wood on it.
- Q. There is not a large amount near the road is there?
- A. Not very much near the road.
- Q. I suppose in farming you use farming utensils like the ordinary farming implements that the whitemen uses?
- A. Yes, the Indians have machinery - the plough and mowing machines.
- Q. Have you a binder?
- A. No we have no binder.
- Q. Any horse rakes?
- A. Yes.
- Q. I mean the horse-rakes of the present style - not the old style.
- A. Yes, the very latest style. All these people have the latest improved machinery.
- Q. Are there any young men here on this reserve who have no land - say from 19 to 21 years old?
- A. Yes there are a few who have no land - like the single young men.

Q. All the others have land, have they?

A. Yes.

Q. If a young unmarried man got married, could he get land?

A. I guess if he wanted to take up land he could get it.

Q. Would it be good farming land?

A. Yes, if one wants good land he can take it.

THE CHAIRMAN: Well I am much obliged to you Chief for giving us this information.

A. I would like to say that we would not like to have this land cut off - We have no land to spare on this Reserve. I think we all feel that we would sooner have our Reserves not cut off at all.

THE CHAIRMAN: Well we will pay attention to what you say and consider it

WITNESS: I love my land, and the Government has appointed Indian Agents. There is one man there (Agent Brown), and another man over there (Inspector Cummiskey), and they tell us how to get along on our land, and we do so.

THE CHAIRMAN: What do you mean?

A. I mean by the order of the Indian Agent we work our land and get along good - because we think that the Government has put these men here to look after these Reserves and ourselves.

THE CHAIRMAN: Is that all?

WITNESS: Yes, that is all thank you.

DOMINIC BUCKLEYPEACH is duly sworn to give evidence.

THE CHAIRMAN: Have you anything to say Dominic?

A. The Indians do lots of work in this land here, and we got no water - the whites have taken the water - they took it all - there is not enough water for our cultivation - some of our apple trees are dead - some of the children do not get no drink - the cattle do not get enough water - the hay does not get enough water - if the land does not get any water to irrigate it, it is useless.

This bench here about which the whiteman talks so much about, there is no water there - it is dry - the whites have taken all the water - the water that used to come into the reserve, the whites have taken it all - that is all I have to say.

MR. SHAW: Is there anyone else?

FRANCOIS TIMOYKEN is sworn by Mr. Mr. MacDowall to give evidence.

THE CHAIRMAN: Very well Francois, we shall be glad to hear what you have to say.

WITNESS. I am going to tell you how the Indians used to live a long time ago, and what the old Indians have told us, and how we used to make our living in this land.

The old Indians say that there was no whitemen here, and the Indians used to be very poor - About five or six hundred years ago, from that time until now, the Indians used to get their living from their land, and from God Almighty on the land, just like their fathers they got their living off the land - It is not because the whiteman has come that we make our living - we have been living before the whiteman came and now you ask us how we get along. We get along from the land - it is our father and mother - we get our living just like milk from the land, therefore we have no land to sell - it would be just like selling our bodies. We cannot sell any land until the Man who made the land comes back. It is not because the whiteman came and made the Chiefs, and you say who is the Chief. When the whiteman first came they made the Chief, and struck out the reserves, and who does he tell you people to come and cut up our Reserves therefore our feelings are very sorrowful. The whitemen have sent men here quite a few times to count how much stuff we raise, and how much stuff we have. We get our living from the land, and that is all. We get our living from our land, and our land is getting dry because the whitemen has taken the water, and the land will not

produce the living we used to get. I guess the King who made the law for us a long time ago intends to make the law again now.

The Chairman Did you not hear Mr. White say that the land could not be sold unless the Indians consented to it?

A. Yes.

Q. Well it will not be cut up unless the Indians consent to it.

A. That is all I have to say.

WILLIAM KRUGER ADDRESSES THE COMMISSION, and says:-

Our land will be good after the Commissioners have gone over it, and I guess it will be good after you go away. That is all I have to say.

The Chairman Does anyone else wish to say anything?

No answer.

The Chairman Well we will close the meeting now, and I thank you all for the information you have given to the Commissioners.

MEETING WITH THE OSOYOOS BAND OF INDIANS ON THEIR RESERVES NO. 1, CONTAINING 32,097 ACRES. OCTOBER 8th, 1913.

The Chairman addressed the assembled Indians as to the scope, and powers of the Commission.

MISS CHRISTINE MCLEOD acted as Interpreter.

THE CHAIRMAN: If any of the Indians have any statements to make we shall be glad to hear them.

CHIEF BAPTISTE GEORGE ADDRESSES THE COMMISSION AS FOLLOWS:

As soon as they had made the agreement with the Queen and had this land surveyed off, my heart has asked ever since, because all this land and the hills and the forests had belonged to my forefathers, and my forefathers nor myself never received one cent for this land. This is all I worry about; but the reserve that is surveyed is done.

THE CHAIRMAN: What do you mean?

A. I mean that the land is surveyed off is settled and done forever. I did not bother about the land that is surveyed off because I thought that it was settled and done. I did not think it was my business to attend to it - I thought it was my forefathers - There is only one left that made the proposition, and he is nearly dead now. My forefathers made the agreement that this river was to be the line. The whites were put on the other side and the Indians on this side of the river.

Q. What is the name of the river?

A. The Okanagan. The whites came and looked at the land, and about a year later when they surveyed the land from the end of the lake to the mouth of the river; then they surveyed the land away from the river. After they left the river surveying up towards the East, the Indians saw the surveyors, and they tried to stop them right there. It was the old Chief

that's lying outside here and who is nearly dead with age that went out and tried to stop them.

MR. COMMISSIONER MCKENNA: What is his name?

A. Yakumteekum. The old Chief told the surveyors to stop right there, that the old agreement was that the line was supposed to be the Okanagan River. The old Chief told him to stop and the one that went with him as John, and he commanded John to stop the surveyor and the surveyor said he was working and John took him and stopped him. That is all I have to say just now. I would rather have this man here tell you what he knows about it because I don't know anything concerning the survey.

JOHN STILKIAR ADDRESSES THE COMMISSION AS FOLLOWS:

What the Chief said concerning the agreement with the Queen concerning this Reserve, is true. His forefathers made the agreement with the Queen that this Okanagan river was to be the line; that the whites were to be on the other side and the Indians on this side. He saw when Sproat had made the agreement and drew the red line on the map, and he told the Indian that their land was on this side and the whites on this other. It was a year later after they made that agreement with Sproat when they saw the surveyors come and begin surveying the land and he was the one that told the news to the old chief and the old chief said he had better go and see them, and he went with the old chief with a few others, and when they reached the surveyors, the old chief told the surveyors to stop right there that they were surveying on his land, and that the line was supposed to be the Okanagan river and the surveyors said I am working and you don't stop me and the old chief said [two lines missing] [?]

ment has sent me to survey. He said I am working for the Government and you will have to talk with the Government about it

Now or later on Mr. Haynes was the one that was going to take the land and it was his surveyors that was working then. That is all I know about the proposition

CHAIRMAN: Does anyone else wish to speak?

NO ANSWER.

CHAIRMAN: Well then we are prepared to hear evidence as to how much land you have cleared, how much you have under cultivation, how you make your living, and the quality of the soil, etc.

CHIEF BAPTISTE GEORGE IS HEREUPON SWORN TO GIVE EVIDENCE.

Q. You are the Chief of this Band?

A. Yes.

Q. Where do most of the Band live?

A. Every man in this room has his own house on this Reserve.

Q. What do they do for a living?

A. They cultivate the land and that is the way they make their living.

Q. What do you raise principally on this reserve?

A. You know yourself. They get most of their money out of cattle and horses.

Q. Do you raise hay on the land?

A. They cultivate the hay, and when winter comes they feed their horses and cattle with it and when summer comes they pasture on the hills, and that is how we make our living.

Q. How much land have you cultivated here?

A. You know yourself. I do not know. Every man in this room has his own little farm where he cultivates his grain and raises his fruit to live; and that is all I have to say you can ask the Indian Agent for further information.

Q. Every man has his house; what about the young men, is there any land for the young men who are not married?

A. I have nothing more to say. I understand you folks were in a great hurry and you had better go, because I had plenty of time to give you the information you wanted

- Q. We only want to ask you a few questions.
- A. You can get those few questions next year.
- Q. We are asking these questions for the purpose of finding out what we want to find out.
- A. If you want to know they have not enough land on this reserve for the cattle and we will have to ask the Crown for more land.
- THE CHAIRMAN: Are you not one of the men who sent a letter asking for more land and sent it from Spence's Bridge?
- A. Yes, I sent that letter and you know on this land here there is nothing but rock.
- Q. Now we come down here and you don't want to give us any information as to whether you are entitled to more land, and that is one of the things we want to find out. And moreover the information that we want as to the quantity of the land here under cultivation, if you don't choose to give it to us we will have to get it from somewhere else, and you won't have a chance to give it. We are only asking you these questions for the purpose of giving you all a fair chance.
- MR. WHITE: You wrote a letter asking for more land, and we want to know for what purpose you need more land. Is it for the young men or for what purpose do you want it.
- A. I thought you had very little time, that is the reason why I hurried on with my speech. Of course I thought that you folks were in a hurry and that is the reason why I hurried on, and if you stayed all night I would have more to say.
- Q. Are there any young men here who have no land.
- A. There are several that are grown up and they go out at night. I think they are looking more for women than for the land.
- Q. Are there any married men who have no land?
- A. There are several old men in this room have wives and have land. The children, the young ones have no land.

and a good many of all the children have no land.

MR. COMMISSIONER WHITE: What about the unmarried men, have they all got land?

A. The young children, those children that are not of age and are not married, and who are living with their parents have no land. There are pieces of land over here that would grow anything provided it was irrigated, and I don't want to let anyone have that land because the young people will have it.

Q. How much good land is there on the reserve that is not cultivated?

A. NO ANSWER.

NARCISSE BAPTISTE is duly sworn to give evidence.

MR. COMMISSIONER WHITE: Do you live on the Reserve?

A. Yes.

Q. Do you know the Reserve well?

A. Yes.

Q. Is it all occupied and used?

A. They use the land as far as they can - as far as the water will go and further than that. There is some parts of the land that is not irrigated that they use.

Q. They have irrigation here then, have they?

A. Yes.

Q. Have you any land - are you married?

A. Yes.

Q. Are there any young men of 18 years of age and upwards who have no land?

A. When the Indian boy is 18, he is not like the whitemen, he will not leave his home - he will stay with his father help him on the ranch, and his father never kicks him out.

Q. Do none of the unmarried young men take up land for themselves and work on it.

A. When a man has a family, and when his son comes to be 18 years, he will take more land, so that when his son marries he can have the land.

- Q. Are there plenty of land for the young men?
- A. If the whites did not take the irrigation water, there would be plenty of land for everyone.
- Q. Is there much mountain land here?
- A. You can see for yourself. You cannot hardly move your autos for rock, and you will see when you go home that we have the worst roads.
- Q. How much of the land is bad and mountainous?
- A. I do not think 1/4 of it is fit for cultivation.
- Q. What about pasturage - is there much pasturage?
- A. There is only about 1/2 of this Reserve that is good for pasturing.
- Q. Do you mean that 3/4 of it is good for cultivation and pasturing?
- A. 1/2 of the Reserve is not any good at all. You cannot travel over it one foot.
- Q. Have you made arrangements here for getting the water on your land?
- A. What do the whites do to get their cultivation on the land - Don't they make the ditches on their land?
- Q. That is what we want to find out?
- A. Yes, we do that too.
- Q. Is all the land that is cultivated, is it irrigated?
- A. Most of it is irrigated where we can get the water, but we are awful short of water.
- Q. On our way down to this house, we passed a very good bit of hay land, did we not?
- A. Yes, I guess you did all right.
- Q. Have you any more land like that on the Reserve?
- A. Yes.
- Q. How much is there in that piece I just mentioned?
- A. I do not understand the books, nor I don't understand measurements - Is it 1/4 of a mile, or is it as many feet.
- Q. You say there is some more land like the piece I just mentioned in other parts of the Reserve?

- A. Yes.
- Q. In what direction are those other pieces?
- A. Probably five minutes travel down below here. Down there you will find some land like the piece you spoke of.
- Q. Would it be about the same size?
- A. About the same.
- Q. Is there any somewhere else like it?
- A. There is a piece of land across the creek about as good.
- Q. Is it larger or smaller?
- A. About the same size.
- Q. Have you any more?
- A. I told you before as far as the water will go you will find the good land, and where the water won't go, the land is no good.
- Q. How many cattle and horses have they on the Reserve. I don't mean the exact number you know, just approximately?
- A. Well, I think we have about 1,000 head of cattle and horses.
- Q. How many of those are horses?
- A. Over 200 horses.
- Q. And you raise enough hay to feed those cattle do you?
- A. We feed them very little hay on account of the shortage of hay. Sometimes the snow is very heavy, and we can't feed them.
- Q. How do you winter them if you don't give them sufficient hay?
- A. I feed them just according to their own ideas - I watch the days and the months, and sometimes I have not enough hay to feed them on.
- Q. Do you raise any grain here?
- A. We raise grain just to feed our own cattle and horses.
- Q. You raise hay, you raise grain, you don't sell either grain or hay off the Reserve - Now do you feed it to your cattle and horses?
- A. We feed it all to our horses and cattle, and we have not got enough to do that properly. Whatever I raise I feed it all until it is all gone.

Q. Do your cattle and horses get enough hay and grain to feed them properly through the winter?

A. We get sufficient hay to feed them through a short winter, but you understand some winters are longer than others, and during those long winters we have not got enough hay to feed them.

Q. You are speaking now of all the cattle and horses on the Reserve?

A. Yes.

MR. COMMISSIONER MCKENNA: And I suppose the summer ranging is pretty well eaten is it not?

A. IF you were to pass through here in about a month, you would not find any bunch grass around the roads, and the cattle comes down from the hills after the snow has fallen there, and eats all the grass they can find.

Q. Well, I think that is all, and thank you very much for the information you have given us.

MEETING IN THE NICOLA HOTEL, PENTICTON, on October 9th, 1913.

THE CHAIRMAN: I understand some of the members of the City of Penticton desire to put something before us in regard to the Indian Reserves.

MR. SHAW: We would be glad to hear what Mr. Watson has to say in regard to the big reserve here.

DAVID H. WATSON was duly sworn to give evidence.

MR. SHAW: Where do you live, Mr. Watson?

A. I live at Summerland.

Q. That is how far from this large Penticton reserve No. 1?

A. The dividing line between Summerland district and this large reserve is Trout Creek.

Q. Then this large reserve adjoins the Summerland district?

A. Yes.

Q. Do you know the area of this reserve?

A. It is generally reported to be 47,000 acres.

Q. Have you been over this Reserve?

A. Fairly well over it.

Q. Over the whole of it?

A. Yes.

Q. About what amount of cultivated land would you say there is on this reserve?

A. There is at the North end of the reserve adjoining Trout creek, near the Lake, in the neighbourhood of about 10 acres occupied by one, Antoine, and about five miles straight west of that in the Shingle Creek, there are three or four I just don't know how many but I should say that there is not more than 15 acres at the outside.

Q. That is altogether?

A. Yes.

Q. We wish to include Hay-land in this?

A. There are some hay-lands along there at Shingle Creek - I don't know how many acres but I don't think there is over 20 or 30 besides the 15 that I have just mentioned.

MR. COMMISSIONER MACDOWALL: About 45 acres altogether?

A. Yes. Of course it is just a casual observation.

CHAIRMAN: Is there some round the bend, going up Sheep Creek?

A. Not that I am aware of. There is down this way further.

Q. This 45 acres is up on the North end of the reserve, and coming down this way, going South east, there is some more down there. Just how much I cannot say.

Q. That would be 2 1/2 miles further on, would it not?

A. Yes.

MR. COMMISSIONER SHAW: About what area is in that?

A. I don't think there is over 40 acres.

Q. What other is there?

A. Well then you come down through the ground you were over yesterday. I don't know how much there is over this flat land because I was never over it.

Q. Outside of that large cultivated area along the river, you say that is all that is under cultivation?

A. Yes, that is all that I know of.

THE CHAIRMAN: Is there not a place called Marren Lake?

A. I don't know.

MR.COMMISSIONER WHITE: When you speak of hay-land, do you include wild meadows?

A. Yes.

MR. COMMISSIONER SHAW: And what is the balance of this land like generally speaking - taking the whole entire reserve?

A. Dry bench land and mountains.

Q. Is that mountain land capable of cultivation under any conditions whatever?

A. No.

Q. Well, what would you say in regard to the bench land?

A. A large portion of the bench lands could be cultivated if there was lots of water for it.

Q. And if there was water, would it be good productive land?

A. Those portions of it that could be cultivated, would be good productive land.

Q. Could you give an approximate area of those bench lands?

A. On the northern end overlooking the lake, I would say there was in the neighbourhood of 1,000 acres, and between here and that northern end there would probably be 500 acres, and directly across from here and south, I imagine there would be in the neighbourhood of 3000 acres. And then West in the neighbourhood of Shingle Creek there would probably be another 1,000 acres.

Q. That would be 5,500 acres - Do you think that is about all that could be cultivated?

A. I think so.

Q. Is there any water on the lands?

A. There are no creeks or water on the lands that would be valuable for recording.

Q. You know that from the records, do you - you have examined them?

A. Yes.

Q. In your opinion, is there any possible available supply of water for that land?

A. If the flood waters could be stored during the flood time, I have no doubt but what there could be sufficient water held for this land, from Shingle and Sheep creeks.

Q. Would that be expensive to store that water and convoy it from the storage reservoir to the land?

A. It would be a very expensive operation. There is another element which would be harder to overcome, which is the procuring of reservoir sites or storage facilities. There are not sufficient storage facilities at the head of these Creeks I have just mentioned to save sufficient water for the irrigation to these lands.

Q. And are those the only two available sources of water?

A. Yes.

Q. Assuming that there was storage facilities for the water in Shingle Creek and Sheep Creek, what amount of land would that water supply of the 5,500 acres?

A. Well, as I said before, if you got the storage facilities, you could hold sufficient water to water the whole 5,500 acres.

Q. Well assuming the storage facilities were there, you think that sufficient water could be stored to irrigate the whole 5,500 acres?

A. Yes.

Q. What would be the initial cost to irrigate to this land?

A. I am satisfied that water could not be put on this land for less than \$100.00 (One hundred Dollars) per acre.

MR. COMMISSIONER MCKENNA: What would be the initial cost of storage alone for the 5,500 acres?

A. I don't think it is at all possible to put in storage for that amount of water.

Q. Putting in the best storage that you could put in, what do you think the expenditure would be?

A. You could not put in storage to retain that water for less than One hundred thousand Dollars (\$100,000.00)

Q. That is to cover 5,500 acres of land?

A. Yes.

Q. And how much would you say it would cost to run the water on the land?

A. Not less than \$100. per acre.

Q. That would be \$20. per acre?

A. Yes.

COMMISSIONER MACDOWALL: And you say it would take \$120. per acre for the storage and distribution - that is \$20.00 for the distribution and \$100. for storage?

A. Yes.

CHAIRMAN: That is just installing the system?

A. Yes.

Q. What would it cost for the use of water per annum?

A. You would have to put on to your cost per acre to give you a revenue on your capital expenditure.

- Q. What would be the probable cost per acre, supposing you were irrigating the 5,500 acres - what would be the probable cost of the use of the water per annum?
- A. You would have to charge more than the Lieut-Governor-in Council allowed. Ten percent would have to be allowed on the capital expenditure in order to make any profit at all.
- Q. That would be \$12.00 per acre per annum? for rental?
- A. Yes.
- MR. COMMISSIONER MACDOWALL: And what are you allowed to charge?
- A. Under the Act we are only allowed to charge \$8.00 per annum.
- Q. Have you had any experience in irrigating matters in this country?
- A. Yes.
- MR. COMMISSIONER SHAW: And if the water were installed on that land would you care to estimate what that land could be sold for, or what it would be worth?
- A. With such a costly system, you would have to charge a pretty good price for it, and that land with water on it will grow anything - it will grow any kind of produce that is not tropical.
- Q. It would be equal to any land in the Okanagan Valley, would it?
- A. Oh yes.
- THE CHAIRMAN: So that if this land was thrown open for sale, it would not pay anyone to buy it because the expense of putting in the water would be so great, that no one would touch it - is that right?
- A. Yes.
- MR. COMMISSIONER SHAW: What would you say as to the value of that land as it stands today?
- A. I don't consider that bench land out here worth anything because of that feature of the water.
- Q. Is there no pasture on it?
- A. No.

MR. COMMISSIONER SHAW: Is it what you would call waste land?

A. Yes, it is nothing else but waste-land.

MR. COMMISSIONER MACDOWALL: Is there any pasture in the mountains?

A. Yes, a little summer pasture, up on the mountains.

Q. And in the winter?

A. You have got to provide hay and feed for your stock.

MR. COMMISSIONER MCKENNA: How many months in the winter?

A. About five months - You understand away up on the mountains the grass dies early on account of the slight rainfall; and take it in the month of August there is very little on it, so that you see when it comes to October there is practically nothing at all.

Q. So that you have about 7 months in which your cattle and stock can range?

A. Yes.

Q. And you would have to get your hay from the meadow land unless you irrigated it?

A. Yes.

THE CHAIRMAN: Is the pasture. on those fields very good?

A. Yes.

MR. COMMISSIONER SHAW: I would like to ask you one or two questions about that man Antoine who has a small holding at Trout Creek - Has he an orchard there?

A. He has a few trees there.

Q. What condition is that orchard in?

A. Well we would not consider it in first class condition.

Q. Has it deteriorated in the last few years?

A. I don't know that it has. It is not an orchard like these people have down here - there are younger trees up there and of course he don't give them the same attention as we would.

Q. Is it a fact that a few years ago he had water on it, but now, on account of the Summerland people diverting the Creek above him, he is deprived of water - Is that right?

A. Yes.

MR. COMMISSIONER SHAW: Do you know anything about the record of that Creek on the Indian Reserve?

A. No.

Q. Do you know who has the first record?

A. Duncan Wood.

Q. Has he a record for all the water in the Creek?

A. No.

Q. There are subsequent records, are there?

A. Yes.

Q. But you don't know of any records held by the Indians?

A. None whatever.

Q. Well according to the Schedule there is 100 inches of water recorded on Trout Creek?

A. Where does it come in?

MR. COMMISSIONER SHAW: It does not say - I thought perhaps you might know.

A. No, I am afraid I don't' but he can get plenty of water there in flood time - there is nothing to hinder him from getting water there at that time. The trouble is when it comes to the time when he requires the water most, there is none for him because it is all taken off from the system above.

MR. COMMISSIONER MCKENNA: So that if he put pipes in there, he could get all the water he wanted?

A. Yes.

MR. COMMISSIONER MACDOWALL: Would it be possible to store any of that flood

A. Oh yes - He could store it away back from Trout Creek, and water could be stored there to practically an unlimited amount with the expenditure of considerable money. The District of Summerland have storage away back on the mountains, and they are increasing that storage every year, and of course anyone having a record on Trout Creek can apply for storage records and go back and store it if they have the money. The upper end of the bench land on the north end could be irrigated from a municipal system across the Creek provided arrangements could be

made with the municipality.

MR. COMMISSIONER SHAW: I don't think under the Water Act that could be done. You mean pipes could be put in to convey the water, do you?

A. Yes.

MR. COMMISSIONER SHAW: Well I don't think a municipality could take out a water record for municipal purposes and then turn round and sell it for irrigating purposes. I don't think that would be allowed.

re: WESTBANK RESERVE EVIDENCE

MR. W.A. LAING IS DULY SWORN TO GIVE EVIDENCE RE
THE ABOVE RESERVE

MR. COMMISSIONER SHAW: Where do you live?

A. At Peachland.

Q. How far is Peachland from the Westbank Indian Reserve?

A. About 8 miles from the southern boundary, and 14 miles from the northern boundary.

Q. Do you know the number of these two Reserves?

A. Yes, 9 and 10.

Q. Which one is it that is directly opposite Kelowna?

A. 10.

Q. And contains how much?

A. 800 acres.

Q. Is there any part of this land that could be cultivated under present conditions?

A. Very little under present conditions.

Q. Is there any land at present being cultivated, or used for hay?

A. A small portion of it is being cultivated.

Q. About how much?

A. I should say about 10 or 15 acres.

Q. What is the land on that Indian Reserve like?

A. There is some bottom land - the back of it is bench.

Q. Is it capable of being irrigated?

- A. Portions of it.
- Q. About how much?
- A. I should say there are about 400 acres that could be brought under cultivation with irrigation.
- Q. Is there any stream or creek on this reserve at all?
- A. No - There is a very small spring creek.
- Q. But there is no creek or stream that could be of any use for irrigation purposes?
- A. No.
- Q. Is there any water in the vicinity that it would be possible to bring to this land for irrigation?
- A. There is a large Creek emptying into the lake; probably three miles from the Indian Reserve with practically an unlimited supply of water if it could be stored.
- Q. North or South?
- A. North
- MR. COMMISSIONER MCKENNA: It is back from the Reserve?
- A. Yes - it empties into the Lake north of the Indian Reserve.
- MR. COMMISSIONER SHAW: Are there any Indians on this reserve - are there any houses on it?
- A. Yes, I think there are one or two houses.
- Q. Now about Reserve No. 9, that lies how far from No. 10?
- A. Probably $3\frac{1}{2}$ miles from corner to corner.
- Q. What is its area?
- A. Something over 2,400 acres.
- Q. Is there any of this land under cultivation?
- A. Yes there are some very small portions that might be said to be under cultivation.
- Q. Are there any Indians living there?
- A. A few.
- Q. How many - how many families?
- A. It might be very difficult to answer that - there might be 10 or 12 families who claim to be resident there.
- Q. And I suppose they are all farmers?
- A. Well, I would hardly say that they were farming.
- Q. Do they get their living off this land?

- A. Well in the sense that any living they do get off the Reserve, you might say they get their living off the Reserve.
- Q. You mean they make their living somewhere else?
- A. Yes.
- Q. Do they produce enough off the land to live on?
- A. No, certainly not.
- Q. Only in part?
- A. Only in a very small part.
- Q. Do you know how much land there would be under cultivation?
- A. Well, I should not say that there were 10 acres under actual cultivation.
- THE CHAIRMAN: Including hay land?
- A. I understand there is a small meadow in which there might be 15 acres in it.
- Q. Is it wild hay?
- A. I don't think that it has been reseeded during my time in the valley - It is Timothy.
- MR. COMMISSIONER SHAW: What is the balance of this Reserve like?
- A. A small portion of it is bottom land, but the great percentage of it is bench land.
- Q. Is it capable of being cultivated?
- A. A considerable portion of it - say 1,000 acres.
- Q. How about a water supply on this Reserve?
- A. There are two Creeks on this Reserve - one of them is the one that I mentioned with regard to Reserve No. 10, and another one.
- Q. What is the name of the Creek?
- A. Bear Creek - Water would be brought from Bear Creek, or the other creek, Power's Creek, by storing the water up.
- Q. As that Reserve stands today, what would you say as to the cost per acre for bringing water from one or both of these Creeks for irrigation purposes?
- A. Well, I can give you definite figures in regard to

bringing water from Bear Creek. Figured on an area of about 1100 acres, the cost on a thoroughly up to date permanent system would be \$72.00 per acre.

MR. COMMISSIONER MACDOWALL; Does that include both storage and distribution?

A. No. Simply a diversion creek from Bear Creek and a small distribution storage basin. So that I would take it that if water was to be brought a little further, the cost per acre for a larger area would be reduced.

MR. COMMISSIONER SHAW: That is the cost of say 1500 or 2000 acres would cost less than on the 1100 acres, would it?

A. Yes.

Q. Do you know anything about a record of water for this Reserve?

A. I understand that on Reserve No. 10 there was a record on a small Creek called Keith Creek.

Q. That is the one we spoke of first?

A. Yes.

Q. But I am speaking now of Reserve No. 9?

A. Well it is reported there is a record on McDougall Creek.

Q. Do you know the amount of water asked for in that record?

A. No; but McDougall Creek runs dry about the 1st. of July.

Q. If that Reserve was sub-divided into 160 acres blocks, would it be feasible to bring water to any of these 160 acre pieces?

A. No.

Q. You would say that the only feasible way to get water on that at a minimum cost of \$72.00 per acre... ..?

A. I said that if there was a larger area to be irrigated than the 100 acres, that the cost per acre would be considerably reduced.

Q. Would it be feasible, taking into consideration the area of land on this Reserve - would it be feasible to bring water on this Reserve?

A. It might be feasible, but it would be very expensive for the Reserve land; but in answer to your question regarding

the 160 acres blocks, I think a much cheapened cost would be had if contiguous country could be taken in and the irrigation of the Reserve made a part of the general scheme for the entire district.

Q. If a general system was introduced it would cost less?

A. Yes.

Q. I have no more questions to ask.

THE CHAIRMAN: I am putting this down then - that the water system would be less if it was part of a general system and not confined solely to the Indian Reserve - is that right?

A. Yes.

MR. COMMISSIONER MACDOWALL: Do the Indians live on the Reserve all the time?

A. No - they could not.

Q. Why not?

A. Well the Indians are like any other kind of people. They mostly go out and work.

Q. What kind of work do they get?

A. To give you a concrete example, your Commission passed a bit of a clearing near Peachland. Of my own knowledge, 3, 4, 5 or 6 or these Indians have been clearing land there during this Spring; and as a general rule they pick up anything they can get to do.

MR. COMMISSIONER WHITE: They take out contracts?

A. Yes.

MR. COMMISSIONER MCKENNA: On the question of irrigating the country here; it is a question of area - the extent of the area reduces the cost per acre?

A. Yes. It must be a general system to be profitable.

Q. You could not irrigate No. 9 profitably without irrigating 9 and 10?

A. It must be very evident Dr. McKenna that if a system is being arranged for 2,000 acres, that very little more will carry double the water, and in that way the cost is reduced.

Q. The cost per acre and the interest charges will be reduced?

A. Yes.

MR. E. FOLEY BENNETT is duly sworn to give evidence.

MR. SHAW: We would like to get some evidence from you Mr. Bennett in reference to the two Reserves (2 and 2A) which are inside the Municipality of Penticton.

A. Very well, Mr. Shaw, I will give you all the information I can upon the subject.

Q. Where do you reside?

A. In Penticton.

Q. Right in the town?

A. Yes.

Q. You are the Reeve of the Municipality of Penticton, and also the President of the Associated Boards of Trade of the Valley?

A. Yes.

Q. Do you know the Reserve lying immediately adjacent to the town?

A. Yes.

Q. Do you know the area of that Reserve?

A. I could not give you the exact area. There has been a little dispute - we have never had a survey, and consequently I cannot give you the correct area of it.

Q. In laying out your Municipality, that Reserve is not included?

A. No.

Q. What use is being made of it by the Indians - No. 2 contains 521 acres, and 2A adjoining it to the west contains 194.50 acres?

A. The Indians have the right to only the dead timber for their own use. There is no portion of the Reserve under cultivation.

Q. Do any Indians live on it at all?

A. No.

Q. What is the character of the land?

A. Mostly very light gravelly soil.

Q. Would that soil produce anything if it were cleared and

irrigated?

A. The greater portion of it would be of very little value under irrigation. It is really a dried out river bed.

Q. Has the Municipality ever made an application for this land for Municipal purposes?

A. Yes, repeatedly.

Q. For what purpose?

A. About four years ago, application was made to the Department for the ground for public buildings, such as a university site and so on. At that time the Indians were willing to dispose of that property - they went so far as to put a price on it, but nothing came of it, and it has been hanging fire ever since. Recently an application was sent to Ottawa for an armoury site. We were getting up a regiment here and we wanted shooting ground and training grounds, and correspondence is now passing on those lines.

Q. The armoury, that would be a municipal matter - that would be for the Dominion Militia?

A. Yes.

Q. You spoke of a university site a minute ago - would that be a municipal matter?

A. No.

Q. That would be a private enterprise of some kind?

A. Well, we will have Government assistance of course. We have also asked for a portion of the ground for a municipal park - It is a natural park at the present time.

Q. And the other buildings would be municipal buildings?

A. Well we had that in view at that time. We have made provision for other places since - but the idea was that the location being so close to the town, it would be very handy for municipal purposes.

Q. And you are still corresponding with the Department about this matter, are you?

A. Yes.

- Mr. Shaw: Do your water mains cross this at any point?
- A. No. We have an irrigation system which practically surrounds it though. The S & O Company passes a corner of it I believe.
- Q. Are there any streets running across it?
- A. No.
- Q. You are contemplating the incorporation of the Municipality of Penticton as a City?
- A. Yes.
- Q. In the event of your being incorporated, would this piece of land come within your proposed city limits?
- A. Not at present. I might state there is one very vexed question with regard to which you might have something to do and that is the question of Ellis Creek from which we take most of our irrigation. This Channel or Creek as I should say passes through this particular piece of property, and the channel is continually being blocked from the gravel. Last Spring the channel was completely blocked with the result that it nearly destroyed several orchards in the lower country. As we understand it there is no one allowed to go on to the property, and we have made application to the Department to have this channel kept open, but nothing has so far been done, and probably next year the same thing will happen again.
- Dr. McKenna: Did you never receive authority from the Department to go on that land and clean the gravel out of the channel?
- A. Not that I am aware of. We got a letter from Mr. Brown, but I have no recollection of ever receiving a letter from the Department.
- Q. Did not the letter received from Mr. Brown authorize you to go on the land to clean the channel?
- A. I have no recollection.
- Mr. Macdowall: If you cleared out the ordinary channel of the Creek would not that answer the purpose?
- A. There may have been many reasons. If the Municipality had control of this tract of land they might have done so, but

the Municipality did not feel justified in doing that when they had no control of the Reserve whatever.

I think in connection with this Indian Reserve the Indians have no objection to deal with that. I think when we had the pleasure of meeting Dr. McKenna last year, the Indians expressed their willingness to let go that piece of the Reserve. We did discuss this bench land across the river amounting to about 2,500 acres - of course that is the property that we are very much interested in - that is fruit land - of course in that respect the Indians, as you were told yesterday, are not inclined to let any of that <

Mr. Shaw: That is for the benefit of the district - for the City and town?

A. There are 2500 acres of land over there. at the present time it is not worth \$1.00 an acre. If water was put on that land it would support 1500 people.

Q. You are speaking of the best of it?

A. I mean that it is not returning \$1.00 per acre, although I would like to buy it at that price.

Mr. Macdowall: What is the nearest place for a reservoir site?

A. Shingle Creek

Q. And you believe there is water available?

A. Yes.

The Chairman: I imagine Mr. Bennett does not know the available water for irrigating that Reserve?

A. I know this much the general run of water is now diverted to Kaledon and there is very little in the Creek now.

Q. Did you hear what Mr. Watson has been saying re water for irrigating purposes.

A. I did not hear what Mr. Watson stated. I came in late.

Q. Mr. Bennett says that a large portion of the bench land could be cultivated if there was water for it.

A. I don't think it is right to take evidence of this character without a competent man being present to give you evidence on a subject such as this. I tried to get our Engineer, but unfortunately he has gone out with Dr. Robertson.

The Chairman: Well you would take that land for \$1.00 an acre would you not?

A. Yes, I would jump at it at \$1.00 an acre.

Dr. McKenna: Of that land how many acres could you put water on?

A. No doubt water could be put on the highest points, but practically 3,000 acres could be covered with water.

Q. What would you think it would cost to put water

A. If I had no reservoir plant, I would put in a pumping plant from the lake.

Q. What would be the capital expenditure to bring water from the lake to the 3,000 acres?

A. I cannot say, there are so many kinds of pumps.

Mr. Shaw You heard what Mr. Watson said didn't you?

A. Yes, but I don't altogether agree with what he stated. I have never been over the ground, and may be a reservoir plant could not be got up to Trout Creek.

Mr. Macdowall: The 3,000 acres that you spoke of, where does it extend?

A. It extends from Duck Creek to Shingle Creek.

Q. Would you say there was 5,000 acres of good land?

A. No, I would not.

Q. How many acres could be irrigated in the entire reserve, leaving out the low land?

A. I think there could be 2500 out of the 3000 acres used profitably. I am just taking the bench land across the river extending from Trout Creek to Shingle Creek. There are 47,000 acres in that Reserve, and we would like if possible to get that 3000 acres from it.

The Chairman: Our powers do not authorize us to allow this to be done.

A. Well all I can say is that I hope something will turn up to help us out - It is a very important matter - We have not very much land in this valley, and all that we have is now under cultivation, and yet right at our doors, we have thousands of acres of land lying useless.

MR. SHAW: I see Mr. Kay over there perhaps he would volunteer to give us some information.

A. No I don't think there is anything that I can add to what has already been said.

This matter of irrigation is a matter that ought to be taken up with a competent engineer, as all the evidence so far given, is, in my opinion, merely guess work. There is lots of good land over there that would be good land.

CHAIRMAN: Well I am much obliged to you gentlemen for the information you have given us.

MEETING WITH CHARLES RICHTER IN THE CENTRAL HOTEL, KEREMEOS, B. C.
REGARDING FRANCOIS INDIAN RESERVES NOS. 12 and 12A , OCTOBER 11th, 1913.

THE CHAIRMAN: You are resident in Keremeos?

A. Yes.

Q. How long have you lived here?

A. I was born here.

Q. You have lived here ever since?

A. Yes.

Q. You were up on the Indian reserves with the Commissioners this morning, situated on Keremeos Creek?

A. Yes.

Q. We crossed the South Boundary of the Indian reserve which you pointed out?

A. Yes.

Q. And then we stopped on the road opposite a house which was to the east of the road?

A. Yes.

Q. Who lives in that house?

A. Francois.

Q. Anyone else?

A. His wife and two sons.

Q. You are a hunter, are you not?

A. Yes.

Q. And consequently you have gone over the Country quite a bit?

A. Yes.

Q. You know the reserves there?

A. Yes.

Q. The whole block contains about 1280 acres?

A. Yes.

Q. We crossed the Southern boundary and you pointed out to us the north boundary where it went over the hill?

A. Yes. It goes up against Marcell's.

Q. Yes. That is on the east line?

A. Yes.

Q. Going out we crossed the South Boundary did we not?

A. Yes.

Q. And this house was on the east of the road?

A. Yes.

Q. That other boundary is the north boundary?

A. Yes.

Q. Where we stood looking towards Francois' house there was some cleared land there was there not?

A. Yes.

Q. And some hay land?

A. Yes.

Q. And there was some other land on the uplands?

A. What do you mean.

Q. Near where those haystacks were?

A. Yes.

Q. Has that been cultivated?

A. Yes.

Q. How much cultivated land was there on the east side of the road in the valley?

A. That is already cleared.

Q. How much would you say is cleared in that patch?

A. About 50 acres.

Q. In front of us looking towards the North, it was hilly. Was it rocky land?

A. Yes, very rocky and rough.

Q. What would that be useful for?

A. Just for grazing.

Q. Anything else?

A. No.

Q. On the other side towards the west there was more hill. What would that be used for?

A. Just for grazing.

Q. Over the hill - what was over there - You have ranged about there?

A. It is just the same - just rocky and grazing land.

Q. I thought you said there was a little valley there?

A. No, only rocks.

Q. Anything else?

A. No, just rock.

Q. If that is true, the only land that is fit for cultivating would be that 50 acres that you speak of; the rest would only be fit for grazing purposes?

A. Yes.

MR. SHAW: Would that be good grazing ground?

A. No it is not very good grazing ground.

DR. MCKENNA: And all the cultivated land that is in this reserve is now being cultivated, is that so?

A. Yes.

Q. They use every bit of it?

A. Yes.

Q. It is a horse country here is it not?

A. Yes.

THE CHAIRMAN: How many horses has Francois?

A. About 15 head of cattle and about 30 head of horses.

Q. Well that is all, I think. I am much obliged to you.

ROYAL COMMISSION ON INDIAN AFFAIRS FOR THE PROVINCE OF B. C.

MEETING WITH THE SKEMEOSTKIN BAND OF INDIANS ON THEIR

RESERVE NOS. 2, 3, 4 and 5, in WILLIAM TERRABASKET'S House,
on OCTOBER 11th, 1913.

MR. COMMISSIONER WHITE, briefly explained the scope and
purpose of the Commission.

ISAAC HARRIS, acted as Interpreter.

THE CHAIRMAN:- Now if any of the Indians wish to say
anything or to make any statements, we shall be glad
to hear them.

CHIEF NAHUMCHEEN addressed the Commission as follows:-

Yes you come to see me and I come to see you, and I
will talk to you. I am glad to see the Royal Commissioners.
You have gone over part of my Reserves and you have
seen them with your own eyes. The most of these lands
are rocks. I love all my land here. I have no hard
feelings because this land has been fixed already. My
father and the Queen have fixed this land. The Indians
have business to talk about the land that is outside the
Reserves. We came to the conclusion at that time to go
to Victoria to talk about the land outside the Reserves.
They said "We will go to Victoria and see McBride, and
we will go down and ask him whether this land belongs to
him or whether it belongs to us. There was 104 chiefs
went down and visited McBride at that time. After we
got in we said "We want to ask you about this land,
we want to know whether this land belongs to us or
whether it belongs to you. We also told him that all
the Indians present were of one heart, and there were
just two speakers for the whole outfit. At that time he
was not able to tell us - all he said was that "I was
born in this land, and I was not born in the whiteman's
land". We put the map down in front of him, and he said

that the map of the Reserves is all done. The Queen planted [p.106]
four posts to every Reserve and it is your land and it does [p.107]
not belong to anyone else but you, and supposing a whiteman
should go inside these posts and put up a building, and you
told him to get out and he would not go out, you can go to
the Indian Agent. It don't matter how much improvements
he has made, he will lose it all" He also said that land
you got in your own hands and this land outside the
Reserves I can't fix myself. I am not the Head Chief
for that. Ottawa has not got the power to fix it. We
are all working for the King - anything we want to do we
name the King and then the money begins to fall - bridges
or railways - he is the Head Chief, and anything that you
have said to me now I will forward it on to Ottawa and
Ottawa will forward it on to the King and you will get an
answer back". I never got an answer yet. All my children
and people here want to get a piece of land outside the
Reserve. There is a Creek here right straight across from
here about 10 miles long, and we want a piece of land as
long as that Creek.

CHAIRMAN:- Where is that Creek?

A. Right where the sun is now - There is one valley there
by itself.

Q. I was given to understand that the Reserve went up
to the top of the hill and over it. I understood from
Mr. Brown that the Reserve went over the top of the hills.

AGENT BROWN:- The boundary of the Reserve on the other
side is just above the little cottage I pointed out to you.

CHAIRMAN TO THE CHIEF:- All right Chief go on, I was mistaken
in regard to the boundaries.

A. That is all I have to say - All my people want that
piece of land.

Q. What is the name of the Creek?

A. Susap Creek (formerly called Deadman's Creek).

Q. Are we now on No. 3 Reserve?

A. I don't know the numbers of this Reserve at all. No one
ever tells me the numbers, so I don't know.

Q. This Susap Creek comes into the river about 1½ miles down the river does it not?

A. It is almost opposite from where we are now.

Q. Who marked this place on the map saying, "We are holding this meeting now"?

INSPECTOR CUMMISKEY: - I did.

Q. Well either Mr. Brown is wrong or else this plan is wrong - I want to get some idea as to where we are.

MR. SHAW:- Whereabouts is the Narcisse Farm?

THE CHIEF:- The next creek below the creek I mentioned - Susap Creek.

Q. Where is Joe Nahumcheen's reserve? Is this Joe's place where we are?

A. No.

THE CHAIRMAN TO AGENT BROWN:- What reserve are we on now?

A. No. 3.

Q. The Creek the Indians speak of is opposite here?

AGENT BROWN:- The Creek he speaks of is about 1 ½ miles further on.

MR. COMMISSIONER MACDOWALL TO CHAIRMAN:- If you take these glasses you will be able to see it.

The Chairman here took the binoculars and went out and viewed the place.

THE INTERPRETER said:- The map shows the lower creek as Susap, whereas it is the one further up that the Indians mean.

THE CHAIRMAN:- Well, the map is apparently wrong. Well then, go on Chief.

THE CHIEF:- We also want 8 miles on top, running northward.

MR. SHAW:- He wants a piece starting at the Southwest corner of Indian reserve No. 3, thence in a westerly direction 10 miles, thence northerly 8 miles, thence easterly to the banks of the Similkane River, thence following the Similkameen river in a southerly direction, to where the southern boundary of Indian reserve No 3. intersects the river, thence westerly to the point of commencement, containing in all 51,200 acres.

THE CHAIRMAN:- Well, is there anything else, Chief?

A. I want to get another piece below this on top, I will

finish my statements now and will call on William Terrabasket to give evidence.

[p.108]

MR. MACDOWALL:- Sworn evidence?

[p.109]

A. Yes.

WILLIAM TERRABASKET was sworn by Mr. Commissioner Shaw to give evidence.

THE CHAIRMAN:- You live on this reserve here?

A. Yes.

Q. Are you well acquainted with all the reserves of this band?

A. Yes sir.

Q. Do you know them by the numbers?

A. No-one ever told me about the numbers of these reserves.

Q. On the way from Keremeos, you pass by a reserve that is occupied by Paul Terrabasket?

A. Yes.

Q. Does anyone occupy that except Paul and his family?

A. That is all.

Q. That reserve comes down to a side road that runs in front of the fence does it not?

A. It runs past the road a little bit - one corner passes the road.

Q. That is the North west corner is it not?

A. Not it is the southwest corner.

Q. I don't mean the main road - there is a little faint road that goes up to Paul's reserve?

A. Yes.

Q. And that reserve runs up the hill from that fence?

A. It does not run up very far.

Q. It runs up to about the second bench?

A. About 100 yards from where the fence is at the foot of the hill.

Q. What does Paul do with that reserve?

A. He crops it.

Q. What kind of crops - Hay, oats , wheat or what?

A. Wheat, oats, potatoes, and a little of everything.

Q. Does he cut the hay?

- A. Yes, he cuts the hay and alfalfa.
- Q. That is the principal crop is it not?
- A. There is no other kind of hay; but the alfalfa is our stronghold.
- Q. Yes, but that is the principal crop is it not?
- A. That is right.
- Q. Paul raises and sells horses, that is his business is it not?
- A. Yes.
- Q. And he has a nice looking house on the place?
- A. Yes.
- Q. There is a bit of green looking meadow there is there not?
- A. That is the alfalfa.
- Q. How many acres?
- A. Not very much - very small.
- Q. How much?
- A. About 8 acres all told.
- Q. How much grain does he raise on the place?
- A. Very little.
- Q. Does he sell any grain or hay off the place?
- A. It is so small - there is just enough to feed his chickens.
- Q. And he sells nothing off the place except horses does he?
- A. That is all. All he makes off the place is for his own use, and he sells nothing but horses.
- Q. How many horses has Paul got?
- A. About 20 head.
- Q. Can he raise enough hay off that place to support them?
- A. If he fixed it good he could - it will just about feed 20 head.
- Q. Did he ever have to buy hay for them?
- A. No.
- Q. Take the rest of the land, I suppose it is used for pasturage?
- A. Yes.
- Q. I suppose there is feed on the hillside for them?
- A. Yes.
- Q. Now we come down to the next Reserve.

MR. SHAW:- Is there any more land on that place that might be cultivated?

A. Yes.

Q. How much more do you think could be ploughed and cultivated?

A. You are only asking questions right along - How am I to tell you how he can fix that land so that he could plough some more land.

Q. You said there could be more land ploughed and put under cultivation, and I am only asking you how many more acres could be cultivated?

A. I suppose he can plough 6 or 7 acres more.

Q. And that 6 or 7 acres would be good for cropping without irrigation would it?

A. Yes there is water for it. I will tell you all about that.

CHAIRMAN:- Do you want to say anything about it?

A. If you ask me about getting water for the last 6 or 7 years, if you want me to tell you about the Creek, I will tell you.

MR. MACDOWALL:- Is the water that would be good for irrigating it on the Reserve?

A. A long time ago I used to work that land myself when the water was plentiful. I have ploughed that field time and time again all over and I have taken off a good many bushels of grain. As the water became scarce the field that is cultivated now became less. My ditch is showing there now - that is on the south corner of that field where I used to get water for the cultivated ground, but my brother is not using it now - I don't know the reason why.

CHAIRMAN:- I am going to ask you about the Reserves that are marked on the map as 3, 4 and 5, now those are the Reserves. Coming down the river the first Reserve is where you said Joe Nahumcheen lived, and the next is the one we are on now, and the next one is the Reserve that you said was the Narcisse Reserve. Now all these Reserves are along the Similkameen river are they not?

A. Yes.

Q. Nahumcheen's Reserve is costly all on the west side of the river? [p.111]

A. The Reserve on the west side of the river is a little bit longer than the Reserve we are on now. [p.112]

Q. Yes, but it is on the west side of the river?

A. Yes.

Q. The Reserve we are on now - that is mostly on the east side of the river, but there is a part of it on the west side is there not?

A. Yes.

Q. The Reserve down the river, the river cuts it in two - that is the Narcissie Reserve is it not?

A. Yes.

Q. There is another Reserve just above his - Is that Narcissie's also?

A. That is Charlie Yakuntickum's.

Q. How many Indians live on these pieces of land that I have just mentioned, Nos. 2, 3, 4 and 5.

A. The Indian Agent knows the number of the Indians that live on these Reserves, and there was quite a few born since the Agent has taken the census.

MR. SHAW:- Was there more born than died?

A. Yes.

Q. When was the census taken?

A. Last year.

Q. How do these Indians make their living?

A. They raise crops.

Q. To sell or only for their own use?

A. What they have to spare, they exchange for grub.

Q. They are horse and cattle dealers, are they not?

A. Yes.

CHAIRMAN:- How many horses are there on the Reserves that I have just mentioned?

A. About 250 head all told.

Q. How many cattle?

A. Quite a lot.

Q. Could you give me an idea about how many?

- A. About 800 head.
- Q. Do the Indians keep sheep?
- A. Yes, I have a few sheep myself.
- Q. Does anyone else keep any?
- A. No one else.
- Q. I suppose you have the usual farming implements to do your farming work?
- A. Yes, we have farming implements.
- Q. Coming along this river and looking over the bank I see a good quantity of fine meadow land?
- A. Yes.
- Q. And it is from there that you principally raise your crops?
- A. Yes, I raise hay, grain, potatoes and oats.
- Q. And the other Indians do too?
- A. Yes.
- Q. I understand that none of these Reserves go up to the top of the hills?
- A. No.
- Q. I suppose there is grazing on the hill-sides for cattle and horses?
- A. Yes, very good grazing.
- Q. Is the land fit for anything else?
- A. That is all, just for ranging.
- Q. And I think they go about 1/2 way up the valley don't they?
- A. Just about 1 mile up that is good for pasture.
- Q. What do you mean?
- A. I mean from the foot of the hill 1 mile up.
- Q. Does the Reserve go more than 1 mile up on the hills?
- A. No.
- Q. Are there any of the Indians here from the Reserve down the river (Skemeostkin Indian Reserve)?
- NO ANSWER.
- MR. SHAW:- Look at this map again and show me where we are now - where is your house on this map?
- He points out on the map the probable location of his house.

Q. Now where is Nahumcheen's house?

A. Joe Nahumcheen - You people know this map and you have an idea whereabouts his house is. I don't know anything about a map and I can't show you where it is.

Q. Is this (perusing the map) Nahumcheen's land below this?

A. Yes.

Q. (Perusing the map) Whose land is this on the other side of the river?

A. Charlie Joe's.

Q. Is that what was called Narcissie's Farm a long time ago?

A. Narcissie's Farm (looking at the map) is not up there, it is below.

Q. Now who lives up on this land (perusing the map) on the other side of the river?

A. Charlie Joe.

Q. Is that the same man as Joe Nahumcheen?

A. Yes, his father is dead.

THE CHAIRMAN:- You said you wanted to say something?

A. Yes, I have a lot to say, and you people talk all the time.

Q. Very well then we will hear you.

WITNESS:- When Mr. Sproat came along a long time ago, to the old people he said "You are to take land fit for hay land, fit for cultivation, and you are also to take land for your ranging up on the hills", and my father and the other old men they never took any pasturage land. Mr. Sproat said to my father "Why do you not take some high-land" and my father said "It is all our land now down at the bottom and on the hills and I will take up some of the high land later on". And Mr. Sproat said "Why don't you take up land on the hill side for pastureage land". I told Mr. Sproat that I was going to take up land on the hill side, and right now at the present time I am always talking to get some land for my cattle and horses - they have no place to pasture or to stay, and right where my brother is the land that we have talked about the first time I want to take up some ranging land right above at No. 6. If I don't take up pasture land, where will my cattle be for pasturage, and

[p.114]

[p.115]

where will my sheep be - I want to get some pasturage land adjoining East of No. 6, to commence on the Nort East corner of No. 6 Indian Reserve running in an easterly direction 2 miles, thence South 8 miles thence west 2 miles, thence North 8 miles to the point of commencement. My father has a piece of a reserve adjoining the river banks almost direct west from No. 6. I think this Reserve lies on the East side of the Similkumeen river, and is about 2 miles long.

MR. SHAW:- That was disallowed according to the Schedule -

Are you asking for that now?

A. On that Reserve we get our wood for fencing purposes.

Q. Who owns that land now?

A. It was my father's place. My father died and it is my place now.

Q. Has ny whiteman bought that land, or is any whiteman living on it?

A. The whiteman has a fence around all the land and it includes this, but he never touches it.

NOTE. This piece of land referred to by the witness, is Reserve No. 1.

WITNESS:- I have a big family and they are all boys -

5 of them - and they are to have big families later on, and all I ask for now is just about 1/4 from what would be enough if my children were more.

CHAIRMAN:- Is the land on these Reserves allotted, or do two or three people own the whole thing?

A. On the big Reserve we all have our own field, but inside we divide it up among ourselves.

MR. SHAW:- Does Francois own all this 12 and 12A (perusing Map)

A. Yes.

Q. (Perusing map) and this belongs to his brother?

A. Yes.

Q. And just one family lives there?

A. Yes, him and his family.

[p.115]

Q. (perusing map) And there is one family on this Reserve below?

[p.116]

A. Yes.

Q. And is that all the families that live in this Band
(perusing map) except what lives down there?

A. Yes.

Q. I understand then they have it all allotted?

NO ANSWER.

THE CHAIRMAN:- Well as I understand it, Charlie Yakumtickum
owns 2, John Quilakchan, Charlie Joe and Susap owns 4.
William Terrabasket lives in one house with 5 sons in
No. 3, the sixth son is married and lives by himself
in Reserve No. 4.

WITNESS:- One of my brother's sons is living in the river
bottom with me in Reserve No. 3 in a separate house.

Q. That makes two families living on No. 3?

A. Yes.

Q. And his son and his wife lives on No. 4?

A. Yes.

Q. Is that all that lives on No. 3?

A. Yes, that is all that is living here.

Q. Have you got a married son living on No. 3?

A. No, he lives on No. 4.

Q. Who lives on No. 5?

NO ANSWER.

Q. Where does Joe Nahumcheen live?

A. Right below me on Reserve No. 5, and Alex Souse lives
near Nahumcheen on Reserve No. 5.

Q. Is that all the families?

A. Yes.

BERTIE ALLISON IS HEREUPON SWORN BY MR. COMMISSIONER MACDOWALL
TO GIVE EVIDENCE.

CHAIRMAN:- You live on the Reserve further down the river
and on the West side of the river Nos. 7 and 8?

A. Yes.

[p.116] Q. What is the character of that Reserve, is it level or [p.117]
mountainous or what is it?

A. *It is timber and brush.*

Q. *Is it good timber?*

A. *Yes, it is good timber.*

Q. *Any good pasturage land on it?*

A. *It is a little good, but not very much.*

Q. *Any good hay land on it?*

A. *Yes, among the bushes there are some good meadows.*

Q. *How many acres in hay land have the whole Tribe?*

A. *Quite a bit - I don't know how many acres.*

Q. *We are going over there tomorrow - can we see it?*

A. *Yes.*

Q. *How do the Indians here make their living?*

A. *We raise a little crop and make hay.*

Q. *Do you sell the hay?*

A. *Yes.*

Q. *Do you sell any other kind of farming produce?*

A. *Yes, we used to sell our crop quite a bit before the train went by - we now can sell only a little.*

Q. *How did that come about?*

A. *Because since the railway came in here, we are compelled to import everything, and they never buy our stuff that we raise here.*

MR. MACDOWALL:- *What is the price of hay?*

A. *Hay a long time ago the price was \$20.*

CHAIRMAN:- *And now what is it?*

A. *About \$17.00.*

Q. *Is that price of hay just due to circumstances that only arose just lately and which did not exist in the past?*

A. *Yes.*

Q. *Have you any stock - cattle and horses I mean?*

A. *Yes we have stock. We all breed stock and it is increasing every day.*

Q. *How much stock have the Band got?*

A. *About 150 head of horses.*

Q. *How many horned cattle?*

A. *About 300 head.*

- Q. Have you or the Band any sheep or pigs?
- A. We have no sheep but a few pigs.
- Q. I suppose you sell some of these?
- A. Yes.
- Q. I should imagine the stock that you sell is your principal means of living, is it not?
- A. Yes, that is our means of living.
- Q. Can you raise enough hay to feed these cattle and horses you just mentioned?
- A. Yes, we can raise enough to feed them.
- Q. I suppose when we go over there tomorrow you can point out to us the character of the Reserve from the road, can you not?
- A. Yes.
- Q. How many families live on that reserve, I mean 7 and 8?
- A. 13 families altogether.
- That is all - We will come down and see you tomorrow

At the meeting held on October 13th at the Chu-Ch-Way-Ha Reserve, Paul Terrabasket of the Skemeostkin Band of Indians was further examined in re an application for additional land, as follows;-

- CHAIRMAN:- I think you came up to ask about some land around Blind Creek Reserve No. 6, South Similkameen?
- A. Yes.
- Q. Well now what have you got to say?
- A. I want to know if, when my brother asked for some more land right near my place, whether I was included in that or was it only for himself?
- Q. Is that your place where that white house is just as you come down the valley?
- A. Yes.
- Q. You and William have an interest in that land, have you?
- A. No it is all mine. William and me were at one time partners this summer and we dissolved, and I took this part where the white house is, and William has no interest in it at all.

CHAIRMAN:- Well what do you want to say?

A. I just want to ask you if I am not interested in this piece that William had spoken about for pasture land, and then after you have told me that I have something more to say.

Q. I should say that William was asking about this for himself and no one else. So far as the recollection of the Commissioners are concerned, we think he was asking about this piece of land for himself and no one else.

A. He told you people yesterday that my brother is not interested in the piece I asked for and it is all for the benefit of my family. I was told that William Terrabasket said the piece he was asking for was for his own family?

Q. And I understand you want it for yourself and family?

A. If you people tell me that it belongs to him, I would like a piece adjoining it on the North end.

Q. I fancy you don't want to interfere with your brother - if your brother has a piece, you want another piece?

A. Yes.

Q. If your brother asked for it and included you, would it have been all right?

A. If William had included me and my family, I would not have said anything more.

Q. You want another piece then, do you?

A. Yes.

DR. MCKENNA:- Do you think the area that William asked for would be sufficient for you both?

A. I would like to know how many miles William asked for?

MR. SHAW:- He asked for 2 miles wide and 8 miles long.

CHAIRMAN:- Do you understand that?

A. Yes, I understand it.

MR. WHITE:- Would that be sufficient for both of you?

A. I think it is quite enough if you Commissioners think I am to be included in it I think it is enough.

CHAIRMAN:- You deal in cattle to a considerable extent don't you?

A. Yes, we have lots of cattle.

Q. Where do you send your cattle to range during the summer?

A. To Princeton.

Q. How far away is that from where you live?

A. Quite a long way - about 50 miles.

Q. Well is that all?

A. Well how about it, can I have some of that land?

CHAIRMAN:- If we make up our mind to add that to the Reserve you are living on, it will be added to that Reserve. We cannot allot it to any individual Indian - The Indian Department would do it, or rather the Indian Agent would do it with the approval of the Indian Department.

WITNESS:- The Costin Creek, a long time ago we used to use that until the whites came along and they have taken that.

CHAIRMAN:- Well we cannot do anything in regard to water in the Creeks - We cannot do anything in regard to water rights - we can deal with the land, but not with the water rights. You will have to get the Agent to look after that through the Water Commission at Victoria. It seems that the Dominion Government have employed someone to look after your water rights; what will come out of it, we cannot say, because we don't know - but anyway it does not come within our powers.

WITNESS:- I am glad to hear what you have said - I am not the Chief, but all the same I am glad.

ROYAL COMMISSION ON INDIAN AFFAIRS FOR THE PROVINCE OF B.C.

While the Royal Commission were on a tour of inspection over the Similkameen Indian Reserves 7 and 8 (Chopoka) on Sunday afternoon the 12th. day of October, 1913, they were met by a party of Indians, and the following conversation took place:-

BLIND PIERRE: I want to take up some past re land.

CHAIRMAN: Well, what do you want to say about it?

A. I want 10 miles from here up in the mountain from the mouth of this Creek - there is a corner post there.

Q. What Creek do you mean?

A. Nahumcheen Creek.

Q. You say there is a post there, what do you mean?

A. The Reserve Line.

Q. This ten miles that you want, you want it to follow the Creek up to the top of the mountain?

A. Yes, from that post that I speak of at the mouth of the Creek, upwards West.

MR. SHAW: How far?

A. 10 miles up north in line with the North West corner of this Reserve.

Q. Does this reserve run up ten miles?

A. No; I want to go north ten miles and connect with this reserve.

Q. You mean it starts at a post near N'Humpcheen Creek on the west side of the reserve, thence running west ten miles, thence north to a point directly west all the north line of these reserves Nos. 7 and 8, thence east to the northwest corner of Reserves Nos. 7 and 8, thence south following the west line of Reserves 7 and 8 to the point of commencement.

THE CHAIRMAN: Where do your cattle range here, Pierre?

A. They feed along the roads here.

Q. You have enough feed along the road for your cattle, have you? I mean for all the cattle

of the Band?

A. No, there is not enough - You see right along the road here there is no feed. All this road is just like this - very dry,

Q. I don't see many of your cattle, where are they. You said you had a great many at the meeting yesterday?

A. What we have asked about yesterday at Susap Creek, that is where the cattle are now and some are at Princeton, and some are at Osoyoos.

Q. How many cattle are there at Princeton?

A. I don't know how many there are - they are all mixed.

Q. Are they on Indian lands at Princeton?

A. No, there is no Indian Reserve.

Q. The cattle which are ranging at Susap Creek - are they ranging on an Indian Reserve?

A. No, there is no Reserve there.

Q. You have to send the bulk of your cattle off the range to get proper feed, do you?

A. Yes, we send our cattle away from this Reserve in order to get feed.

Q. And do they do the same thing on the Reserve we visited yesterday?

A. Yes, they always drive their cattle away from the Reserve to get feed.

Q. How far away is Princeton from here?

A. 60 miles from here.

MR. SHAW: But you say that they take some of their cattle to Osoyoos as well?

A. Yes, because the range is open there, and we take our cattle there also.

THE CHAIRMAN: That is three places where they take their cattle - At Osoyoos are they ranging on an Indian Reserve?

A. No, there is no Indian Reserve there.

MR. SHAW: On the land Where these cattle are ranging, is that land open Government land?

A. Yes, it is Government land.

THE CHAIRMAN: We shall have to examine Brown in respect to this.

MR. MACDOWALL: Are they any mines on the lands you are asking for?

A. The land that I am asking for, there are no mines there.

Q. Are there any mines on the Susap Creek?

A. There was some work done for mining there a long time ago, but no one works there now.

MR. SHAW: Has any of these land you are asking for been taken up by white settlers?

A. No.

MR. MACDOWALL: Are there any sheep ranges belonging to white people on the lands you are asking for?

A. Yes.

THE CHAIRMAN: Is the land owned by whitemen, or is it just grazing land?

A. The whitemen just range their sheep there - they don't own it.

BERT A. ALLISON MAKES THE FOLLOWING STATEMENT:-

I want a piece of range on the east side of the Similkameen river adjoining the boundary line.

MR. SHAW: Is that the American boundary line?

A. Yes, running along the boundary line. Richter has a place adjoining the Line, that is against the river, and I want to start at the South East corner of Richter's land following the American boundary line 2 miles East, thence North 3 miles, thence West 2 miles, thence South 3 miles to the point of commencement. I want that piece of land for early Spring pasture - when we turn our cattle out in the Spring, that will be the place to put our cattle.

THE CHAIRMAN: The witness states he is not sure whether this boundary will take in a little lake, but he wants this to go far enough to include the lake, and this lake lies near the North line of the land that he described. That is right, is it not?

A. Yes, that is what I want. No one uses this pasture except American people.

Sunday, October 12th. 1913.

NOTES BY Mr. COMMISSIONER SHAW IN REFERENCE TO SIMILKAMEEN RESERVES

Nos. 7 and 8.

The land on these Reserves is variable in quality. In the river bottom on the level land, parts are of good quality, while others are light land, but with irrigation would become productive.

The land is cut up by small depressions running irregularly through it, which are, the Indians inform me, are full of water during the flow of spring water. This ought to furnish some irrigation for the most of the land.

Where clearing has been done and land cultivated, the crop appears to have been very good, and where irrigation has been carried on, results are excellent.

The bench lands on the Reserves are very high, and in some places rocky, but much of these could be cultivated, and judging from the flow of water in Nahumcheen Creek on this date, it would appear that during the earlier part of the season, there would be water enough to irrigate a very large area of the bench lands.

Below the Reserve, just over the American Line where whitemen are occupying the lands, the crops appear to have been excellent this season, and there is no reason why the lands on the Indian Reserve could not be brought under crop with equally good results.

ROYAL COMMISSION ON INDIAN AFFAIRS FOR THE
PROVINCE OF B. C.

MEETING WITH THE CHU-CHU-WAY-HA BAND OF INDIANS ON THEIR
RESERVE NEAR HEDLEY ON OCTOBER 13th. 1913.

THE CHAIRMAN briefly explained the scope and purpose
of the Commission.

ISAAC HARRIS, acted as Interpreter.

CHIEF ASHNOLA JOHN addressed the Commission as follows:-

I have business to talk about my land outside the
Reserves. I have been to some of the meetings at
Spence's Bridge talking about land. The Indians
all think that they should step on some of the
land that is now outside of the Reserves or camp
on it - just like the land that is outside of the
Reserves now; we always use that land before just
like our father and mother - we go there to camp,
and are glad to go to these places. We are not
saying that we don't want the whiteman or that
the whiteman should not have the land, but all
we Indians want is some land outside the Reserves
now. Therefore we say that we should have the
right for the land that are outside our Reserves.
Let the Reserve be where it is now, but we
should have land outside the Reserve.

THE CHAIRMAN:- You mean that you should be able to
purchase pre-emptions?

A. Yes. We want a piece of land outside the Reserve.

Q. Yes - do you want to buy it from the Government, or
do you want a piece of land added to the Reserve?

A. I want to take pasture land and add it to my Reserve.

Q. I suppose you are speaking for the Ashnola Reserve?

A. Yes. I want 15 miles opposite the Ashnola Reserve -

15 miles up the hill right above Ashnola. Away up on top of the mountain there is a timber limit there. We always use that for a hunting ground and for our stock, and we want that to be included to come along and to come as far as my house. That supplies my cattle and horses - they always stay there, and it is a long way from the river bottom. I am the only one of the old Indians that are left, and I have made my living ever since. I always love my land and my country. You see the land we have [p.125] now it is not very good, and I distributed all my land [p.126] to my people, and there are some of my people who have no land at all. In places where there is no water, you can't grow anything. If we had water we could raise something on it. You can see for yourself - you have passed my place, and I have no land to spare. My fences go on the rocks. When the Queen first gave me the land, I asked for a bigger piece, and it seems to me that they have surveyed off a small portion of that land that I asked for the first time; but I did not say anything because I knew you people were coming along, and I wanted to tell everything to you, and you can see for yourself whether you feel like helping me to give me the land I want. I got the land from the Queen a long time ago, and whatever the Queen said, it is right- it never goes back. There are deer and birds of all kinds and fish of all kinds, and some Government has made a law to stop me and the rest of the Indians from getting that game when we want them. I always see a policeman above my place armed and looking after the game. Now I see you five Commissioners, and I am going to tell you all those things such as beaver, martin and all kinds of fur. We make our money out of that - that was given to us a long time ago, and we would like to have it back again so that we could use it over again as we have been doing before. You can see now there is no fish in this country here, and the deer is much like our fish. The whiteman has taken the brush, and where the berries used to grow, we have none now. I want you Commissioners to help me about the deer - We always eat it and we want it,

it belongs to us. I have machines, I have harness, I have wagons and all kinds of machinery. We all have these things among our children for the whole Tribe - We are not short in that line. Some of the men have 2 wagons, and some have one, but generally speaking they are generally rigged for machinery purposes. We got our timothy hay and other crops such as oats, wheat, potatoes and all kinds of crops, and we always get good benefits from them. In some of these little p ces, there are a [p.126] few apple trees, and nearly all the Indians have a few [p.127] apple trees. Now I will finsih speaking now. I don't want any money - I don't want nothing, all I want is my land about which I have told you - that is all. There is one word I would like to say, and which I forgot to tell you about when I was speaking to you, and that is the whole Band at Ashnola owns about seven or eight hundred head of cattle and horses.

CHAIRMAN:- Is anyone going to speak for the Chu-Chu-Way-Ha Indian Reserve?

CHIEF:- There is no one to speak, but Bertie Allison will speak for this Reserve.

BERTIE ALLISON HERE ADDRESS THE COMMISSION AS FOLLOWS:-

I am glad to be able to see you Royal Commissioners.
I am going to speak the whole truth and nothing but the truth. My brother and I are more or less connected.

MR. SHAW:- Was your brother Chief here?

A. Yes.

CHAIRMAN:- And he died a few weeks ago?

A. Yes.

Q. And you live on Reserves 7 and 8 at Chopoka?

A. Yes sir.

Q. All right Bertie, go on.

A. My brother was after one piece of land, and he travelled quite a bit to see if he could get some of that good land - while he was alive he went to Spence's Bridge and also to Victoria - When he came back he told me about the piece of land he wanted for the Reserve. When he heard that the Commissioners were to come here,

he told me that he would like to take some land from here right over from here down to Stallion Creek.

CHAIRMAN:- Where is that?

A. Over on the other side of this mountain.

Q. It would be on the West side of the river, would it?

A. Yes, and he was to follow that Creek, and make that Creek a boundary line running towards the river.

Q. How far would that be, and what would be the depth of it?

A. From half way up this hill and running direct to that Creek, it would be in the neighbourhood of 8 or 9 miles.

CHAIRMAN:- How far up that hill does this Reserve go, or is it on this side of the river?

A. The boundary line runs a little way up the hill on those rocks.

Q. How far up the hill?

A. About half way up this first hill.

Q. Where does it empty into the river - how far up. I mean Stallion Creek - how far up does it run?

A. About 10 miles to the mouth of Stallion Creek to the point of commencement.

MR. SHAW:- You want a piece of land described as follows;- Starting at the North West corner of Indian Reserve 10A and running West until it strikes Stallion Creek, thence following down Stallion Creek to its confluence with the Similkameen river, thence following the Similkameen river to a point where the Indian Reserve line strikes the river, then following the Indian Reserve line to the point of commencement.

WITNESS:- The pasture land I am asking for, we have a piece of a reserve about 1 mile square - that would take this Reserve about the middle.

MR. SHAW:- What you are asking for would include this small Reserve, would it?

A. Yes.

MR. SHAW TO INDIAN AGENT BROWN:- That Reserves does not appear in the Schedule does it?

MR. BROWN:- No, I don't think so, it does not show in my book.

MR. SHAW:- Yes, here it is (perusing the Schedule) it is
marked Lot 2899.

CHAIRMAN:- Have you anything further to say:-

WITNESS:- Our cattle and horses we have to take to Princeton
in the summer time. We are asking for this range land
as that our cattle and stock could be put there all
the time so that we would not have to take them to
Princeton. We purchased two pedigree bulls and we
want them with our cattle. Those bulls are for the
benefit of the Band, therefore my brother always wanted
that piece of land. If he was alive, he might have
said something better, but as far as I know he wanted
that land for his people.

[p.128]

MR. CHAIRMAN:- How far is Princeton from here?

[p.129]

A. 30 miles from here, or 25 miles from Hedley. We keep
them here in the summer time up in that pasture and
take them below in the winter time.

Q. You mean you keep them at Princeton in the summer time?

A. Yes. We put our cattle for the first time this summer
on this place where we are asking for this land in order
to keep the bulls together with the cattle.

Q. Are they herded or do they run wild?

A. There are rocks all around except that little place.
The cattle cannot go very far because it is all timber
and rocks.

MR. MACDOWALL:- How do you get to it?

A. From here there is a good way to get to it.

Q. Is there anything else?

A. I was after that land for a long time, and I spent a lot
of money trying to see if I could get that land.

Q. Is it covered by any Government pre emption?

A. I think it is Government land - there was a man who
started to take up land there. He was there for one
year and then he left.

Q. Is it taken up by a mining claim?

A. There is a mine there but no one works there.

Q. Is there anything else?

A. No, that is all.

ALEXIS SKEUCE HEREUPON ADDRESSES THE COMMISSION as follows:-

The time we went to Victoria, I went along. We asked the Chief there with the 100 and some odd chiefs, we asked him whether the land was ours or whether it was his, as we had come here to find it out.

CHAIRMAN:- What land do you mean?

A. The whole country.

Q. I see, Yes, go on?

A. McBride said I was born in British Columbia, but said I have a Chief higher than me. He says I will write to the Big Chief - I will write a letter to Ottawa and to the King. We are not talking about the land that is already fenced, it is about the land that we are going to take right now - that is what we are talking about. And now I want to take some land outside the Reserve because it is time now for us to talk about it. [p.129] [p.130]

CHAIRMAN:- Are you still telling us what you said to McBride?

A. No, I mean getting an addition to my Reserve. We hear that McBride claims an interest on the Reserve. We do not know why he has an interest in the Reserves. We thought we owned the land ourselves. Now I will talk about the land I want on top of Juniper mountain south of Ashnola Creek as a pasture land - 15 miles from our Reserve, 15 miles along the bottom and 15 miles up on the hill, and this will form a square of 15 miles.

MR. SHAW:- Which side of the river, east or west?

A. On the west side of the Similkameen river, and that is inside of that place I propose to take. Everything is mine. That is all I have to say.

CHAIRMAN:- Now who will give us some sworn testimony?

ASHNOLA JOHN IS HEREUPON SWORN BY COMMISSION MACDOWALL
TO GIVE EVIDENCE.

CHAIRMAN:- You are the Chief of the Ashnola Band?

A. Yes, I have been looking after the Reserve ever since
Sproat was here.

Q. You have one or two Reserves besides the one you live on,
have you not?

A. Yes, I took all these Reserves from below where it
commences to go up to the Chu-Chu-Way-Ha Reserve.

Q. No. 9 Alexis, is the one further down the river, is it not?

A. Well I don't know anything about the number.

Q. Its name is the Alexis Reserve, is it not?

A. Yes.

Q. What sort of land is on that Reserve?

A. Well it is a little good but it is dry. If we had
water the land would be good, but the water is the main thing. [p.130]

CHAIRMAN:- Is it irrigated at all? [p.131]

A. Yes, we. have some irrigation there now.

Q. What do you grow on it?

A. We have a little of everything - some alfalfa, oats,
potatoes. Alexis is a good worker, and works his place
all summer.

Q. Does Alexis live on that land?

A. Yes.

Q. Is he here today?

A. Yes, he was the last witness.

Q. I suppose you raise no potatoes or garden produce to sell
do you?

A. I have told you before we make our living from all
the land we have cultivated. We may have one or two
stacks of hay to sell, but nothing more .

Q. I suppose you use all the hay to support your cattle?

A. Yes, we use it to feed our stock.

Q. As a matter of fact taking all the Ashnola Reserves,
they are cattle and horse raisers, are they not?

A. Yes.

Q. How many horses are there on the whole Reserves?

A. I think myself alone, I have 200 head of horses and cattle.

Q. How many horses and cattle do the other Indians own?

A. They own lots of cattle and horses.

Q. Can you give me any idea how many they own?

A. I think there are about 800 head of cattle and horses. You can see for yourself that my meadows to raise sufficient hay to feed that amount of stock is very small.

Q. How much meadow has all the Indians got to feed their stock?

A. I cannot count.

Q. I would like to know about the pasture ranges on your Reserves - are they sufficient to keep the cattle and horses the Indians have?

[p.131]

A. It is all rocks, there is no grass there.

[p.132]

Q. Is there no grass on the flat land off the meadows?

A. No.

Q. Could grass be made to grow there by irrigation?

A. I have lots of cattle, and I cannot irrigate the ground enough to feed them all.

Q. Where do you send your cattle to graze?

A. The land that I have just spoken for, that is where we keep our cattle for summer ranging.

Q. Have you been doing that all the time or only just this summer?

A. Ever since I was a boy we have kept our cattle on that place.

Q. You don't send your cattle up to Princeton?

A. No. When this survey was made, the Government man told me it was my land, and he said you will find out later all about it.

Q. That will do.

A. There is one question I would like to ask you about. How long is it going to be before you let me know about that deer matter I was speaking to you about?

CHAIRMAN:- Well I don't know that we can let you know about that - that is a B. C. law, that we have nothing to do with.

BERTIE ALLISON IS HEREUPON DULY SWORN TO GIVE EVIDENCE

CHAIRMAN:- What do these people do here?

A. We raise crops.

Q. They are principally cattle and horse dealers?

A. Yes.

Q. What crops they raise, are they consumed among themselves.

What I mean is do the cattle and horses consume all the produce raised on the Reserve?

A. Yes.

Q. How many horses have you on this Reserve?

A. About 30 head of horses.

Q. How many cattle?

A. 200 head of cattle.

[p.132]

CHAIRMAN:- Do these horses and cattle consume all the hay and grain you raise?

[p.133]

A. Yes, they eat it all.

Q. What kind of land is it besides the hay land?

A. Outside of those fields of hay, it is all rocks.

Q. There is some grazing on these rocks, are there not?

A. There is none of it any good for grazing. There might be a little piece on top of the hill.

Q. Where do the cattle and stock graze during the summer?

A. The piece of land we are asking for now, that is where they graze, and the rest graze at Princeton.

Q. Do your horses graze there too?

A. Yes.

Q. How far away from here is Princeton?

A. About 30 miles.

Q. How many acres have you got here under cultivation, or in meadow land?

A. I cannot count how many acres. You have seen the whole thing - and that is all we have.

Q. That will do, thank you.

MR. MACDOWALL:- this Reserve goes right up to the town of Hedley, does it?

A. Yes, and also on the other side.

- 10 -

Q. Do you allow white people to play golf on a small piece of land around here containing about 20 acres?

A. We got no right to talk about that - We have no Chief at the present time, and we have no right to talk about it.

CHAIRMAN:- There is a little piece of land out on the hill, about which you were speaking a short time ago?

A. Yes, we exchanged that to the Stamp Mill.

Q. Have you ever been up there - what kind of land is it?

A. Yes, it is just good for ranging and nothing else.

Q. That will do.

[p.133]

ROYAL COMMISSION ON INDIAN AFFAIRS FOR THE PROVINCE OF BRITISH COLUMBIA

WHILE THE ROYAL COMMISSION WERE LEAVING THE SIMILKAMEEN HOTEL, HEDLEY, B. C., THEY WERE MET BY TWO INDIANS, DONALD AND STEVE WICKAM AND THE FOLLOWING CONVERSATION TOOK PLACE:-

October 14th, 1913.

THE CHAIRMAN: Well, what is the matter?

INTERPRETOR ISAAC HARRIS: I believe these men are from one of the Reserves you are going to visit this afternoon on your way to Princeton.

MR. SHAW: What is the name of the Reserve?

A. 9 Mile Creek.

CHAIRMAN TO INDIAN AGENT BROWN: Can we see this Reserve from the road on our way to Princeton?

A. Yes Sir.

INDIAN AGENT BROWN: One of these men belongs to 9 Mile Creek and the other belongs to Wolf Creek,

MR. SHAW: Are they the only residents on the Reserve?

A. Yes, they are the only residents.

THE CHAIRMAN: What do these men want?

A. We want some pasture land up on the mountain.

Q. What is your name?

A. Donald.

Q. Where do you live?

A. 9 Mile Creek.

Q. And you want some pasture land. What is the name of the other man?

A. Steve Wickem.

THE CHAIRMAN TO INDIAN AGENT BROWN: What land have they got?

A. They have two Reserves - One contains 518 acres, and the other contains 198 acres. No. 3 is Wolf Creek and No. 4 is 9 Mile Creek.

THE CHAIRMAN: What do they want?

Q. What are the boundaries of the land they want on the mountain.

WITNESSES: The land we want it lies between two Creeks.

Q. Does it adjoin the Reserve?

A. Yes.

CHAIRMAN TO INDIAN AGENT BROWN:- Is there anyone living on the Lulu Reserve?

A. Yes.

Q. How many?

A. One woman only.

MR. SHAW TO WITNESS DONALD: Can you show me on this plan the land you want. There is a lake partly in Wolf Creek Reserve and another lake to the west of the Creek which divides a part of the Creek going into each lake. The source of this Creek is at the same point as the source of another Creek flowing into the Similkameen river further north.

Mr. SHAW TO THE CHAIRMAN: He is applying for a piece of land starting at a point where the Eastern boundary of the Wolf Creek Reserve intersects the Similkameen river in a Northerly direction to the mouth of a small Creek unnamed flowing into the Similkameen river, thence following this Creek in a Westerly direction to its source, thence in a Easterly direction following an unnamed Creek which flows into a small lake West of Wolf Creek Reserve, thence following the boundary of two small lakes to where they intersect the boundary of the Reserve, thence following the Reserve line Northerly and Easterly to the point of commencement. They are asking approximately for 10,000 acres.

THE CHAIRMAN TO WITNESS DONALD: What business are you and Steve in?

A. We raise hay.

Q. Anything else - do you sell the hay?

A. Yes.

Q. What else do you do - have you got any stock?

A. Yes.

Q. How much.

A. 7 head of cattle.

Q. How many horses?

A. 25 head of horses.

Q. Is that for both of you?

A. Yes.

Q. Any pigs or sheep?

A. No.

Q. You get the principal part of your living by selling hay?

A. Yes.

MR. SHAW: What do you want this land for. You only got about thirty head altogether.

A. We want that land so that we can turn our horses and cattle there.

THE CHAIRMAN: How much of the land do you crop for hay?

A. About twenty acres.

Q. That is the two of you crop that much?

A. Yes.

Q. Do you sell any of the cattle or horses at all?

A. Yes, once and a while we sell horses and cows.

Q. And that is how you make your living?

A. Yes.

Q. The land from which you don't get any hay, what is it like?

A. It is stoney. All that is any good, we work it.

Q. Mr. Brown said a large quantity of the bottom land is very heavily timbered. Is that so?

A. Yes.

Q. Would that land be good if the timber was cleared off it?

A. Yes, it would be allright.

Q. How much of the timber land is there?

A. About ten acres that would be fit for cultivating after the timber was taken off.

Q. Yes, anything else?

A. That is all.

A. Very well, we will consider the matter.

-0-0-0-

Note: INDIAN AGENT BROWN will give information re this reserve.

ROYAL COMMISSION ON INDIAN AFFAIRS FOR THE PROVINCE OF
BRITISH COLUMBIA

Board Room, Victoria, B. C.

November 7th, 1913.

DECLARATION OF J. ROBERT BROWN, INDIAN AGENT FOR THE OKANAGAN AGENCY.

THE CHAIRMAN: Mr. Brown, we will commence with the reserves at Enderby.

I think you call the reserve next to the town the Enderby reserve,
do you not?

A. Yes sir.

Q. What is the population of the Enderby reserve?

A. 118 members.

Q. And in that how many heads of families are there?

A. 55.

Q. Including young men?

A. No. There are seven young men independent of the heads of families.

MR. SHAW: Did you put in a statement of the population on the different
reserves?

A. I put in a statement as far as the Enderby reserve was concerned
but not of the separate reserves. I gave the population of the
Spallumcheen land as a whole.

THE CHAIRMAN: Including the Salmon River Band?

A. Yes.

MR. SHAW: Have you put in statements of the population of all the
reserves in your Agency, or have you got them prepared, ready to
put in now?

A. No. I have not been able to prepare them yet. It has been almost
impossible for me to put in any time at the office at all. I was
called back to Hedley, by a telegram from the Department, to
see the representative of the Hedley Gold Mining Company. I can
let you have those statements before I leave Victoria.

Q. The Indians of the Enderby reserve and the Salmon River reserve
are practically one band?

A. Yes, they all belong to the Spallumcheen Band.

Q. And, as a matter of fact, the young men of one reserve will go

over and settle on the other reserve. For instance a young man from the Enderby reserve can go and take up land on the Salmon River reserve?

A. They have that privilege.

Q. And they do that?

A. I know of two young men from the Enderby reserve who have taken up land on the Salmon River reserve.

Q. Do they do vice-versa, from the Salmon River reserve to Enderby reserve?

A. They have not done so to my knowledge but they are open to do so if they wish.

Q. Were the figures you gave just now for the Enderby Band or for the Enderby reserve?

A. For the Enderby reserve only.

DR. MCKENNA: The figures you have given are taken from the 1911 census are they not?

A. I don't know whether they are or not. We went over it again.

Q. Out of the 168 members of the band, how many are young men?

A. There are 45 heads of families and 13 young men.

Q. I understand you say that about 40 of the tribe were married men, the others being women and children.

THE CHAIRMAN: Now with reference to the Enderby reserve, what is the quality of the land there?

A. Good.

Q. Taking it on the same side of the river which Enderby is on, which I think would be the South side, what is the character of the land there?

A. They have some good land and some light land, the bulk of it is timber land.

Q. Is there any bottom land on the west side of the river?

A. There is meadow land, but it could hardly be called bottom land.

Q. That goes on to the Church, does it?

A. Yes.

Q. Back from the road, What is the quality of the land there?

A. Light soil.

Q. Is it cleared?

A. Some cleared, some heavily timbered.

Q. How much of the whole is cleared, leaving out the part east of the river?

A. I would judge about 700 acres.

Q. And the rest is wood, I suppose?

A. Yes.

Q. What is the character of the cleared land? What is the character of the cultivation?

A. Not very good.

MR. MACDOWALL: Do you call it cultivated land, where wild grass is growing?

A. I call all the land cultivated where any crop is growing, whether of wild hay, timothy or clover or anything else.

Q. Is any of the land you speak of "prairie"?

A. All of it has been cultivated.

Q. Cleared and cultivated?

A. Some has been cleared and some did not require to be cleared.

DR. MCKENNA: What is on the East side of the River?

A. It is the Enderby side.

MR. WHITE: There is no reserve on the east side is there?

A. Oh yes!

THE CHAIRMAN: Can you give me any idea how far west of the land that is able to be cultivated the reserve extends?

A. Right down to the Spallumcheen river.

Q. Going from Enderby to the Church, in which direction did we go?

A. South. There is land there with heavy timber on it. On the top of that is very light land.

Q. How far back does it go?

A. About half a mile.

Q. Is the rising land you speak of good land?

A. No it is light land.

Q. It extends from the clearings back to the west of the reserve?

A. Yes.

Q. Now coming to that land which is on the east side of the

River, how far does that extend from the bridge. How far does it go along the Road through that part of the reserve to the east?

A. About a mile and a half.

Q. How many people are living on there?

A. At the present time only about 2 families.

Q. Are there not two homes near the bridge?

A. Yes.

Q. And another close to the road?

A. Yes.

Q. How many acres there cultivated?

A. From 10 to 15 acres.

Q. Harking back to the number of families. You say there are 2 houses near the bridge and another close to the road. That would make 3 families would it not?

A. One house is not occupied. I think it was put there by the municipality of Enderby.

Q. I was told that one of the other houses was put there by a man who goes to live on the reserve during the wintertime.

A. I never heard of it.

Q. Do you know whether that land on the East looking down to the River is cultivated or not?

A. There are hay meadows along the bottom about 50, 60 or 75 acres in extent.

Q. It is not a continuous meadow, but goes along in patches to the East?

A. Yes.

Q. On the left-hand side, is there anything there?

A. There used to be a quantity of timber there. The timber has been cut off but the stumps are left.

Q. What kind of land is it there?

A. Where Phillip is, it is fairly good land.

Q. And further on?

A. Practically the same.

Q. Between the road and the meadows on the right hand side is there any cleared land or land that is used?

A. No. Just some land that the timber has been cut off.

Q. How much hay do they cut on these meadows?

A. I don't think they cut more than possibly 2 tons to the acre as a rule.

Q. We will now come to the Salmon River reserves, what about the land on that reserve?

A. It is largely prairie land and mountain side.

Q. What is the land like?

A. In the bottom, good.

Q. Has the hill a gradual slope?

A. Yes, a gradual slope.

Q. Is the hilly land good pasture land?

A. It would be for the early part of the season. It depends upon how heavily stocked it is.

Q. Is it not as good as other pasture land in that Country?

A. It is as good as the average pasture land.

Q. Does that continue over the whole of the reserve?

A. Yes. There is timber land on the south, bottom land, and then there is the slope.

Q. What is the timber land like if it were cleared?

A. It would be good land. It has not been cleared, but there is a man named Parsons who has a piece of land in there which is good.

Q. Taking that land which is East of the river, there is quite a lot of wood on that is there not, and a good deal of wood on the River front?

A. No, there is not.

Q. What are the chances for the Indians procuring fuel off that land, taking the 2 reserves together?

A. They have enough timber there to last them for years. If it was held for their own use there is sufficient timber land to keep them for all time, if they don't deplete it by logging.

Q. A good deal of the wood is on that part of the Reserve which lies east of Enderby?

A. Yes.

Q. Supposing that land East of Enderby was taken away from them, how would they be off for firewood, or for hay?

- A. They have lots of firewood and they have considerable hay, but still there is a lot of that land, which if it were cleared, could be cultivated.
- Q. Taking the nature of the Indian, and depriving him of the hay privileges and timber privileges which he has on that part of the reserve lying east of Enderby, how would he be placed as to obtaining hay and wood?
- A. Well, they are not raising a great amount from the land east of the River, but quite a number of the band have land across the river, and they are gradually clearing pieces of it. At the present time all the difference it would make would just be to the small piece of land they are already cultivating.
- Q. How big is that?
- A. About 60 to 75 acres I should judge, and Phillip has a small place besides.
- MR. WHITE: That meadow land along the river is fenced is it not?
- A. Yes.
- DR. MACKENNA: When you speak of the River, you have not in mind Fortune Creek, have you?
- A. Oh no. I am speaking of the Spallumcheen River.
- MR. SHAW: Taking both sides of the River, how much land would you say there is in the Northern half of the reserve irrespective of the piece across the river, under cultivation?
- A. I would judge there would be 100 acres at the very outside under cultivation in the piece of land across the river.
- Q. Now then, taking the other part of the reserve where is the greater part of the cultivated land?
- A. To the south.
- Q. On the Northern half how much?
- A. 200 acres independent of the piece across the river.
- Q. On the southern part how much?
- A. 400 to 500 acres.
- THE CHAIRMAN: What is the general occupation of these people?
- A. Mixed farming.
- Q. Do they do any ranching?
- A. Yes.

Q. How many cattle have they got?

A. Only about 65 to 100 head of cattle.

Q. And how many horses?

A. About 200 head of horses.

Q. Where do they pasture them?

A. On the hillsides and meadows, and on the reserve on the Spallumcheen side.

Q. From your observation and knowledge of the Indians, could they follow their employment satisfactorily if that portion of the reserve lying east of Enderby was cut off?

A. Well, really all that they are getting from that land would not make very much difference at the present time.

Q. Suppose it was considered advisable to cut off some portion of the Salmon River reserve, what, from your knowledge of the Indians employment, would you consider the best portion to cut off, taking into consideration a possible increase in the number of Indians?

A. If you are going to take into consideration the possibility of an increase in the number of Indians, you cannot afford to cut off any portion of that reserve at all. My reason for so stating is this, To make this land satisfactory and give to each man a fair share of it, you would have to have a redistribution or re-allotment of the land. All the good land which is not required either for farming or irrigation is largely taken up by the older Indians, and it is very difficult to get a piece of land for the young man.

MR. WHITE: Have these older Indians who have taken up the land, got more than is reasonably necessary for them?

A. In some cases they certainly have.

MR. MACDOWALL: Would it be difficult to arrange a redistribution? Could you make an equitable redistribution if you had it in your power?

A. It would involve considerable work, but it could be arranged. Only the Indians would have to be reckoned with.

THE CHAIRMAN: If it was in the minds of the Commission to cut off a portion of the Salmon River reserve, what portion of it do you say might be cut off with the least likelihood of interfering with their occupation?

A. I don't know of any that could be cut off as the bulk of it is hillside.

Q. That hillside is pasture land is it?

A. Yes.

Q. And they could not very well spare that?

A. No. The pasture land is just as important to them as the cultivable land, sometimes more.

MR. MACDOWALL: Have they more pasturage than their cattle require or use?

A. No. I think, however, it is possible they might pasture more cattle and horses than they have.

Q. How many more cattle do you think they could pasture on their present pasture lands?

A. They could keep twice as many I should think.

Q. What keeps them back from getting more cattle then?

A. I think the high prices obtainable for cattle are an inducement to them to sell.

Q. Does the Indian Department have any control over the cattle of the Indians?

A. No.

THE CHAIRMAN: What effect would it have, if that portion of land which lies on the west side of the Enderby reserve were to be cut off?

A. It would lessen the amount of timber they had either for sale or for their own use.

Q. Can they sell the timber?

A. Yes, if they get a permit.

Q. Are they selling any, with or without a permit?

A. With a permit, as a rule.

MR. MACDOWALL: Do you have discretionary powers in the issuing of these permits?

A. No. I have to take their applications and forward them to Ottawa for approval before they can be issued, except in urgent cases, such as when an Indian desires to cut timber for the purpose of clearing the land for farm use.

Q. And when you forward these applications it is either with a recommendation that they be granted, or otherwise?

A. Yes.

MR. SHAW: I understood you to say that all of the Enderby reserve is good land?

A. All the land which is being cultivated at the present time is good

Q. Is there really any land on the Enderby reserve which, if it were cleared, could not be cultivated?

A. No, it could all be cultivated except the hillside to the right of the road going south from Enderby, which would be too steep.

Q. Supposing the timber were all removed from that land, about how much of that land would be too steep to be cultivated?

A. Possibly 200 acres.

Q. About this light land on that reserve, would you consider that light land as not worth cultivation?

A. Well, my observation of that light land was that it would be very poor land for cultivation.

Q. As we drove from Enderby to Salmon River, we left the main-road and went up a gulch, and there was a ridge of very light land which some white settlers were cultivating. Could you give us an opinion as to the possibilities of cultivation that light land under modern dry-farming methods?

A. I don't understand anything about dry-farming at all.

Q. Speaking of the Salmon River reserve, what percentage of that reserve would you say is too steep to be cultivated?

A. Fully one third of it.

Q. One third would be 1300 acres?

A. Yes, about that.

Q. Out of the 3800 acres comprised in that reserve would you say that 1800 acres of it could not be cultivated?

A. Yes. I think you could cultivate 2,000 acres out of that reserve taking both light and heavy land.

DR. MCKENNA: And that would involve considerable clearing work?

A. Yes.

MR. SHAW: What amount of land, in your opinion, would be a fair amount for each family, if equally divided among them, or, in other words, what area of land could be cultivated by say, one family?

A. 50 to 80 acres per family.

Q. According to your statement there are 7,425 acres, which if it were cleared, could be cultivated. Eliminating the rocky mountain and steep hillsides, is there any one man on that reserve cultivating as much as 130 acres?

A. No, I don't think there is.

DR. MCKENNA: Mr. Shaw has just asked you what area a man would require for cultivation. You have said 50 to 80 acres. Does that include pasture land?

A. No.

Q. What would be required for pasture?

A. That would depend upon the number of stock he had.

Q. What about timber land?

A. I could not say.

Q. You spoke of the steep hillside and the proportion of that land which would be cultivable. Now what proportion of all the reserve do you think would be uncultivable profitably, if it were cleared?

A. Something over 3,000 acres would be cultivable with profit.

MR. SHAW: That would leave 2,425 acres. Would you say that it would not be profitable to cultivate that land under modern farming methods?

A. I could not answer that question because I am not conversant with dry-farming conditions. I think the land on the bench would be very light and too steep under Indian methods of cultivation. My observation, up on the top there was, that where the white people were cultivating, and the returns were anything like adequate, the land was a good deal heavier than the top land on the Indian reserve.

DR. MCKENNA: How many acres of this wild pasture land would be required to keep one animal the year round?

A. Possibly ten acres to the beast.

Q. It is that good?

A. There is no wild pasture land on the Enderby reserve.

- Q. Is there wild pasture land on the Salmon River reserve?
- A. Yes, but I would not like to say how many acres it would take to pasture a beast.
- Q. Are the Indians of that reserve clearing the land as rapidly as the Indian Department will allow them to do so?
- A. Yes.
- Q. If there were more liberal policy pursued by the Indian Department in regard to allowing the Indians to cut the timber, do you think they would clear more land?
- A. They would certainly clear more land, but I could not say whether they would proceed to utilize the land so cleared.
- Q. Do the Indians get any considerable revenue at Enderby from the cutting of timber for sale?
- A. No, they do cut a few and sell them to the mill, and they cut some for telephone and electric light poles, but I could not say that they get much revenue from that source.
- Q. Is there more land in the Salmon River reserve No. 1 than is reasonably required by the Indians, taking into consideration their present and future requirements?
- A. No, I don't think so.
- Q. Is there more land on the Enderby reserve than is reasonably required by the Indians, taking into consideration their present and future requirements?
- A. No, I don't think so.
- Q. The Population in 1911 was 164. It is now 168. It follows therefore that the band is increasing?
- A. Yes.
- Q. Are you satisfied that the Indians of the Spallumcheen Tribe are increasing in numbers?
- A. I am.
- Q. In your opinion, could any land be cut off either of these reserves without seriously impinging upon the reasonable requirements of the Indians, present or future?
- A. No.
- Q. You have stated that the older people have divided among

nearly all the land available for cultivation on these reserves?

A. Yes.

Q. Could a division of the land to meet the reasonable requirements of the Indians, be made, if the area of the reserves was reduced?

A. That depends upon whether you are taking the present or future conditions into consideration. If you are looking forward to providing the children with something when they grow up, then I don't think such a division could be made. I think possibly you could get enough land after cutting off a small portion of the reserves, taking into consideration only the present requirements of the Indians.

MR. SHAW: You stated that 50 to 80 acres would in your opinion, be sufficient for a family of 3, and according to the figures you have given, I have shown you that there is enough land to make 130 acres for a family of 3. Will you therefore explain the discrepancy when you say there is no more land than is reasonably required for Indians?

A. I was taking into consideration both present and future requirements, and allowing for an increase.

Q. Well, taking into consideration the possible increase, and the fact that there has been an increase of only One and a half per cent, and even allowing that they should continue to increase at the same rate, how do you explain the discrepancy?

A. If you are to allow each member of a family a certain amount of land, I don't think there is any too much land contained in the reserves. I understand that in the Northwest as much as 240 acres have been allowed for each child, if that allowance were to be made here there would not be sufficient land in the reserves to go round. If you are taking the present population of the reserves into consideration, and making provision for the children that are there now, there is not any too much land.

MR. MACDOWALL: You say that there are 168 population on these reserves. We have heard that some of these Indians are not Indians who were born on the reserves, but are American Indians?

A. Since I became Indian Agent there has not been one single application for membership to the Band, from any outside Indians.

Q. And that increase from 164 to 168 is an actual increase?

A. Yes. Nobody can become a member of the band without making an application, which application has to be approved by the Department.

DR. MCKENNA: And all the reported population of that band are recognised by the Department as Canadian Indians, and entitled to all the privileges of the Spillumcheen Band?

A. Yes.

MR. SHAW: I was going to ask how you arrived at the population of 1911 as being 164?

A. I went through the reserves and made the Count.

Q. Did you go again this year for the same purpose?

A. Yes.

THE CHAIRMAN: The Indians are not very good farmers are they?

A. No.

Q. If it was contemplated to make them somewhat better farmers by giving them an instructor, and they were able to receive regular instruction in farming, they could use a much less quantity of land to better advantage, could they not?

A. Yes.

Q. As a matter of fact, if they were instructed in modern methods of farming they could farm less land with much better results?

A. Yes, undoubtedly.

Q. When you said you were looking forward to their future requirements, you were looking forward to them continuing with the same methods of farming as they are using now?

A. Yes.

MR. SHAW: Now with reference to those meadows lying in the bottom of the Enderby reserve, what is the nature of the timber lying between them?

A. Poplar, pine and fir.

Q. Are there any fringes of Alder or willow round there?

A. No. At any rate very few, if any.

MR. MACDOWALL: On reflection, do you think it would be difficult to get the Indians to send their children to school?

A. I certainly do. They have absolutely refused to send their children to school. The Department made arrangements for a building, put in desks, and supplied a teacher, but the Indians absolutely refused to send their children. The same remarks would also apply to Penticton.

DR. MCKENNA: Did I understand you to say that it was contemplated to give farming instructors to the Indians?

A. No sir, I did not say anything of the kind. The Chairman asked me a question, and said "IF it is contemplated to give them farm instructors."

MR. SHAW: You know of a reserve of 201 acres at Mara. Lake?

A. I know of it.

Q. Is it not a fact that the Indians do not recognise that place as a reserve?

A. Yes.

Q. And they claim another reserve at Shuswap Lake, Sicamous?

A. Yes.

Q. And the Indians make no use whatever of Mara Lake reserve?

A. None whatever.

MR. COMMISSIONER MACDOWALL: Did not the Provincial Government sell that land at Sicamous?

A. I don't know, but I understand that the place the Indians claim there had been surveyed off for the purpose of creating a reserve there, but before the reserve was created the Province had disposed of the land.

MR. COMMISSIONER SHAW: Then in that case it was never an Indian reserve?

A. No.

Q. Do you know anything of the nature of this land at Mara Lake?

A. I was never there.

THE CHAIRMAN: Crossing over from Enderby to Armstrong, we crossed the Northern end of the Okanagan reserve No. 1. What is the character of that land?

A. Light broken land generally.

Q. Would it be used for cultivation?

A. Some pieces of it may be.
Q. By irrigation, or how?
A. I don't know whether there is water available or not. There is not a large portion of it which would be good for agricultural purposes.
Q. Is it any good for pasturing?
A. Fairly good.
Q. There are some bottom land in sight, and it appeared that several persons were settled there. I understood from you they were Indians.
A. I don't think so. I could not say whether they were Indians or not.
Q. How far was that part of that reserve from the Chief's house where we met when we drove through from Vernon?
A. About three miles.
Q. And it would be pretty poor land?
A. Yes.
Q. What is the character of the rest of the land in that vicinity?
A. Light land.
Q. I suppose some portion of that land could be irrigated from the Salmon River?
A. Only by pumping. It would require damming at an enormous expense. The land on each side of the banks is very high.
At this stage, the examination was adjourned until Saturday November 8th, 1913.

EXAMINATION OF INDIAN AGENT J.R. BROWN, Continued Saturday,

November 8th,

THE CHAIRMAN: After we got off the Northern part of the Okanagan Reserve No. 1 we did not pass by any other reserves on the way to Armstrong?

A. Yes, we passed Isaac Harris' place. It is called No. 3.
Q. There is no name given to it in the schedule?
A. It is known on the maps as "The Prairie".
Q. That is in very excellent condition is it not?
A. Yes.
Q. The cultivation there seems to be as good as any whiteman could make it?
A. Yes.

Q. Did we pass any other reserve?

A. Yes, a little reserve at Swan Lake, but we were not near it. It is on the flat, on the north end of the lake, and on our right as we went towards Vernon.

Q. I don't recollect seeing it.

A. It is just right at the bottom of the lake there.

Q. Otter lake No. 2, 62 acres. What sort of land is it there?

A. Bottom land with some swamp near the Lake.

Q. Is it cleared?

A. About 11 acres is cleared.

Q. Anyone using it?

A. Isaac Harris claims it.

MR SHAW: What use does he make of it?

A. He uses it for hay land.

Q. Now as to Swan Lake, how large is that?

A. 68 acres.

Q. What kind of land?

A. Bottom land.

Q. How much cleared?

A. All cleared.

Q. What use is made of it?

A. Hay cutting.

Q. Is that all hay land?

A. Yes.

Q. Do the Indians of the main reserve cut hay there?

A. Yes.

Q. What is the number of Long Lake reserve?

A. No. 5.

Q. What about that reserve?

A. There is some good land and some sloping hillside.

THE CHAIRMAN: Is that the place where we crossed the bridge and turned to the left, and there had apparently been some cultivation on the hillside, and tents pitched there?

A. Yes.

Q. How many acres in that reserve?

A. 128.

Q. Cleared?

A. A good part of it is cleared naturally. There is some timber, quite a lot of swamp and some hillside. There are also a lot of roads and rushes alongside the lake there.

Q. Fairly steep hillside was it not, and fenced too?

A. Yes pretty steep hillside, the reserve is not fenced but the other side is fenced.

MR. SHAW: There is a fence on the boundary line is there not?

A. Yes.

THE CHAIRMAN: That is a whiteman's fence is it, which constitutes the boundary line between the reserve and the adjoining land?

A. Yes.

Q. Does anybody live on that?

A. Just one man and his wife and child.

Q. A good piece of the bottom land, close on to the lake is not cleared is it?

A. There is quite a bit close to the lake, besides the swamp. There is quite a place along the lake, where the shacks are, that is cleared.

Q. What is that land used for?

A. The man who lives there cuts hay on it.

Q. The piece he is making use of would not be more than 15 acres. Does he cut much hay?

A. I should judge about two tons to the acre.

Q. Is that land irrigated?

A. No. There is a flume which runs across it, but the Indians cannot use the water without paying for it.

MR. SHAW: What they cultivate there then, is cultivated as the result of natural rainfall?

A. Yes.

Q. How much of that reserve is cleared and fit for cultivation?

A. At the present time I should judge about 50 acres.

Q. There is some land there which would be fit for cultivation, just as it is at present?

A. Possibly 20 more acres.

Q. And with irrigation?

A. All but the bit of swamp could be cultivated with irrigation.

Q. How large is the swamp?

A. From twenty to twenty-five acres.

MR. COMMISSIONER MCKENNA: Do you know of any white people occupying the land on this reserve for summer houses and tents?

A. I should judge there are about a dozen white people so occupying land there.

Q. Under what arrangement are they there? By whose authority?

A. I don't think they have any authority, only from Jimmy Antoine, the Indian living there.

Q. And does Antoine receive anything from these people in the way of rent?

A. Yes he receives some payment for the privileges.

Q. The Department has no official cognisance of this arrangement?

A. No.

MR. SHAW: Is there any land cultivated or in use on that reserve, which it would require any work to clear? Or is it all naturally clear and open land?

A. Where he has his hayland, it was timbered.

Q. That was about 15 acres?

A. Yes.

Q. Is the two tons of hay to the acre, which he gets, the entire product of the whole reserve?

A. Yes.

THE CHAIRMAN: What was that wild crop that was growing there on the side hill?

A. There is no cultivation of any kind on the side hill that I know of.

MR. SHAW: Does Jimmy Antoine live there the year round?

A. Well, he makes that his permanent home.

Q. Has he any other land on any of the other reserves - On the big reserve for instance?

A. No, but his brothers have land on the big reserve.

Q. Does his sole living come from this Long Lake reserve?

A. No.

Q. What other means has he of getting a livelihood?

A. He works outside and his wife gets some money.

Q. Is his wife an Indian woman?

A. Yes.

THE CHAIRMAN: What does she make the money at?

A. She gets it from the United States. She is a United States Indian.

Q. Does she get much?

A. I don't know sir.

Q. PRIEST VALLEY, What is the size of that reserve?

A. 83 acres.

Q. Anybody living on it?

A. Yes.

Q. How many?

A. Two families - well really three - although one of them is unmarried.

Q. Any children?

A. Yes. When I say children, I should also mention that one of the individuals who claim a right in that reserve has property at Duck Lake.

Q. Where is that individual's home?

A. It is really at Duck Lake.

Q. Where is the recognised residence of the individual referred to?

A. Duck Lake is the place where she lives.

MR. SHAW: That is the woman Mrs. MacDougall?

A. Yes.

MR. WHITE: Is this woman's husband alive?

A. Yes. He is a half-breed and a voter. He appeared before the Commission at Duck Lake.

MR. SHAW: Is this woman a recognised member of this band?

A. Yes she is.

Q. And she never lost her rights by marrying a whiteman?

A. Never to my knowledge.

Q. Would not an Indian woman automatically lose her rights in the band if she married a whiteman?

MR. COMMISSIONER MCKENNA: I submit that the authority for fixing the

status of any Indian as a member of a Band is with the Superintendent-General of Indian Affairs, and that it is not competent for this Commission to deal with that question. I hope that the Chairman will consider the point I raise, as there may possibly be numerous cases similarly affected in the course of the work of this Commission. Section 18 of the Indian Act says:----- (Here quoting said section) and I maintain that the authority of the Superintendent-General in this matter has not been transferred to this Commission.

THE CHAIRMAN: I might wish to consult with Mr. White upon this matter which is a question of law. The purpose of the Act is to constitute the Superintendent-General, authority for deciding as to the rights of any person to membership in a band of Indians but the Commission may wish to view the matter from another standpoint and purpose, and to have the matter under review for the purpose of determining who are and who are not residents of any particular reserve.

COMMISSIONER SHAW: The question was merely whether Mrs. Macdougall was recognised as a member of this band.

WITNESS: She is recognised as a member of the band.

Q. Then would not any Indian woman automatically lose her rights as such, by marrying a whiteman?

MR. COMMISSIONER MCKENNA: Is not that a question of law?

THE WITNESS: There is something in the Act on that head. I cannot quote the section but I could tell you what the effect is.

THE CHAIRMAN: Here read Section 14 of the Indian Act.

MR. COMMISSIONER SHAW: That practically answers my question. If this land were sold and the proceeds of such sale paid in money to the Indians I take it that she would have no claim in such money but if the proceeds of the sale were paid into a Trust fund she would share in its advantage. Since Mrs. MacDougall married a man outside of the reserve, has she ever been made a member of any other band?

A. Not that I know of.

THE CHAIRMAN: Going back to the Priest Valley reserve, what is the extent of it?

A. 83 acres.

Q. How much of that is fit to be cultivated?

A. The greater part of it is fit to be cultivated. There is some sandy land along the lake shore and some swampy land, but I should judge that from 50 to 60 acres is fit for cultivation.

Q. Is it irrigated?

A. No it is all bottom land and does not require irrigation. There is a Creek running through it and along the lake shore.

Q. Do the people who live on it each hold allotments?

A. There are no allotments. Jack, his son Pierre and Mrs. MacDougall work the land there.

Q. Does anybody use the land except them?

A. No. I might say that they had all the bottom land before the Belgian Syndicate came in and bought land. After the Syndicate came in they were restricted to the 83 acres.

MR. COMMISSIONER SHAW: Do the Indians on this reserve hold or use lands in any other reserves?

A. Yes. Some have land at Head of the Lake.

Q. Is their permanent home here at Priest Valley or at Head of the Lake?

A. The permanent home of Ten-dollar Jack is at Priest Valley.

Q. Then where is his son?

A. Well, he lives with him, and Mrs. MacDougall lives at Duck Lake.

Q. Where do they get the greater part of their living from, Priest Valley or Head of the Lake?

A. I could hardly say. They get some from both.

Q. Where is Mrs. MacDougall's permanent home?

A. Duck Lake.

THE CHAIRMAN: Where there any other reserves we visited before going to the main Village?

A. No.

Q. What is the size of the Head of the Lake reserve?

A. Twenty-five thousand acres.

Q. That includes what we crossed on our way from Enderby?

A. Yes.

Q. What is the population?

A. 215.

Q. Will you give me the population of that whole reserve. Do you recollect the Indians who were represented there at that meeting that day. There were Nos. 1, and I think, all except Nos. 9 and 10 were there not?

A. I don't think there was anybody there from Duck Lake except Borrow.

MR. COMMISSIONER SHAW: Was there anybody there from the main reserve?

A. Yes, a man named Charles Williams.

Q. When you say the population of the Head of the Lake is 215, does that include the whole of the Band?

A. No, leaving out of consideration Duck Lake and Nos. 9 and 10 the population of the No.1 - main reserve and small reserves adjacent is 215. The total population of the Whole band is 277.

Q. Well then, taking No. 1 reserve and the reserves adjacent, leaving out Duck Lake & Nos. 9 & 10 (Westbank) 215 is the population of the main reserve?

A. Yes.

MR. COMMISSIONER MCKENNA: It includes 1,2,3,4,5 & 6?

A. Yes.

Q. And 8?

A. Yes.

COMMISSIONER SHAW: Then the other 62 represents Duck Lake and the two reserves on the west side of the Lake?

A. The population of the whole of the Okanagan Band is 277 including all the reserves up to No. 10.

THE CHAIRMAN: Leaving out Duck Lake & Nos. 9 & 10 what is the population?

A. 215.

Q. How many acres in this reserve?

A. 25,539.

Q. What is the character of the land on No. 1?

A. It is very varied.

Q. What is the character of the remaining portion of land south of the point where we deflected to Armstrong?

A. There is good land, grassy mountain side, timber and swamp.

Q. Would that be principally along the lake or would it cover the whole country?

A. The whole of the Country.

Q. You were with us on the drive to Whiteman's Creek were you not?

A. No.

Q. I thought you were. However, you have been there?

A. Yes, that is on the west side of the lake.

Q. What is the character of the land through which the road runs going on towards the Head of the Lake?

A. It is grassy mountain slope and timber on the right hand side going down. On the other side it is cultivable land and hayland.

Q. There is some just after you pass the entrance to the village is there not?

A. Yes. Well it is simply the village there.

Q. What is the hilly land good for there?

A. For pasture and timber lands.

Q. How far up does it go on the hill?

A. It varies from a quarter of a mile to two miles from the Lake shore up the hillside.

Q. From the road how far up is it?

A. On the average 600 yards.

MR. COMMISSIONER SHAW: Is there any part of that road which goes above the reserve?

A. No. The road is all on the reserve.

THE CHAIRMAN: Does that pasture land extend beyond the crest of the hill?

A. No. It comes from the Lake shore from half a mile to two miles up the hill.

Q. That is all good pasture?

A. Yes, with the exception of the heavily timbered land.

Q. That is the general character of the land all the way to Whiteman's Creek, is it?

A. Yes.

Q. Take the other side, what is that like?

A. You mean the east side of the lake. It is the same but there is only heavy timber on the south end, the other is steep hillside.

With good pasture, the bottom land cultivable, and containing some alkali.

Q. Is there room for a road to go through the reserve by the bottom land?

A. Yes. There is a lot of cultivable land and fields there.

Q. Is it as well settled there as it is on the other side?

A. No, not as well settled.

Q. It would appear to me therefore, that all that reserve is useful for one purpose or another.

A. Yes, all of it with the exception of the swamp.

Q. With respect to the land on the east side, does the reserve extend to the crest of the hill?

A. No. It is a little wider on the other side.

Q. What is the general employment of these people on that reserve?

A. Farming.

Q. Do they do any ranching?

A. Yes. They have horses and cattle.

Q. How many horses?

A. About 300 head.

Q. And how many cattle?

A. About 200 head.

MR. COMMISSIONER WHITE: Do you mean on this reserve?

A. Yes.

Q. But the chief in his evidence stated there were 600 horses, 260 cattle and about 100 pigs?

MR. COMMISSIONER SHAW: Do the 300 head of horses and 200 head of cattle include all the reserves, or only what are on No. 1?

A. Just those on No. 1.

Q. How did you ascertain the number of horses and cattle on this reserve?

A. By counting up the number of horses and cattle owned by each individual on the reserve when taking the last census.

Q. Could you give us the number of horses and cattle owned by the people on the other reserves round, exclusive of Nos. 7, 9, and 10?

A. Which do you mean?

MR. COMMISSIONER SHAW: Long Lake, Swan Lake, and Otter Lake?

A. Well Swan Lake belongs to Komasket. Isaac Harris on the Prairie 25 head of cattle, 8 horses and a number of pigs.

Q. And the man at Long Lake reserve?

A. he has no cattle and only a couple of horses.

Q. And on Priest Valley reserve?

A. They both belong to other reserves.

Q. Outside of the No. 1 reserve, how many head of stock would you say were owned?

A. I don't know of any except about 25 in addition to what Isaac Harris has.

Q. Do you think another head would cover all?

A. Yes I do.

MR. COMMISSIONER MCKENNA: You have seen the Annual Report of the Indian Department for 1912?

A. I suppose I have.

Q. You prepared the statistics which are published in that report for the Okanagan Agency?

A. Yes.

Q. Well, on page 71 of the appendix to that report it says:-
"Geldings and Mares, 1525; foals 415; steers 147; Milk cows 510; young stock 885", etc. Are those figures not correct?

A. As far as my knowledge is concerned those are not the figures which I gave them. That is certainly not correct.

MR. COMMISSIONER SHAW: Would you say there were more stock on these reserves say 5 years ago than there are now?

A. I would say there were more.

MR. COMMISSIONER MACDOWALL: You would think there were more then, because the Indians have been induced to sell their stock on account of the high prices prevailing for cattle?

A. Probably that may be so. At any rate I don't think they have as many horses and cattle now as they had say 5 or 6 years ago.

MR. COMMISSIONER SHAW: Who took the Census on that reserve in 1911?

A. I did.

Q. And you did not report the number of cattle given in the Blue Book?

A. I did not.

THE CHAIRMAN: I understand that they have a number of pigs on that reserve.

A. Yes.

Q. And they breed their cattle and horses?

A. Yes.

Q. I would like to know whether there is, in your judgement, sufficient pasture land for these animals to range on at present?

A. Yes there is.

Q. Is there more than sufficient?

A. Yes. More than sufficient.

Q. How much more than sufficient do you suppose there is?

A. I think they could raise without any trouble at all, so far as the pasture is concerned, 1,000 head of cattle.

Q. Within the limits of the reserve?

A. Yes, if it were fenced.

Q. I mean without the open range?

A. Yes, they could pasture, as far as horses are concerned, on that reserve - anywhere on that reserve, from 1200 to 1500 head of stock - horses and horned cattle.

MR. COMMISSIONER SHAW: About how much land is under cultivation on that reserve?

A. From 2,000 to 2,500 acres.

Q. That would leave them with 23,000 acres of pasture and timber lands. Is the timber land any good for pasture?

A. Some of it is.

Q. Could you give us an idea as to how much of that 23,000 acres would be timber land, roughly speaking?

A. I would say about 7,000 acres out of the 23,000 acres would be timber land - roughly speaking.

Q. Then that would leave 16,000 acres of pasture land. What would you estimate it would require an animal on this pasture land?

A. Taking all the different benchland I should judge, possibly 30 or 40 acres to the beast.

Q. Would you say that 50 acres would be adequate?

A. Yes I think so.

Q. That would provide adequate pasture for 800 head of stock?

A. Yes, I think so.

THE CHAIRMAN: I suppose they grow all sorts of produce there?

A. Yes.

Q. Do they get enough hay off the reserve to feed their cattle in the winter time?

A. Yes.

Q. Do they grow any fruit there?

A. Yes.

Q. Is it first-rate fruit?

A. What they do grow is good. Apples and small fruit.

MR. COMMISSIONER SHAW: Is the 2500 acres well cultivated would you say?

A. No, not well cultivated. Some portions of it are better than others.

Q. Is it well cultivated on the whole, as the land of the white settlers in that part of the Country?

A. No, not on the whole.

Q. I suppose there are individual instances where it is up to the standard of the white people's cultivation?

A. Yes, but there are of course exceptions.

MR. COMMISSIONER MCKENNA: You took the 1911 Census?

A. Yes.

Q. Do you remember stating that the population at that time was 230?

A. No, I certainly do not.

Q. Well, when was the last census taken?

A. In 1913.

Q. And the population according to that census is 277?

A. Yes.

MR. COMMISSIONER WHITE: Who took that census?

A. I did.

MR. COMMISSIONER MCKENNA: Have you any reason to doubt the accuracy of the figures of the Blue-Book of 1912?

A. No.

Q. There is an increase of 47 then?

A. According to that there is.

THE CHAIRMAN: What is the extent of the Duck Lake Reserve?

A. 457 acres.

Q. How many reside on it?

A. Just two families at present. Those of Victor Bore & Mrs. MacDougall

Q. I think you said there were three families when we were there?

A. One Enoch was there at the time, but I cannot say that he makes his home there.

Q. Are there any children there?

A. There are 9 people on the reserve altogether.

MR. COMMISSIONER SHAW: Do you know whether MacDougall is enfranchised or not?

A. I don't know anything about him or his circumstances.

THE CHAIRMAN: What is the character of the land on Duck Lake reserve?

A. It is good land for the most part.

Q. It is bottom land is it not?

A. Yes.

Q. Is it irrigated?

A. It is not irrigated.

Q. The bottom land is pretty well cleared?

A. Yes.

Q. How much uncleared land is there there?

A. I should judge about 200 acres?

Q. And is the balance all cleared?

A. Well yes, it is practically all cleared.

Q. I mean cleared by actual work, or is it naturally clear?

A. I don't think more than 120 acres of actual clearing has been done. It was done for hay raising and the rest is naturally cleared land, and some timber land.

Q. That land which you speak of as uncleared is dry is it not?

A. Some of it is.

Q. Is it capable of cultivation with irrigation?

A. Yes. The greater part of it would be.

Q. About how much of it?

A. Some along the lake shore and a piece of rising around on the opposite side of the lake.

Q. There was quite a bit of land further on, which looked very well. It had been irrigated?

A. Yes.

Q. And I suppose that would be just as good if it had the chance and was irrigated?

A. Yes.

Q. What do they get off the land that is cleared?

A. Hay.

Q. Pretty good crops or just wild hay?

A. Yes good crops. Timothy and clover.

Q. Have they any cattle there?

A. Some

Q. How many?

A. About 7 to 10 head of cattle.

Q. Any horses?

A. Yes.

Q. How many?

A. About 40.

Q. Are they kept on the reserve?

A. I think so.

Q. What grazing they do has to be done on the reserve?

A. Yes.

Q. And it is all bottom land?

A. Yes, mostly.

Q. What do they do with the hay they raise?

A. Sell some of it, and feed it to their horses and cattle.

Q. I suppose they also sell some of their horses at times?

A. Yes.

Q. Have they any other means of livelihood?

A. Well, they milk some of their cows.

Q. Do they sell the milk?

A. I don't think so.

Q. Do they keep their own stallions?

A. I don't know. I don't think so. I believe they breed their horses from outside stallions.

MR. COMMISSIONER SHAW: The reserve is naturally surrounded by Crown Granted lands?

A. Yes.

Q. Is there not an open range, which is common pasture land, to the East of the reserve?

A. I don't know.

THE CHAIRMAN: Supposing, that is, say that the cattle did range upon Government lands outside the reserve, if they were sent off at any time, would there be sufficient land for them to keep their cattle on, on their reserve?

A. Yes, for all the stock they have got now.

Q. And sufficient to keep up the supply of hay which they are still making?

A. I could not say.

MR. COMMISSIONER SHAW: They do pasture their cattle on the reserve now?

A. Yes.

MR. COMMISSIONER MCKENNA: There is how many people on this reserve?

A. Nine altogether.

Q. And Chief Enoch stated he lived there too?

A. Well, he does stay there during the hay season, but he really lives at Penticton, where he is married to a widow.

Q. He does not even now live at Penticton continually?

A. Yes he does, with the exception of the hay-making season.

THE CHAIRMAN: How large is Mission Creek reserve?

A. 55 acres.

Q. Anybody living on it?

A. No.

Q. Any cultivation on it?

A. No sir.

Q. It is thickly wooded?

A. Yes.

Q. It is good land is it not?

A. Yes.

Q. Good bottom land about it?

A. Yes.

MR. COMMISSIONER WHITE: Does not Charlie Williams live there?

A. No. He claims to do so, but he has no house, tent, shack, or other living place there.

Q. Then the statement of Charlie Williams at Okanagan Reserve No. 1.

to the effect that he lived at Mission Creek, is not true?

A. So far as I know, it is untrue.

R. COMMISSIONER SHAW: Where does Charlie Williams live?

A. Well, sometimes at Head of the Lake and sometimes at Westbank.

Q. Does he cultivate any land himself?

A. None that I know of.

Q. What does he do for a living?

A. He fishes and works out.

Q. Has he any stock?

A. He may have one horse.

Q. Has he any house at all?

A. I don't know of any with the exception of a shack down at Westbank.
It could hardly be called a house.

THE CHAIRMAN: Are the lands in the reserves in your Agency allotted to various Indians?

A. No sir.

Q. There are no allotments made?

A. No.

Q. Are there no separate holdings?

A. They are all separate holdings.

Q. Are there any lands in the Okanagan Reserve No. 1. or any other of the Okanagan reserves, that are not allotted and where members of the band could take up holdings, or are they all allotted?

A. There is land which is not allotted, but it would require considerable work to make the land of any use in most cases.

Q. If cleared, would this land which you speak of, be useful?

A. Yes.

Q. Take for instance, the land on the hillside which is at present used for grazing purposes, I suppose some of that land is not allotted either?

A. Some of it is allotted as pasture land but it could not be cultivated.

Q. Well then, practically all the land which is of any use, which could be cultivated, is taken up?

A. Yes.

Q. What about the Enderby and Salmon River reserves?

A. All the land which is of any use has been taken up by the Indians except where there would be a great deal of clearing required.

Q. Such land would be good land if cleared?

A. Yes.

R. COMMISSIONER SHAW: On these reserves at Enderby and Okanagan, do the Chiefs or any individuals own a larger area of land than the ordinary members of the band?

A. No not in those reserves. There are reserves where they do.

Q. Do any of the Chiefs control an undue portion of the land?

A. No.

Q. The Chief has simply the usual allowance?

A. Yes, the Chief has the same as the others.

THE CHAIRMAN: Now across the lake at Kelowna, there is a reserve - No. 10 is there not, right opposite the Town?

A. Yes.

Q. What is the size of that reserve?

A. 800 acres.

Q. What is the population?

A. There are really only two families, Louis Michel and Jimmy Swite living there

Q. What is the character of the reserve generally?

A. Benchland, rolling, with some bottom land.

Q. Not very much bottom land is there?

A. No, very little.

Q. Is it good land for cultivation?

A. Yes.

Q. Would it require irrigation?

A. Yes.

Q. All of it?

A. Yes.

Q. All of it?

A. Yes.

Q. Is there any irrigation on that land?

A. Yes, but not much.

Q. What proportion of the land would it irrigate?

A. The irrigation facilities that are there now would only irrigate a small portion of bottom land.

Q. Where do these two families reside?

A. Right down on the bottom.

Q. How much do they cultivate?

A. About 42 acres.

MR. COMMISSIONER SHAW: 42 acres each or 42 acres altogether?

A. Altogether. There is not more than about 60 acres of bottom land.
I think they have it all practically under cultivation.

THE CHAIRMAN: Is there any method by which the hilly land could be irrigated?

A. It would be a most expensive undertaking.

Q. Does that reserve cross the road?

A. Yes.

Q. Have they any cattle on the reserve?

A. Yes.

Q. How many?

A. I should judge about 8 or 10 cattle and 10 or 12 horses.

Q. What do they raise on the land?

A. Practically all hay and a few vegetables.

Q. How do they live?

A. They earn what they can there, and then they sell cordwood to people at Kelowna, and also sell hay.

Q. Do they raise more than enough hay to feed their cattle?

A. Yes.

Q. What chance of pasturage have they on that reserve?

A. They have the benchland there.

Q. I suppose about 8 or 9 head of cattle would be quite enough to keep there?

A. Yes.

Q. Now we come back to No. 9, how many people are there there. Heads of families and children altogether?

A. About twelve.

Q. I should think these people have pretty hard work to live have they not?

A. I think they live fairly well, and they are also good workers.

Q. How large is that reserve?

A. 2,438 acres.

Q. What is the character of that land?

A. It is varied - some bottom land, considerable benchland and some side hill.

Q. Where is the bottom land?

A. It extends right away from the Lake, up the Creek and then there is some benchland in the centre of the reserve.

Q. About how much bottom land is there, there?

A. About 250 acres I should judge - possibly 300.

Q. Is it arable land?

A. Yes.

Q. And do they cultivate it?

A. Yes.

Q. We did not see it then?

A. No, they drove over the bench instead of going over the lake shore.

Q. What do they grow on this bottom land?

A. Hay, potatoes and some grain, but mostly hay.

Q. Do they have to irrigate it?

A. Yes.

Q. Is this benchland capable of irrigation?

A. Not without very large expense. There is some little of the benchland which is irrigated by a small spring water which runs through there.

Q. How do these people make their living. Are they industrious?

A. Yes they are industrious. They make their living by what they raise on the land and by working out.

MR. COMMISSIONER SHAW: Do these people work out?

A. Yes they do, occasionally.

THE CHAIRMAN: How many horses and cattle have they on this reserve?

A. There are about 10 horses and about 30 or 40 cattle.

Q. Any pigs?

A. No.

MR. COMMISSIONER SHAW: If you were to divide that land on those two reserves, into 3 classes, calling it 1st, 2nd and 3rd class land, just as it is on those reserves, what would you say would be the

actual value of the first class land on these reserves (Numbers 9 and 10) today, that is the value per acre?

A. According to the value of land in the Okanagan, the bottom land ought to be worth about \$200.00 per acre.

Q. And the second class land?

A. The second class land, without irrigation I don't know what it would be worth. It might be worth about \$25.00 an acre.

Q. And what would you say the third class land would be worth?

A. Possibly Ten dollars an acre.

Q. Are you aware that there was an appraisal made of this land some two or three years ago?

A. No.

Q. Do you know if there is any record for water on that reserve?

A. Yes.

Q. Just water?

A. I think 100 inches on McDougall Creek and another small Creek.

Q. Anyone else can use it, can they?

A. With respect to No. 10 reserve the water is used by anyone. I applied for a Record on behalf of the Indians, and there is a man who owns the land adjoining the reserve, who has put a ditch through the reserve.

Q. Did he have a record?

A. Yes, he had a record.

Q. Whose was the prior record?

A. I think this man's was the first record.

Q. Do you know how much the owner recorded?

A. No. This man's name is Pease. He bought Alex MacLean out.

Q. How much is his record for?

A. 100 inches.

Q. Well then, he gets practically all the water that goes through the Creek?

A. Yes.

MR. COMMISSIONER MCKENNA: Did he get permission to construct that ditch through the reserve?

A. No.

MR. COMMISSIONER SHAW: Does he deprive the Indians of this water?

A. Well, the Indians help themselves as it goes through their land.

Q. Leaving expense out of the question do you think it is possible to get water on to this land?

A. Yes, I do.

Q. Do you think it would be practicable for the Indians to get that water?

A. No.

Q. You say it is impossible for them to get it on account of expense?

A. Yes.

O. If water were got on that land would that land be good and productive?

A. Yes.

Q. Equal to the average land in the Okanagan Valley?

A. Yes.

THE CHAIRMAN: With respect to the range on No. 9 reserve for horses and cattle is there anything there on that flat?

A. Some, but not much.

Q. Is there anything better anywhere else, leaving out the cultivable land?

A. No, it is just the average.

Q. All I could see there was some sage grass which struck me as being very poor for pasture.

A. At the time we saw it, it was in the "fall" of the year. In the Spring there is considerable growth, but during the hot summer weather everything is burned up.

MR. COMMISSIONER SHAW: Reverting to the reserve at Long Lake, supposing we divided that land into three classes of land, what would you say was the value of the land on the reserve at Long Lake?

A. I should judge it is worth about \$250.00 to \$300.00 per acre. Taking the bottom land as it stands now.

MR. COMMISSIONER WHITE: Without any improvements on it whatever?

A. Yes.

Q. Just in its natural state?

A. Yes.

Q. Are you estimating the improvements that the people have put on it or just in its natural state?

A. Just in its natural state.

THE CHAIRMAN: That reserve has no irrigation has it?

A. No. I suppose it would cost \$50.00 an acre to get irrigation there. The initial cost would be \$50.00 an acre, and \$5.00 per annum per acre.

MR. COMMISSIONER SHAW: Now the second class land, what would be the value of that?

A. I suppose it would be worth about \$200.00 an acre because you could get water on to it so cheaply.

Q. There is a part of that, which, from my observation I think could not be watered?

A. Possibly not.

Q. There is a possibility that might be good land under modern dry farming methods?

A. Yes, possibly.

Q. Do you consider that that reserve is worth \$200.00 an acre to the Indian that is living on it. Is he getting 5% of \$200.00 an acre?

A. No sir.

THE CHAIRMAN: Now we come to Penticton reserve, what is the number of acres in that?

A. I think it is 47,859.

Q. There is just one reserve there is there not?

A. There are two little ones right alongside, Nos. 2 and 2a, 321 and 194 acres respectively. These are two timbered reserves.

Q. What kind of land is that?

A. Poor land, rocky, gravelly, very little good.

Q. The growth of timber is not very good is it?

A. There is some good pine on it.

Q. Has, this reserve irrigation?

A. No.

Q. Cultivation?

A. No.

Q. It would not be land that could be cultivated to any advantage would it?

A. No, I don't think so, there might be small spots in it but not as a whole.

Q. Is anybody living on it?

A. No.

Q. Are they making any use of it?

A. Not unless they take timber from it.

Q. Are the Indians allowed to cut down the timber for sale?

A. Not without the consent of the Department. They can cut it for their own use.

MR. COMMISSIONER WHITE: That was the piece of land which some people wanted for a rifle range etc., was it not?

A. Yes.

Q. It does not appear to be any use at all?

A. Well it is not, because there is no water on it with the exception of a creek which runs through the reserve, and upon which the Indians have no record for water.

Q. Do you know of any damage that has been done to adjacent property near the reserve on account of the damming of that creek?

A. I have heard that there was a complaint that the creek overflowed on to other peoples land, the matter was brought to the attention the Department and permission was given to the Municipality of Penticton to clear the stream.

THE CHATRMALIN: Now about the Big reserve No. 1, what is the character of the land on that reserve?

A. Good hay meadows, bench land and mountain.

Q. What is the population?

A. 170.

Q. How many heads of families?

A. 40 heads of families.

Q. How do they use the reserve?

A. For farming and stock raising.

Q. How much is under cultivation there?

A. No answer.

Q. That population statement you gave us included the people away down in front Creek did it?

A. Yes.

Q. And at Shingle Creek and Sheep Creek?

A. Yes.

Q. What do they raise there.

A. Cattle and horses.

Q. I mean on the land?

A. Mostly hay.

Q. Do they grow apples and other small fruit?

A. Yes. They have some good fruit.

Q. What do they sell off the farm?

A. Hay, fruit, general farm and garden produce, and horses and cattle.

Q. Where is their farming land situated?

A. Mostly in the bottom.

Q. Is it good land?

A. Very good land.

Q. How much of it on the front part of the reserve?

A. A thousand to 1200 acres, possibly more.

Q. Is it all cultivated?

A. Yes.

Q. At Shingle Creek, what is the reserve there like?

A. It is good bottom land.

Q. Is it cultivable?

A. Yes.

Q. Do they keep cattle and horses there?

A. Yes.

Q. How many cattle there?

A. I cannot tell you, I will have to get the information and give it to you later.

Q. How much land is there up at the Forks of the Creek?

A. At both places? There are three or four places. I should judge there are about three or four hundred cultivated there.

Q. What do they grow on that three or four hundred acres?

A. They raise hay etc. - some oats, but mostly hay.

MR. COMMISSIONER SHAW: Allowing 400 acres there and 1200 acres along the river, is that all the land on that reserve which is cultivated?

A. No. There is some more land on what is called Shingle Creek Flats and 2 places at Trout Creek. Where Antoine Pierre lives he has 50 or 60 acres there.

Q. Any cattle and horses?

A. A few, not very many, he may have 10 or 12 horses and two or three head of cattle.

Q. Does he grow any fruit?

A. Yes he has a few fruit trees.

THE CHAIRMAN: How much land have they under actual cultivation in the whole reserve?

A. About 2000 acres.

Q. What is the rest of the land good for?

A. Pasture.

Q. How much of that is there including mountain and bench land?

A. About 20,000 to 25,000 acres of good pasture land. Possibly more because some of the mountain would be good for pasturage in the summer.

Q. Some of the bench land would be good for cultivation if irrigated?

A. Yes.

Q. How much would be good if irrigated?

A. I should judge about 12,000 acres of the bench land would be good for cultivation if irrigated.

Q. Could it be irrigated readily?

A. I could not tell what possibility there is for getting water for it. There is Sheep Creek, Shingle Creek and Trout Creek, from which water might be got.

Q. You don't know whether they would be available for irrigating this land?

A. I think it is possible to put in a storage dam in Shingle Creek and Trout Creek, and irrigate that land.

Q. Would that be expensive?

A. Yes.

Q. Would it be within the reach of the Indians - financially?

A. No.

Q. Where is this bench land?

A. There would possibly be 3,000 acres right outside Penticton. North of the village. Opposite the Long Bridge there.

Q. Does that road by which we came into Penticton skirt the reserve?

A. It is right on the reserve.

Q. That is on the reserve right from Trout Creek to Penticton?

A. Yes.

Q. Outside of that land which is at present being cultivated or is capable of being cultivated, and of the grazing land, what does the rest of the reserve consist of?

A. Steep mountain and rock.

Q. How much land of that character is there?

A. The balance of the reserve.

Q. You could give us the number of stock?

A. No.

Q. Whatever stock they have does it range on the reserve or off the reserve?

A. It ranges on the reserve which is sufficient for their present requirements.

Q. Do they have to feed their cattle during the winter time?

A. Yes.

MR. SHAW: How much of that reserve would you say is absolutely useless to the Indians for either pasture, cultivation, or timber. I mean that is barren rock. How much of the whole reserve?

A. I should judge that there is from 10,000 to 15,000 acres valueless.

Q. Along the river where the hay-land is, is that natural hay meadow?

A. Yes.

Q. There are actually 1200 acres which you think they can cut hay on?

A. Yes. There may be more.

Q. This is not all in any one place?

A. No. It is in patches.

Q. What is the timber in this place like?

A. Mostly willow scrub.

Q. Easy to clear?

A. Yes.

Q. Has any of it been cleared?

A. I think the greater part of it has been cleared. What has not been cleared is mostly swampy and low.

Q. You say then, that for each family of the reserve there would be about 50 acres of cultivable land and about 1,000 acres of pasture land.

A. yes.

Q. You said there was about 12,000 acres which might be brought under cultivation if there was water to irrigate it with?

A. Yes.

Q. And this 12,000 acres it is beyond the means of the Indians to irrigate?

A. Yes it is.

THE CHAIRMAN: Osoyoos No. 2 (Dog Lake) reserve, how large is that?

A. 71 acres.

Q. What is the character of the soil?

A. Good.

Q. Is the land cleared?

A. Yes.

Q. How much of it?

A. Practically all cleared.

Q. Anybody living on it?

A. No.

Q. How is it used?

A. There is a whiteman who has part of it rented for a lumber yard.

Q. Is it rented from the Indians?

A. Yes.

Q. Do you know how much he pays for it?

A. \$150.00 a year.

Q. To the Osoyoos Band?

A. Yes.

Q. Do the Indians ever live on it or make any use of it at all?

A. None that I know of.

Examination adjourned till Monday November 10th, at 10-15 a.m.

Chairman:- I should like to go back to one question in reference to the Okanagan Agency. Supposing the Commission should find that the Okanagan Reserve Number 1, contained more land than was reasonably necessary for the requirements of the Indians, what part of that reserve - in your judgment, could be cut off, which would be as little inconvenience to the Indians as possible?

A. The northern end?

Commissioner White:- That would be beyond where the meadows are?

A. North of the meadows.

Commissioner Shaw:- It would be the end that we drove through?

A. Yes.

Commissioner White:- About how many acres would you say could be cut off there with as little inconvenience to the Indians as possible.

A. If you take the cattle industry into consideration as being their principal means of support I don't know how they could part with any land at all, but the least inconvenient place of land that they could part with, would be, I suppose 2000 to 3000 acres at the North end of the reserve. That would cause them the least inconvenience.

Now about the Penticton Reserve, supposing that the Commission should be of the opinion that there is more land in that reserve than is reasonably necessary for the Indians, what part of that reserve could be cut off with as little inconvenience to the Indians as possible?

A. The South end sir.

Commissioner Macdowall:- Is not that where the village is?

A. Yes. Either the north end, or the south end could taken off with a minimum of disadvantage to the Indians, down to Dog Lake. In the North there is considerable land which could be made use of with irrigation.

Commissioner White:- About how many acres might be cut off in such a way that it might not interfere with the Indians having the land that was reasonably necessary for them.

If you cut off the North end you cut off some families who have improvements. If you were to take that 3,000 acres of bench land on the North end you would cut off over one third of the reserves.

Mr. Commissioner Shaw: - That would be about where that long bridge is?

A. Yes, about half a mile below the long bridge, which would take in all that Bench near Beaver Creek.

Mr. Chairman: Does Beaver Creek empty into the Lake or into the river?

A. Into the Okanagan River.

Q. How many inhabitants would be interfered with them?

A. Just taking into consideration the bench land, there would be about 16 families. The one on Trout Creek and those at Shingle and Sheep Creeks.

Q. With respect to the cutting off of these lands, you have specially in view, land which is able to be cultivated by irrigation?

A. Yes.

Q. Could not that land be cut off without interference with those people at Beaver Creek?

A. Yes.

Mr. Commissioner White:- If you cut off the south end of the reserve then you not interfere with any of the Indians?

A. No.

Q. Would it not be better then for the Indians that the South end should be cut off and not the north end?

A. Yes, I suppose it would.

Q. How many acres, in your opinion might be cut off on the South end without interfering with the reasonable requirements of the Indians?

A. When you say "reasonable requirements" it makes it somewhat difficult to say. I would judge the south end would be the least inconvenient to them, and to be of any use to anybody you would have to take at least one third of it. I should judge about fifteen thousand acres.

Mr. Commissioner Macdowall: - When you consider the industries of the Indians, supposing it is a question of cutting off the North or the South end, if they are going to lose one third of the

reserve and either end is good for grazing, would it not be better to cut off the part that could be irrigated. Would they not get more money from the North end than from the South end?

A. The only thing is that you would interfere with more Indians at the North end than on the South. If you were to do as the Chief (i.e. the Chairman) suggests, and cut off land without interfering with the people on Sheep and Shingle Creeks, you would have to take it off the south.

MR. COMMISSIONER SHAW: Supposing the North end were cut off that would leave several Indians without pasture for their horses, would there be land on the reserve which they could get - cultivable land.

A. None that I know of - without irrigation.

Q. I mean land that they could irrigate?

A. They could not irrigate without great expense.

Q. All that land is cultivated is it not?

A. Well it is not cultivated to the best extent.

MR. CHAIRMAN: Cutting off either of these places that we speak of, would there not be enough land left them for ranging purposes?

A. That depends upon how much you cut off. I think it would interfere with their grazing.

MR. COMMISSIONER SHAW: Is there any bench land on the south part of the Reserve which could be irrigated?

A. I don't know. It has never been discussed.

Q. You have a map showing the different qualities of land - Would not that show it?

A. Yes.

MR. COMMISSIONER WHITE: If you were to cut off anything from the Northern end leaving that portion for the Indian which they already occupy, you would be dividing those Indians, would you not?

A. Yes.

MR. CHAIRMAN: Would they be any more isolated than they are now?

A. They could get down by the same way as we went the other day - the man at Trout Creek could - but the other men would have to go round by Shingle Creek.

MR. COMMISSIONER SHAW: What would be your opinion as to concentrating

the Indians as much as possible instead of having them on several small reserves apart from the main Reserve, putting them altogether?

A. I think it would be better to have a large reserve for them all, and so have them reasonably near together.

Q. That is, not to have these small isolated reserves?

A. Yes, that is, in my opinion, the best way of dealing with them.

THE CHAIRMAN: - I would like to go back to Okanagan reserve again.

Taking the Long Lake reserve - there is one Indian residing there and at Mission there was no family - At Priests Valley there were only two. Supposing these reserves were cut off, could the Indians residing thereon get a location elsewhere on any other reserve.

A. If you take the Priest's Valley reserve, Mrs. MacDougall has another location at Duck Lake, and Jack has a location at Okanagan Lake.

Q. Now about the Indians at Duck Lake - could they get another location on any portion of the reserves if that Reserve was cut off?

A. Mrs. MacDougall has only that at Priests Valley and Victor Bore has only the one location.

MR. COMMISSIONER McKENNA: - You said that there was, in your opinion, 15,000 acres at the South end of the No. 1 Okanagan Reserve which could be cut off?

A. No, I did not.

COMMISSIONER MACDOWALL: - Well you said there were 3,000 acres at the North end of the Penticton reserve which could be cut off?

A. Yes.

Q. You also say it would be to the interest of the Indians to have a large reserve instead of several small ones?

A. Yes.

Q. Would it not be better then to cut off these small reserves and put all the Indians on No. 1 - would that be possible?

A. Yes, if you could get the consent of the Indians, but I don't think you would be able to get that consent.

Q. Would it be better to cut off those small reserves and put

the Indians on large reserves.

A. In a way it would, and possibly in a way it would not, Take a man like Isaac Harris for instance, because he is surrounded by white people he has made good progress. Being surrounded by good white men might be a means of stimulating the progress of the Indians. As a matter of general policy, I think concentration of the Indians upon one large reserve would be the best. There are, of course, exceptions to every rule.

MR. COMMISSIONER McKENNA: - In carrying out such a policy, you would want an exception made in the case of a man like Isaac Harris. Where a man has made improvement on small reserves he should not be interfered with. Take these people - say at Duck Lake - would it be best for them to be turned out, and placed on a large reserve or to be left where they are?

A. I could hardly give you an opinion in that case, because they are in the same class as Isaac Harris, although not to such an extent. Given as good land, I think it would be to their advantage to be put into a larger reserve.

Q. As the Indians are divided up on small reserves - as they are today - It would be difficult to give them proper farm instruction would it not?

A. Yes.

Q. Their being a larger reserve would possibly help to eliminate the Liquor traffic among them?

A. Yes.

Q. And generally would facilitate the work of the Indian Agent in administering their reserves?

THE CHAIRMAN: - OSOYOOS (Inkameep No. 1) What is the population?

A. About 70, I think.

MR. COMMISSIONER WHITE: - If such a plan as that were adopted it ought to make us more careful in cutting off these large reserves, ought it not?

A. Yes.

MR. COMMISSIONER MACDOWALL: - But of course that does not affect the large reserves, where a band has no small reserves.

THE CHAIRMAN: How many families are comprised in that 70?

A. 14 families.

MR. COMMISSIONER McKENNA: - Are they living on that one reserve?

A. Yes.

Q. In your Report of 1911, you give the population of this band as 62, it would therefore appear that there has been increase of 8?

A. Yes.

Q. That means an increase of 8 over the death rate?

A. As near as I can give it to you.

MR. COMMISSIONER MACDOWALL: - Do you think that 62 was absolutely correct last time?

A. Yes. In one case a man went across to the United States of America and brought a wife back with him and there have been several children born in the band.

THE CHAIRMAN: - What is the character of the land there?

A. Mountainous and sandy, and some good land.

Q. Well, take the mountainous land, a large portion of that mountainous land is very rocky is it not?

A. Yes, very rocky.

Q. The good land is where?

A. Lying in the bottom by the Lake shore.

Q. How much is there of that good land?

A. There is not very much. I should not think that there is more than 1,000 acres of good land.

Q. How much of it is under cultivation?

A. About 600 acres.

Q. What do they raise on that 600 acres?

A. Hay principally, and some fruit - exceptionally good fruit too.

Q. What is their business?

A. Cattle and horse raising.

Q. How many horses and cattle have they got?

A. About 250 horses and 650 head of cattle. It is the poorest reserve in quality of land, that I know of, taking the acreage into consideration.

Q. Their business is principally ranching?

A. Yes. With fruit growing thrown in. They raise some very good fruit and a quantity of hay.

Q. Have they as much land on their reserve as would be sufficient for their ranching purposes and for ranges?

MR. COMMISSIONER McKENNA: - (to the Board) In referring to the cattle in this district the other day, I mentioned statistics, which I have since found were for the whole Okanagan Agency. I merely mention this as it explains what would otherwise appear to be a serious discrepancy.

WITNESS (answering Chairman):- The difficulty is that they have sufficient land if they had water for it.

Q. Have they not got water?

A. They have records but I don't think there is enough water in the Creek, without extensive damming.

Q. Given the available water, what about the land for grazing purposes?

A. They have a lot of land for grazing purposes, but it is poor land.

Q. Have they sufficient or more than sufficient?

A. They have enough.

Q. Have they more than is necessary?

A. No - they graze in the open too.

Q. How much land is there fit for cultivation?

A. Without water, no more than is cultivated at present.

Q. If they had water, how much could they cultivate?

A. About as much again as they are cultivating now.

Q. How much land over and above that would there be fit for cultivation?

A. Well some they range all over. It is a pretty rocky proposition.

Q. Could you give me an idea how much land is too rocky for any use at all?

A. I will bring my maps with me this afternoon and you will be able to get some idea then.

AT THE AFTERNOON SESSION

AGENT BROWN said: - With reference to a question asked on Saturday, I have now to state that 430 head of cattle and 350 horses is the

number of stock owned on the Penticton Reserve. The Southern Okanagan Land Company have applied for Storage rights on these Creeks at Inkameep.

Q. If the Company gets water rights at the heads of these creeks will it be necessary to bring the water through the Indian Reserve?

A. Yes.

MR. COMMISSIONER SHAW: - Would it be possible, as compensation to the Indians for right-of-way for the ditches or flumes, to get from the Company some concession by way of water for the Indian reserve?

A. I tried to get concessions from the Company, but they stated that they had not sufficient water for their own use, and could not give the Indians any water at all.

Q. Was that application for concessions made before the Water Commission?

A. No.

Q. Has the Water Commission adjudicated on these matters yet?

A. Well, they lead me to understand that they could not grant the storage rights asked for by the Company.

Q. Would those storage rights interfere with the Indians present water rights?

A. No.

Q. If that storage dam is put in, it should enable the Indians to get the water they are entitled to, viz:-450 inches?

A. Well, I don't know.

Q. Have the Indians the prior Record?

A. Yes.

MR. COMMISSIONER McKENNA: - Would it not be provided that the Indians should get the amount of water recorded for them?

A. No, I don't think so. They are entitled to 300 inches of water on one Creek, but I am satisfied that the Company will not give more than the average run of that Creek. The record is for more water than there is in the Creek during the dry season.

MR. COMMISSIONER MACDOWALL: - If the Indian Department wanted to go and

erect a Storage dam at the head of these creeks, would not they have a prior right to do so?

A. No, the Company have the first storage rights.

THE CHAIRMAN:- Supposing the Commission came to the conclusion that it was advisable to cut off a portion of this reserve, what portion of it could be cut off with as little interference with the reasonable requirements of the Indians as possible?

A. I should say the North-west corner.

Q. What kind of land is it?

A. Sage land, not very good without irrigation. It is very sandy. Some of it is good summer pasture land. Some very light soil.

MR. COMMISSIONER WHITE: - You have stated that this is one of the poorest reserves in regard to the quality of the land, in your Agency. Is it not also a fact that this is one of the most progressive bands of Indians in your Agency?

A. Yes.

Q. Could you say it is the most progressive?

A. No, but one of the most progressive.

THE CHAIRMAN: - Is the land which has been suggested for cutting off, of any practical use to the Indians at present?

A. Only for pasture.

Q. Is that pasture land any good?

A. As good as any other in that district.

MR. COMMISSIONER McKENNA: - Dog Lake reserve contains 71 acres of land does it not?

A. Yes.

Q. There is nobody living on it?

A. No.

Q. Of what use is it to the Indians?

A. They have rented it to a white man as a lumber yard.

Q. What rental do they get for it?

A. \$150.00 a year. It is rented for 5 years.

Q. Was that arrangement made by the Department or with the cognisance of the Department?

A. No, the arrangement was made by the Indians themselves, but it has been brought to the notice of the Department.

Q. Well the only use the Indians have for the Dog Lake reserve is on account of the rental received from it?

A. It is also used as a stopping place and they do some fishing there.

THE CHAIRMAN: - Lower Similkameen reserves Nos. 12 and 12a. Anybody residing on those reserves?

A. Yes. Francois.

Q. How large is that combined reserve, 12 and 12a?

A. 1280 acres.

Q. How much has Francois cultivated on that land?

A. About 40 acres.

Q. Does he reside there?

A. Not all the time. He has two homes.

Q. How do you make that out?

A. Well, he married a woman down at Penticton, and lives there part of the time. His sister lived on this reserve and she had two boys.

Q. Well then, Francois' domicile is at Penticton, and he comes here temporarily?

A. Yes.

Q. What is the character of the land?

A. Very rough.

Q. How much is capable of cultivation?

A. Not very much more than is at present under cultivation.

Q. Even with irrigation?

A. Yes, even with irrigation.

Q. It is very mountainous on each side is it?

A. Yes.

Q. Has he any cattle, this man?

A. About 25 cattle and 12 or 15 horses.

Q. Is he an industrious man?

A. Oh yes, very industrious.

Q. How does he earn enough to live?

A. By what he sells from off his property, horses and cattle, and the Penticton land as well.

MR. COMMISSIONER SHAW: - The balance of this reserve is very mountainous,

rugged land - not very much pasture on it?

A. Yes.

THE CHAIRMAN: - I should think it would not be very much use to him or anybody else.

A. Very little.

Q. Well now, we come down to No. 6, who lives there?

A. Paul Terrabasket.

Q. How many acres?

A. 400.

Q. It seems to be a very good farm?

A. Yes - better than the average.

Q. How much land has he cultivated?

A. About 25 to 40 acres.

Q. There is more land that could be cultivated there?

A. Yes, if it was irrigated. I applied for a record there, but a man named Manuel Barcello claims to have a prior record. The matter has not been settled yet.

Q. Are there any facilities there for irrigation?

A. Only by storage dams. There are only about 50 inches of water coming down the Creek, and if it was to be divided up it would spoil the whole thing for everybody. It is a very hard proposition.

Q. This man - Paul Terrabasket - has, for an Indian, a very excellent house there. Outside of the land which is cultivated or is capable of being cultivated, what is the land like?

A. The rest is rocky steep hill.

Q. What about grazing?

A. Well, there is 300 acres of good land there.

Q. Does that include the cultivable land?

A. Yes.

Q. Could you tell me how many horses and cattle he has?

A. Possibly 100 head of cattle and about 20 or 30 horses.

Q. Does he breed horses himself?

A. Yes, He and his brother were in partnership but they have dissolved partnership. The land was divided between them, but the

- cattle have not been divided between them yet.
- Q. Then there are two men each residing there?
- A. This man and his married son are residing there.
- Q. Assuming again, that the Commission were of the opinion that a portion of that land should be cut off, what could be cut off having regard to the least interference with the reasonable requirements of the Indians?
- A. It would be of no use to anybody else without water, and they could not get water there.
- MR. COMMISSIONER SHAW: Where is Barcello's land?
- A. It is adjoining this place, on the other side.
- Q. What are the storage facilities at the head of that Creek?
- A. I could not tell you.
- THE CHAIRMAN: Numbers 2, 3, 4, and 5, what about them?
- A. No. 2 is 208 acres. I think Nos. 2, 3, 4 and 5 might all be treated as one reserve. Blind Creek reserve is held by Paul Terrabasket No. 2 by Charlie Yakumtikum, No. 3 by William Terrabasket.
(NOTE: Refer to evidence at meetings at Ashnola and Chuchuwayha, and see that Paul Terrabasket applied for more land.)
- Q. How many acres in No. 3?
- A. 1754, and No. 4, occupied by 3 families, Charlie Joe, Susap & Johnnie Collochlan, has an area of 1854. In No. 3 Paul Terrabasket also has an interest. Paul reserves 400 acres on No. 6, and he gets a share of No. 3. Either William's or Paul's boy resides there.
- Q. What about No. 5?
- A. 1278 acres in extent - two families residing there - Alexis Skeuce and Johnnie N'Humcheen.
- Q. Are these people living on Nos. 2, 3, 4 and 5, married and with families?
- A. Yes.
- Q. What is the population of those 4 reserves?
- A. The population in the South Similkameen is about 100 including Nos. 7 and 8.
- Q. How do these people make a living?
- A. By horses and cattle and by farming.

Q. Do they grow anything but hay?

A. Perhaps a little oats, wheat and potatoes.

Q. Do any of them have orchards?

A. Two of them have good orchards. Paul Terrabasket and one other

Q. I suppose they make something out of their fruit too?

A. A little, it has not paid them since the development at Keremeos.

Q. About how many horses and cattle have these people on 2,3,4 and 5 got?

A. I cannot tell you this afternoon. I could get the figures later.

Q. You say 2,3,4,5,6,7 and 8 are all included in one band under one chief?

MR. COMMISSIONER SHAW: - Do they not range all their cattle together?

A. Yes. I think the reserves are entirely different and should be so treated.

THE CHAIRMAN:- Now take No. 2., What kind of land is that?

A. Mostly good land, mostly very low and swampy.

Q. How much cultivated?

A. About fifty or sixty acres.

Q. What is raised there?

A. Hay and oats.

Q. What is the characater of the rest of the land?

A. Some alkali in it, and some of it is low and swampy.

MR. COMMISSIONER WHITE: - Do they grow vegetables for their own use?

A. Yes.

THE CHAIRMAN: - That is on the west side of the river is it not?

A. No. on the east side, standing as we were.

Q. Is there any grazing land there?

A. Yes, there is grazing land.

Q. Good grazing land?

A. Yes, good grazing land.

Q. Is it hilly?

A. It is nearly all bottom.

Q. Practically the whole of it is valuable land.

A. Except the swamp and alkali. That alongside the river is liable to be flooded at high tide.

Q. Now coming to No. 3. What kind of land is that?

A. Very good land for the most part, and some bad land.

Q. How much cultivated land?

A. About 150 to 200 acres cultivated there.

Q. Principally hay?

A. Yes, practically all hay.

Q. Any more good land upon that reserve than you have mentioned?

A. Do you mean other than the land under cultivation?

Q. Yes.

A. Yes, I think on the whole reserve there is about 500 acres including cultivable land. You might say there are 600 acres of good land.

A. Is there any reason why the rest is not good?

Q. Well, a good deal of it is bench land and hillside.

MR. COMMISSIONER McKENNA: - Is there water enough to cultivate the whole of the six hundred acres you refer to?

A. Yes, I think that will be done, now that they have their share of the bottom land. Some of the bench land could be cultivated if it could be irrigated, but it could not be irrigated without a great deal of expense.

THE CHAIRMAN:- There are six hundred acres in that bottomland which can be cultivated without water.

A. Yes.

Q. And of that, 150 to 200 acres is cultivated?

A. Yes.

Q. And there is bench which could be irrigated if it were possible to get water to it?

A. I should judge the half of the balance would be bench land which could be cultivated if it were possible to

if it were possible to irrigate it, but I think it is practically impossible to irrigate it. Some people are pumping the water, but from what I could gather it has not been a success.

Q. Now, I suppose that benchland is good for grazing purposes?

A. Yes.

Q. And used for that purpose?

A. Yes.

Q. And the rest of that land, what is that like?

A. Hillside, rocky bluff.

Q. No. 4, what is the character of the land there?

A. That is the reserve across the river. There is about 400 acres of good land there.

Q. And how much cultivated?

A. One hundred acres.

MR. COMMISSIONER SHAW: - 400 acres that can be or is, irrigated?

A. Yes.

THE CHAIRMAN: - There is 400 acres of good land altogether, of which 100 acres is cultivated?

A. Yes.

Q. Outside of that is there any other good land which could be cultivated if irrigated?

A. Yes.

Q. Would it be possible to irrigate?

A. Well, it might be possible if you could get sufficient water from the creek.

Q. How much of it could be so irrigated which is not irrigated?

A. About six hundred acres.

Q. Now, the rest of that land, what is that like?

A. Not very much good; hillside. It might be used for pasture.

Q. Is there any timber land on this?

A. Some little timber, nothing to speak of though.

Q. That reserve goes back to the west side of the river, does it not?

A. It is on the west side.

Q. That is not very good land there, is it?

A. It is about as good as any other grazing land.

Q. What about No. 5?

A. There are 1278 acres there.

Q. What is the character of the land?

A. Some good and some rocky.

Q. How much under cultivation.

A. About 100 acres.

Q. Is that bottomland?

A. There is a little piece of benchland irrigated which is not bottomland.

Q. The cultivated land is about 100 acres.

A. Yes.

Q. Is there any land outside of that which could be cultivated?

A. Yes, 500 or 600 acres in the bottom which could be cultivated without irrigation, including the 100 acres which is being cultivated.

Q. Is there any land outside of that land which could be cultivated with irrigation?

A. Yes, possibly some hundred acres of benchland.

Q. Is it impractical to irrigate this bench land?

A. Yes.

Q. All these people on these six reserves get their living by ranching?

A. Yes.

Q. Nos. 7 and 8 - what is the character of the land there?

A. Good.

Q. All good?

A. No, not all good, but there are about 2000 to 2500 acres of good land there.

Q. About how much of that is cultivated?

A. There is about 800 acres under cultivation.

Q. What is the rest of it?

A. It is pasture land.

Q. If operated it would be good land for cultivation?

A. Yes, if it was cleared there is a lot of good land.

Q. Is it wooded land?

A. Practically all wooded.

Q. Would irrigation be necessary?

A. Not in the bottom.

Q. Outside of that there is some land which could be cultivated if it were irrigated?

A. I think you could irrigate from that creek about 500 acres. They are not cultivating all the bottom land without irrigating the side land.

MR. COMMISSIONER SHAW: - Would it not be easier for them to irrigate that land from that Creek without irrigating the bottomland?

A. Yes, I think so.

MR. COMMISSIONER McKENNA: - You estimate that 2500 acres of cultivable land is cultivable without irrigation?

A. No; 2,000 acres of it could be cultivated without irrigation.

Q. Is there not sufficient water to irrigate the 500 acres?

A. Yes, there is sufficient water I think.

THE CHAIRMAN:- There is a good of that land which is well cultivated, is there not?

A. Yes, there is some good farms there.

Q. Bertie Allison had some good meadow there, had he not?

A. Yes.

Q. They have pasture land there, have they not?

A. Yes they have.

Q. Is there any pasture land on the rest of these reserves?

A. Yes, about 1300 acres.

Q. Is that fair pasture land?

A. Yes; the pasture land is timbered in some parts. There is some very heavy timber on the pasture land and some scrub timber too.

Q. Is that timberland very good for pasture land?

A. It is bottom land. In some places there is no undergrowth and in some places there is a good deal of undergrowth.

Q. Have they as much pasture land as they require?

A. No.

MR. COMMISSIONER MACDOWALL: Supposing this land which is not utilized were cleared and cultivated, would not that give them enough feed for all their stock?

A. No, it would not give them summer pasturage. It would produce enough but they would not be able to keep their cattle there in the summer time on account of the flies.

Q. Of the 800 acres which are under cultivation how much of it was naturally open land?

A. None of it.

Q. It all had to be cleared?

A. Yes.

THE CHAIRMAN: These men are exceptionally good men to work are they not?

A. Yes.

Q. Are they a sober and industrious lot of Indians?

A. Yes, taking them as a whole they are.

Q. On the way from Keremeos to Hedley we passed by a number of reserves which belonged to this same group, which we did not see.

A. Yes, they were Nos. 9, 10, 10A and 10B.

Q. What about No. 9?

A. There are 429 acres in it.

Q. How many residences there?

A. Five - Alexis Skeuce, and two sons, a woman called Maria and an Indian named Urear.

Q. Are they all married?

A. Yes.

Q. How many acres of good land on that place?

A. There are 200 acres of good land, possibly 250.

Q. How much cultivated?

A. Fifty or sixty acres.

Q. What is the character of the land which is not cultivated?

A. 250 acres of good land.

Q. This land would have to be irrigated. Is any of it irrigated.

A. Some of it is. The whole of the land which is not at present irrigated, would have to be irrigated. There is none of the 250 acres any good without irrigation.

Q. It is all benchland is it?

A. Yes.

Q. Do they raise anything?

A. Yes; hay.

Q. How do they live?

A. They have cattle.

Q. Do you know how many cattle?

A. No. They are interested in the bottom reserves too.

Q. Do they get their living there altogether?

A. Yes.

Q. Do they sell any hay?

A. I dont think so.

Q. What is the character of the land outside of the 250 acres?

A. It is hilly and rocky.

Q. Any good for grazing purposes?

A. Medium.

MR. COMMISSIONER McKENNA: - You said there were 250 acres of land cultivable with water. Of that, 50 acres are under cultivation. Is there water available now for cultivating any more?

A. Yes, I think enough to cultivate 100 acres more.

Q. And is there 100 acres which might be cultivated with water if arrangements could be made to obtain more water?

A. Yes.

THE CHAIRMAN: - What about 10?

A. There is 8153 acres in No. 10

Q. What is the name of it?

A. ASHNOLA. It belongs to the Ashnola band.

Q. What is the population of that band?

A. I think it is thirty.

Q. On that reserve I mean to say?

A. Well, that is what I would say.

Q. How many on this No. 10 reserve?

A. Well, I will have to segregate them and give you the population, after lunch.

Q. Nos. 9, 10, 10A, 10B and 11 are the reserves belonging to the Ashnola Band? What is the character of No. 10 reserve?

A. There is about 500 acres of good land in it.

Q. How much of it was cultivated?

A. About 100 acres.

Q. What is the character of the 400 acres outside of that?

A. It is all more or less light land.

Q. Is it timbered?

A. Some of it is.

Q. Is any of this 400 acres capable of cultivation without irrigation?

A. No.

Q. Then that which is cultivated is not any good without irrigation?

A. No.

Q. There are means of irrigation on that reserve are there not?

A. I suppose we could get water from the Ashnola Land Co.

Q. How much would that cost?

A. I dont know. I dont know what they are charging other people

down there. But I suppose the Indians will have to pay \$40 or \$50 an acre for the initial cost, and \$5 an acre per year afterwards.

Q. Outside of that land, what is the character of the balance?

A. Rocky land, sandy and very little good for anything except pasture.

Q. It is some use for ranging is it?

A. It is very little use for anything.

Q. Have they much stock here?

A. Yes, considerable.

MR. COMMISSIONER MACDOWALL: - You think that possibly the southern portion of the Pentiction reserve might be of use on account of possibilities of irrigation?

A. I could not say.

THE CHAIRMAN: - Were you cut off from the north or south, and it is desirable to save Sheep Creek settlement, you could not cross the whole reserve?

A. Unless you go sufficiently far south.

MR. COMMISSIONER SHAW: - Would this land in the north-east be good for pasturage.

A. It is good spring pasturage. It is by the lake.

THE CHAIRMAN:- Now then, with reference to the Osoyoos plan:

A. You can see from the map very well, what the reserve is like.

THE CHAIRMAN:- That shows the mountains. Now what about the population of these lower similkameen reserves Nos. 2,3,4, and 5. I will take No. 2 first.

A. There are only two people on that reserve. A man and his wife. He had a daughter, but she is married and lives elsewhere.

MR. COMMISSIONER MACDOWALL:- Is it not usual for the man to go into the reserve to which his wife belongs?

A. No, it is contrary to the Indian Act.

THE CHAIRMAN:- What about horses and cattle?

A. I have not figured that out yet.

Q. What is the population of NO. 3?

A. William Terrabasket, and he has eleven members in his family.

Q. They are all members of his family, living on that reserve?

A. Yes. Paul Terrabasket, who lives at NO. 6, has a portion of this reserve, but I don't know how much. I should judge, however, he has about one-third, or a little more. There was a division of this reserve no. 3 between the two brothers, Paul and William Terrabasket.

THE CHAIRMAN:- And Paul Terrabasket lives at No. 6?

A. Yes.

Q. Does Paul's son work down at No. 3?

A. Yes.

Q. Do they live there?

A. They have a house there, but I don't know that they live there much.

Q. No. 4, what about that?

A. There are twelve people living on No. 4.- four families.

Q. And how many on No. 5?

A. Seventeen on No. 5.

Q. How many families comprised in that?

A. Five families.

Q. And No. 6 - how many families?

A. Just Paul Terrabasket and his married son.

Q. How many is the total population?

A. Fifty in that group.

Q. Assuming that we came to the conclusion that some portion of these reserves should be cut off, what portion could be so-cut off with the least detriment to the Indians concerned?

A. I think you could take off the 400 acres; that would be the least detriment to the Indians.

Q. That is, to cut off the whole of Paul Terrabasket's reserve?

MR. COMMISSIONER SHAW:- And then they would still have their holdings on the other reserves.

A. Yes, they would have to go on to the other reserves.

Q. Could not the East part of Nos. 3 and 5, for instance, that is the part along the wagon-road, be cut off?

A. Yes, you could cut that off. It would only interfere with Johnnie N'Humcheen.

MR. COMMISSIONER MACDOWALL:- And he would get his recompense?

A. Yes.

MR. COMMISSIONER SHAW:- That would practically cut off the good land which has no water, and which it is out of the possibility of the Indians to get water for?

A. Yes.

THE CHAIRMAN:- What is the population of Nos. 7 and 8?

A. It is the difference between the populations of Nos. 2,3,4,5 and 6, which is fifty, and the total of the whole band of the Lower Similkameen, who number 100, thus leaving 48 to 50 for the reserves Nos. 7 and 8.

Q. There appears to be a creek running between these and the river.

A. Keremeos Creek. It goes down part of the way by Daly's place. It is not correctly marked on the map.

Q. How many families are in the 48 to 50 people on Nos. 7 and 8?

A. There are eighteen heads of families in the whole of the Lower Similkameen.

MR. COMMISSIONER SHAW:- You should give us a list of all the young men over eighteen years of age, and widows, counting these as heads of families.

NOTE: - Agent Brown is to put in a statement of population and stock.

THE CHAIRMAN:- Some of these on Nos. 7 and 8 stated they took their cattle up to Princeton?

A. Yes.

Q. Do they do that from both reserves?

A. Yes.

Q. Is it because there is a better range at Princeton? Or because they have not sufficient pasture on their own reserves?

A. Because they have not sufficient pasture.

Q. What about the population of No. 9? Where does Alexis Skeuce live?

A. He and his wife live at Ashnola. And his two married boys live south Similkameen on No. 5 Reserve, and Burcarre, and the woman Maria live at No. 9.

Q. Assuming that it was decided to cut off some part of these reserves belonging to the Ashnola Band, which part would we be able to cut off, with the least detriment to the Indians?

A. I don't think there is any of it worth cutting off, except Skeuce's place.

MR. COMMISSIONER McKENNA:- And by cutting off that it would be interfering with the reasonable requirements of the Indians.

A. Yes.

Q. There is a group here, Nos. 10A and 10 B. How about 10B?

A. That is no good with the exception of about fifty acres.

Q. Chu-chu-way-ha No. 1,5700 acres, what is that like?

Q. What is No. 2?

A. Lulu further up between Princeton and Hedley.

MR. COMMISSIONER SHAW: - It gives Chu-chu-way-ha in the schedule as 4943 acres?

A. Then there is 2, 2A, 2B and 2C. 2C is the place known as lot 2839.

THE CHAIRMAN:- What is the population of the Chu-chu-way-ha band?

A. Thirty-five members.

Q. How many heads of families?

A. Ten.

Q. That is on the whole of the reserves is it?

A. Yes.

Q. What is the character of the land on those reserves?

A. Some good land.

Q. How much?

A. About 600 acres of good land.

Q. What is the acreage?

A. 6846 acres.

Q. How much of that good land is under cultivation?

A. From 350 to 400 acres.

Q. What do they grow?

A. Hay principally.

Q. Do they sell it or is it for their stock?

A. Mostly for their stock. They do sell a little.

Q. What stock have they?

A. 100 horses and 200 head of cattle.

Q. What is the remaining 200 acres like?

A. It is good land but it wants clearing and cultivating.

Q. Outside of that land, would it be good land if it could be irrigated?

A. Yes.

Q. Would it be difficult to irrigate?

A. Yes. It is impracticable for the Indians.

Q. Is it good grazing land?

A. Good for that kind of land in that neighbourhood.

Q. Outside of that land, what is it like?

A. Rocky. There is some good benchland just past Hedley which would do for pastureland.

Q. Is there any part of it which could be cut off with the least detriment to the Indians?

A. The only place you could cut off would be a place at Wolf Creek.

Q. But that is not in this group?

A. No.

Q. Well, I am speaking of this group??

A. Well then only piece is a piece on 2A, on 20 mile Creek.

MR. COMMISSIONER McKENNA: - Does the piece you have referred to include any of the 600 acres of cultivated land?

A. No.

Q. It would contain some good benchland which could be used for pasture?

A. Yes.

Q. Could it be cut off without interfering with the reasonable grazing requirements of the Indians?

A. No.

MR. COMMISSIONER WHITE:- There is a railway going through that land is there not?

A. Yes.

Q. How far does it go?

A. I could not tell you the distance.

Q. Now, No. 5, Wolf Creek, what about that?

A. There is some very good land there.

Q. How much?

A. About 150 acres of good land.

Q. And 518 acres altogether?

A. Yes. It is heavily timbered.

Q. Does anybody live on that place?

A. No, they live at 9 mile Creek.

Q. Nobody lives there and nobody cultivates it?

A. No.

Q. Now, with reference to No. 4. - 198 acres, what about that

A. There are 125 acres of good land.

Q. Is it all cleared and cultivated?

A. Yes.

Q. What about the land outside of that?

A. Rocky and swampy.

Q. Is anybody living on that?

A. Two families and one head of a family.

Q. Do the Indians living at 9 Mile Creek reserve use the Wolf reserve for cutting firewood?

A. No. They could do but they have enough wood on their own reserve.

Q. Now about No. 5, what about that?

A. It is 55 acres in extent.

Q. What kind of land?

A. Very little good land.

Q. Any clearing on it?

A. Yes a woman has a house there.

Q. Any family?

A. One boy living with her.

Q. Anything cleared?

A. Yes. 20 to 25 acres.

Q. Is that all that could be cleared?

A. Yes, the rest is rocky land.

Q. Now we come to No. 6. What is the size of that?

A. 10 acres.

Q. What is it used for?

A. It is used as a fishing station.

Q. Is anybody living there?

A. Nobody.

Q. No. 7 what about that?

A. That is 42 acres.

Q. Anybody living on it?

An. No.

Q. Is it any good?

A. There is some good pine on it.

Q. Do the Government furnish any farming implements to anyone in your Agency?

A. No, but I understand they are prepared to do so.

Q. Do the Indians know this?

A. Yes.

Q. And they dont ask for them?

A. No, with one exception, they asked the Department for a thrashing

machine, which they did not get.

Q. They allege that they have no stumping machines. Would Stumping machines amongst the class of implements which the Government would supply?

A. I dont think so. On Nos. 5, 6, 7, and 8 they requested that a portable sawmill should be allowed to be put in use on those reserves, but the Department refused to allow it to be done.

Q. Why did the Department refuse?

A. I dont know, unless they were not satisfied with the terms.

Q. What were the terms?

A. Well, the man who made the proposition to the Indians wanted them to cut the logs and deliver them to the mill and he was to take a portion of the lumber cut.

Q. Is a stumping machine a very expensive implement?

A. No, not very expensive. If it were run by horses the Indians could handle it themselves.

MR. COMMISSIONER SHAW:- A stumping machine such as you speak of could be bought for \$30 or \$40, could it not?

A. No, you would have to pay from \$75 to \$100 for one.

Q. The clearing of the land the Indians have there, would be more of brush land than heavy timber land, would it not?

A. There are some very heavy pine logs there, but the majority of it is brush land.

MR. COMMISSIONER WHITE:- Do all white farmers in your Agency use stumping machines?

A. Some do and some don't.

Q. What do those use who dont use a stumping machine ?

A. Some use block and tackle, some use powder, and some cut it right out.

MR. COMMISSIONER SHAW:- They are asking for, I think, additional alnd to the extent of 51,000 acres at Shuswap Creek - Do you think that they reasonably require that much?

A. Yes.

Q. They drive their cattle to Princeton for pasture - is the land on the west of these reserves open to

everyone for pasturage?

A. Yes.

Q. Is there good pasturage on those Crown Lands?

A. I don't know.

Q. Do you know of any reason why they don't take their cattle on the Government ranges?

A. The Princeton range is the best in the country, furthermore they are afraid of the ranges being closed to them.

Q. Do you know if there is any possibility of those ranges being closed to the Indians through pre-emption?

A. I don't know.

Q. Do you know how long it is since they first drive their cattle to Princeton?

A. No, I don't know, but it is as long as I can remember.

Q. Do you know of any reason why they could not at first have gone on those other ranges?

A. No.

Q. Do you know what the quality of the land is like for grazing on those open ranges?

A. No, I don't.

Q. If they got the land they are asking for pasturage, would it not practically shut the white men out?

A. Yes.

Q. As it is, they have the free use of the land the same as the white man has?

A. Yes.

Q. I will refer to one particular piece of land asked for by Bertie Allison, east of the piece of land owned by one of the Richter boys right on the American boundary - Is he asking for it for his own use or for the use of the Band as a whole?

A. For his own particular use.

Q. If any of those lands were not aside for reserves, would they be held for individual Indians or would they be held by the whole Band?

A. By the Band. Of course individuals could locate on it if the Band were willing to allow them to do so.

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A. Yes.

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A. For his own particular use.

Q. If any of those lands were not aside for reserves, would they be held for individual Indians or would they be held by the whole Band?

A. By the Band. Of course individuals could locate on it if the Band were willing to allow them to do so.

Q. Do you know anything of the Country bordering on the American line there, east of Richter's?

A. You passed over the land there yourselves. There is only a small piece. He is only asking for a little piece.

Q. He complained that the Americans ran their cattle across the line on that range, is that a fact?

A. Yes, and they drive them all over the Inkameep reserve as well.

Q. Apparently the Americans are driving their cattle over the line on to the land that the Indians naturally would use?

A. Yes.

NOTE: re Bertie Allison's application in his own behalf, this was for range land at the southeast corner of the reserve land, following the American Boundary two miles east, thence north three miles, thence west two miles, thence south three miles to the point of commencement, containing approximately 3840 acres

Q. Do you know what sort of grass is on it?

A. It is good grazing land, As good grazing land as there is down in that part of the Country. It is low. We passed right over it when we came back from Fairview.

THE CHAIRMAN: You told me that they had not enough land for grazing purposes on any of the Similkameen reserves?

A. Yes that is so. None of the Indians right up to the Chu-chu-way-ha reserve have enough land for grazing purposes.

MR. COMMISSIONER SHAW: Did they not ask for one piece of land 15 miles square, which would be 144,000 acres?

A. William Terrebasket asked for a piece 9 miles by 10 miles.

Q. With what pasturage the Indians of the Similkameen reserves have got, would 3800 acres be of great assistance to them provided it were fenced?

A. It would be of some assistance.

Q. How many head of cattle have they on the South Similkameen reserves?

A. Some 700 head of horses and cattle, and 250 sheep - about 1,000 altogether.

Q. Are there any white men exclusively engaged in cattle ranching at present?

A. Richter, Cawston and Daly.

Q. Have they as much stock as they used to have?

A. Well Richters have not, and Daly is subdividing his place now.

Q. Which means that there should be more pasturage for those who for those who remain who will be mostly Indians?

A. Yes.

Q. Would you say that these Indians require 100,000 acres additional land for their pasturage?

WITNESS: Are you sure that there was an application put in for a piece of land 15 miles square?

MR. COMMISSIONER SHAW: (to witness) Would you consider such an application a reasonable one?

A. Well, the land on the top of these mountains is no good for pasture land on account of snow in the winter. It is reasonably good summer pasture. They are afraid of it being taken up or leased by outsiders. Otherwise they would not have put in any application.

MR. COMMISSIONER SHAW: These Indians also wanted 8 miles from the top of the hills along the mountains. Chief Johnnie [?], I think it was. Eight miles by ten, the acres asked for in that application, amounts to 51,000 acres. Do you think that would be a reasonable application for them to make?

A. It would be a reasonable request provided the Princeton Heights do not remain open range.

Q. Do you think 10 acres per head would be sufficient pasturage for them?

A. Well, there is nothing except mountain and hillside there.

Q. This man is asking for enough pasturage for 2,000 cattle and he only has from 500 to 1000?

MR. COMMISSIONER MCKENNA: How much of this 51,000 acres would you submit would be good for grazing land?

A. I don't think that more than half of it would be good for grazing

MR. COMMISSIONER SHAW: If their blocks of land were taken out, it would mean a big hardship to whitemen who have a good many more cattle?

Q. I dont think any of the whitemen are ranging their cattle there.

Q. In your opinion are there less cattle throughout the whole of that Country today than there were 5 years ago?

A. Yes.

Q. Could you say there are half as many today as there were years ago?

A. I would judge that there would not be more than half.

Q. So that the range which they ranged over 5 years ago is available for a lesser amount of cattle now?

A. Yes.

Q. Is not the reduction of the number of cattle of the whitemen due to the fact that there is or has been, a great deal of subdividing of lands going on?

A. Yes.

THE CHAIRMAN: Have you ever been on the other side - that is on the west side of these hills?

A. No, I have seen them from the top of the valley line there.

Q. What kind of country is it?

A. Rough broken country.

Q. I mean on the other side of those hills?

A. One cannot see anything but the tops of the mountains as far as I could see there was nothing else.

Q. There are no valleys in there?

A. None that can be seen at all.

MR. COMMISSIONER MCKENNA: You said the whiteman's herd had decreased about 50% in the last five years, now is the range capable of supporting as many cattle as it was five years ago?

A. No. I think it is only about half as capable as it was 5 years ago.

Q. And would not that have a tendency to decrease the number of cattle?

A. That might be a contributory cause, but of course there has been so much cultivating of land, that what also has helped to decrease the number of cattle.

THE CHAIRMAN: I dont see how American cattle can come in on the range with the Indian cattle?

A. There are ranges all the way down the Similkameen on the

American side. There is no American settlement on the boundary line beyond the Richter Pass.

Q. What kind of land is included in the application made by William Terrebasket?

A. Just rough, broken country, the same as on the other side of Hedley mine. Only fit for summer pasture, and very poor pasture at that .

Q. William Terrabasket asked for a piece of land adjoining the reserve - 10,240 acres?

A. I think that land belongs to Cawston. Cawston offered to exchange part of the land for 411 reserves.

Q. Do you know how much land Cawston owns there altogether?

A. No I don't, but I can say that part of the land applied for by William Terrabasket, or a great deal of it has been Crown Granted. There is some 2,000 acres of flat bottom land, I don't know whether it belongs to Cawston but I do know the greater part of it belongs to him.

Q. Do you know how many acres Cawston offered to exchange.

A. About 2,000 acres I believe.

Q. Do you know what the land from No. 6 up is like?

A. That is the land we are speaking of now, almost every bit of that land belongs to Dick Cawston.

Q. That means then, that the land applied for by William or Paul Terrabasket cannot be granted?

A. Well, there may be some land farther up.

MR. COMMISSIONER SHAW:- In regard to your Agency, Mr. Brown, do you consider from your own experience, that one man can look after that Agency, and do full justice to the Indians, or would you consider it necessary to have an additional Agent?

A. I think one man can look after it alright as long as the travelling facilities are very good.

MR. COMMISSIONER MACDOWALL:- Do you think Mr. Brown, that if you had an automobile it would enable you to do more justice to your work?

A. Yes.

Q. Do you think that if there were Farm Instructors employed on the larger reserves, under the Agent, it would be any good?

A. I think it would be a good thing.

Q. What is the attitude of the Indians towards education?

A. Well in some cases they are opposed to having schools and in other cases they want them. Two cases in which we tried to give them schools, that is both at Enderby and Penticton were turned down. It is not so much that they are opposed to education, but they are afraid that if the Department uses money to pay for a teacher, it will be charged up against their land and eventually they will lose their land.

MR. COMMISSIONER MCKENNA:- Do not some of their children attend the white schools?

A. Yes.

Q. They have about 40 children of school age at Enderby?

A. Yes.

Q. And no school ?

A. No school. There is not a school in my Agency with the exception of the public school. At Hedley there are two boys going to the public school. There is a very strong attitude taken by some of the white people against Indians going to the public school. I got a letter from Doctor Robinson, the Deputy Minister of Education, in which he was very much opposed to my negotiations being entered into between the School Trustees and the Indian Department, for a playground on the Indian reserve, if it meant any concession on the part of the Trustees in the way of receiving Indian children into their schools. He said in his letter that it was up to the Department of Indian Affairs to provide educational facilities for the Indian children.

Q. And as a matter of fact, the white schools would not afford sufficient accomodation for all the Indian children, if there were no objections to their going?

A. No, there is no accomodation for them at the white schools, and absolutely no educational facilities at all, for the Indian children. There was a protest against the Indian children going to the public school at Westbank. I am to see Dr. Robinson on the matter as soon as I get an opportunity.

Q. Have you any opinion as to the advisability or otherwise of giving the Indians individual title to their lands?

A. In some cases it might be advisable.

Q. In some cases, where a man proved himself capable and worthy, it might be advisable to give him unalienable title to his land. In that case he would not be able to sell it without the consent of the Crown.

A. Yes in cases of that sort it would be of benefit. Take the cases of Isaac Harris, Bertie Allison and others. I think men like those should have an individual title to their land.

Q. Do you think it would be of benefit to the Indians if they held their lands in severalty by an unalienable title?

A. Yes, I think it would.

THE CHAIRMAN:- The Indians title to the land is almost an unalienable title at the present time, is it not?

A. Yes, but when an Indian makes his will, it is subject to the approval of the Superintendent-General.

Q. Do you know anything of the system prevailing in the United States, by which the land is subject to an unalienable title given after twenty-five years of good work?

A. No, I dont know anything about it.

Q. Speaking of Isaac Harris, you would be in favour of giving him absolute title to his land?

A. Yes, I think also he ought to be enfranchised. He would have been if it had not been for the B. C. Government's reversionary rights.

Q. Do you think that if he had that title he would relinquish all his interests in the band? Would he cease to become an Indian?

A. Undoubtedly.

Q. The question has been raised as to the power of the Chiefs to administer Laws and hold their own courts , what do you say to that?

A. They might be trained as to that, but they are not fit to exercise such power as yet.

WITNESS (continuing) I should like to ask the Commission as to how you feel with respect to the renting of Indian lands to reliable whitemen.

MR. COMMISSIONER MCKENNA: What do you, yourself, think?

A. I think it is a desirable thing. It is a decided advantage to the Indians.

Q. You pointed out one instance in your Agency where one man had rented a piece of land from a blind man?

A. Yes. The cases I refer to are where a man is too old to work, or is afflicted permanently in some way which would prevent him from working, or in cases of widows and orphans. Briefly, where an Indian is impeded in any way from making proper use of his property, he should, I think, be able to rent his land to any responsible whitemen, subject of course, to the approval of the Indian Agent.

THIS CLOSED THE EXAMINATION.

Board Room,
Victoria, B. C.
November 11th, 1913

ISAAC HARRIS, appeared before the Commission. He was sworn by the Chairman, and examined.

THE CHAIRMAN: You recollect being on the reserves at Enderby, with the Commission do you not?

A. Yes.

Q. And travelling up that part of the reserve which lies east of the town, the morning before we went to Armstrong?

A. Yes.

Q. How many people live on that part of the reserve?

A. There are only two who stay there regularly. I think there are seven others who have houses and fields there.

Q. Who are the two who stay there regularly?

A. Phillip and Michell.

Q. Phillip is the man who has a clearing on the left hand side of the road going East?

A. Yes.

Q. And the other man lives where?

A. Down near the bridge there.

Q. The seven others I suppose have their homes on the main reserve?

A. The others have their homes on Salmon River reserve and some at Enderby.

Q. What do they come there for?

A. They come in the Winter time so that they can be handy for the Town, for cutting and selling wood in the Winter time.

Q. Do they cut and sell wood off that reserve?

A. Yes, and they have done that every winter for the last 25 years.

Q. There are some meadows along that reserve on the right are there not?

A. Yes - four.

Q. How many acres are there altogether?

A. I should judge about 140.

Q. I suppose it is natural grass?

A. Yes. It is overflowed.

Q. Have those meadows ever been cleared?

A. They are just natural meadows with a little clearing.

Q. How much hay do they get there each year?

A. I should judge in the neighbourhood of 100 tons or more.

Q. Are those meadows enclosed?

A. Yes they are fenced.

Q. Anybody living on them?

A. No not regularly. Some of them just live there while cutting the hay.

Q. What do you say with respect to the character of the land, generally, on the East side of the River?

A. I consider it second class land - Timber land.

Q. If the timber was cleared off would it be good for cultivation?

A. About two-thirds of it would be first class land if cleared.

Q. How far does the road extend on the reserve?

A. About three miles I think.

MR. COMMISSIONER MCDOWALL: You have spoken of the Enderby reserve.

You say there are only two families living on the East side of the River?

A. Yes.

Q. There is a great deal of land in that reserve which is not improved in any way whatever?

A. Yes.

Q. Now what is holding back the Indians who live on the No. 2 reserve on the West side of the river in making progress in clearing this. How many acres have they improved there?

A. I should say Mr. Brown's statement about the acreage on that would be quite true because I helped him to make it up.

Q. The improvements lie on the North east corner of the reserve?

A. Yes.

Q. The other part is hardly improved at all?

A. Well it is mountainous land and timber.

Q. There is some good land there is there not?

A. Yes, some of it is good.

Q. What holds them back from clearing that?

A. I should say they have no means to get it cleared.

Q. They would need money, then to clear the land and make use of it properly?

A. Yes.

Q. What would be the better way of educating them if they had the money to go ahead?

A. Well the first step would be to cut the timber off the land, and sell it for cordwood or logs, and then take the stumps out of the ground. After that the land would be good for cultivation.

Q. Do you think it would be better if they had an instructor to show them how to do this work?

A. Far better.

Q. You think if there were a resident instructor they would make better progress?

A. They would increase in their work pretty near 90 per cent.

THE CHAIRMAN:- Dont they know enough to clear the land?

A. They do, but they dont seem to have the courage to go ahead. If an instructor was there and kept reminding the. Indians of the beneficial results of the work of clearing, it would be a great encouragement to the Indians to go ahead and persevere with their work.

MR. COMMISSIONER WHITE:- Would it help them if they had stumping machines?

A. Yes.

Q. What do stumping machines cost?

A. I dont know, but I would recommend a donkey Engine which would pull them right out, roots and all, leaving nothing behind in the way of brush and scrub, so they could go ahead with the ploughs and cultivate the land.

MR. COMMISSIONER MCKENNA: When you say that the Indians would require money to clear the land, did you mean for labour or for buying machinery to carry on the work?

A. I meant for them to buy machinery with.

MR. COMMISSIONER SHAW: Is there not a lot of that land on the West part of the reserve, above the main wagon road, very light land?

A. Yes, the land is light - light soil.

Q. Now that light land, if it were cleared of the timber and properly cultivated, would you consider that it was good farming land?

A. I would not call it first-class land.

Q. It would be worth clearing and cultivating - up on the bench?

A. That would be the Northwest corner of No. 2?

Q. Yes, any of the light land in that vicinity. Would you consider that land would be worth clearing and cultivating with proper methods?

A. I would say it would hardly pay just yet to clear that land, because there is other land better, which could be cleared to better advantage.

Q. Supposing that land was owned by white men would it pay them to clear it and cultivate. Would it not be fairly good fruit land?

A. I think it would be adaptable to fruit growing. It is light land the same as the other land in that neighbourhood.

Q. There is no irrigation there?

A. No.

Q. You consider it would be good for fruit land?

A. Yes.

Q. Better fruit land perhaps, than would be in the River bottom?

A. Yes.

MR. COMMISSIONER MACDOWALL:-Supposing a portion of that reserve were to be cut off, which portion would be best for the Indians to have cut off?

A. I know which portion would be better for both parties.

Q. Which would be better for both parties?

A. Across the river on the east side.

Q. I suppose that land would be sufficient to bring in money to get the Indians a donkey engine and other implements?

A. Yes I suppose so.

MR. COMMISSIONER MCKENNA:- Do any Indians live permanently on that part which you say might be cut off?

A. Yes those I have mentioned.

MR. COMMISSIONER SHAW: Which part would it be better for the Indians to retain if any of it were going to be cut off?

A. The whole of No. 2 reserve?

THE CHAIRMAN: What part of the reserve as a whole, would it be best for the Indians to retain if it were to be considered necessary to cut off any portion?

A. It would be best to cut off the west side and keep both sides of the river.

MR. COMMISSIONER MACDOWALL:- If you keep both sides of the River you are keeping this part close to Enderby. Do you think it is good to keep the Indians so close to a white Town?

A. Yes I think so.

Q. Well what about the damage to the Indians from Whiskey selling etc

A. Well there is the law to protect them against that.

Q. This is your farm on No. 3 reserve of 168 acres, is it not?

A. Yes.

MR. COMMISSIONER SHAW:- If the west half of the reserve were cut off would it affect any of the Improvements of the Indians there?

A. None.

MR. COMMISSIONER MCKENNA:- If any of that reserve were cut off, could you reduce the size of the reserves without interfering with the reasonable requirements of the Indians including pasturage?

A. I say that the Indians at Enderby have not any too much land.

THE CHAIRMAN:- Are you considering that they have the Salmon River reserve as well?

A. I would deal with the Salmon River reserve separately from the Enderby reserve.

Q. You would prefer dealing with the Salmon River reserve separately?

A. Yes. The west side of reserve No. 2 at Enderby is almost all fenced in as pasture land right now, and it is the only pasture land they have.

MR. COMMISSIONER SHAW:- In that case they are using the west side of No. 2 reserve, Enderby, But on the east side they are not using that at all with the exception of the two families you mentioned?

A. Yes they are using the east side for wood land.

Q. They don't seem to be making much progress.

A. They cannot, because they have not the means to tackle the stumps

Q. How many acres do you think the Indians can cultivate so as to make it produce something worthwhile?

A. About eighty acres.

Q. You say they can cultivate 80 acres?

A. Oh! I think so.

Q. Is that 80 acres for each family?

A. I would say 80 acres to each individual, of course including the other lands and all.

Q. 80 acres per head for every individual, including men, women and children?

A. That is with their portions of the reserve included with sufficie[nt] pasturage for their horses and cattle.

Q. Do you think that each individual with a wife and three children should have four hundred acres for cultivation?

A. I would say that the 400 acres that these 5 individuals would own could not all be cultivable land.

Q. Why?

A. Because a lot of the land is mountainous and rocky.

Q. On that reserve?

A. In parts of that reserve.

Q. There is not very much rocky land is there, in that reserve?

A. The west side I am speaking of, is rocks and mountain.

Q. What proportion of that reserve is rock?

A. Over two-thirds of the whole - rocks and timber.

Q. Of that two-thirds the greater portion could be cleared if the trees were cut off?

A. Yes.

Q. And therefore there is only a very little bit of rocky ground?

A. There would be still a third of the west half which it would be impossible to cultivate.

Q. That is the north-west portion?

A. Yes.

Q. How about Salmon River reserve - How many Indians are there on that?

A. I helped Mr. Brown to compile his population statement and that is true.

Q. It seems there are about 50 Indians on the Salmon River reserve altogether?

NO ANSWER.

Q. What is the character of that reserve?

A. There is some good land and some mountain land.

Q. The mountain land is all good grazing land?

A. Yes.

Q. What portion of it is good land which could be cultivated?

A. The middle part of the Salmon River reserve is good cultivable land. About half of that reserve is cultivable land providing the trees were taken off. In some parts it is heavily timbered.

THE CHAIRMAN:- That part of it which is not cultivable land is good for grazing, and it is all useful land?

A. Yes. In fact the Indians have it nearly all fenced.

MR. COMMISSIONER MACDOWALL:- Are they using the whole of it?

A. Yes pretty nearly all of it.

Q. What portion of the Salmon River could be cut off with the least detriment to the Indians?

A. There is none that you could cut off.

Q. If we were going to cut off any, it would be better to cut off what you stated along the west side of the Enderby reserve?

A. Yes, but I have said already that the Indians at Enderby have no land to be cut off.

MR. COMMISSIONER MCKENNA:- Do you make the same answer in regard to the Salmon River reserve?

A. Yes I do. They use every foot of land there.

MR. COMMISSIONER MACDOWALL:- This reserve is up at Mara Lake, is that used by the Indians?

A. No.

Q. It is of no use to them at all?

A. No use to ANYBODY at all.

Q. What sort of land is it?

A. Steep mountain, side hill with rocks, and very little timber on it

Q. Now in the Okanagan Reserve, are the Indians using the whole of their big No. 1 reserve?

A. They are trying to.

Q. How are they using it?

A. By cultivating it and keeping stock.

Q. Whereabouts is the cultivation?

A. All along the lake here and up towards Round Lake. At the north end of the Okanagan reserve the land is not very good. It is all cultivated as far as Round Lake. From Round Lake up north is most of it used for pasturage. It is pretty nearly all fenced in.

Q. If we were to cut any off that reserve, I suppose that is the portion which could be cut off with the least interference with the reasonable requirements of the Indians?

A. There is none of it which could be cut off because they are using it every bit.

THE CHAIRMAN: Take that portion North of Round Lake, who is using that?

A. Scotty has started to fence that Northern part where the new road is. He has been at it since last winter. Seymour has his fenced this Spring from money which he got by logging last winter. Scotty has had to give up the work on his fence on account of having no more money.

MR. COMMISSIONER MACDOWALL:- You said you thought that 80 acres per Indian would be about the amount of land they would require. Would that apply all over the Okanagan Agency?

A. I would say so. It would be fair dealings to the Indians by givin[g] them 80 acres per head all through the Okanagan Agency.

THE CHAIRMAN:- Would that include the Penticton reserve?

A. Yes that would include the Penticton reserve.

Q. Have the Indians made much progress during the last few years?

A. Yes, they have bettered themselves in every way.

Q. They tell me that long ago the Indians in the Okanagan Agency use[d] to grow a great deal of wheat, and take it to the Flour Mill at Armstrong, but that now they grow very little. Is that the case?

A. I think they got a good crop this year.

Q. Do you think they get as much now as they used to do?

A. Not as much as when the land was new. It is just merely in the management of cultivation that they are not raising as much wheat as they did say 10 years ago.

Q. What do they raise now instead of that wheat?

A. Well, most of them raise hay.

Q. That does not take as much labor?

A. L. No.

Q. How about the profit?

A. It is much more profitable to raise hay.

Q. Does the whiteman raise as much wheat as he used to do say ten years ago?

A. Not by a great deal. He goes in more for hay and fruit now because there is bigger profit in those products than in wheat. I myself quit raising wheat and raise hay instead.

Q. Would it be a good thing if farming instructors were put on to help the Indians?

A. Yes, I think so. All through the Okanagan Agency, and they would get better returns for less labour. By summer following a third of their place they could get better crops.

Q. They keep their cattle in barns and stables during the winter. What do they do with the manure?

A. They never used it.

Q. Would it not be better for them if they did use it?

A. Yes, that is where the Farm instructor would come in.

Q. How many farm instructors would it be necessary to have in the Okanagan district, in your opinion?

A. I think one instructor should be placed say from Enderby to Kelowna one from Penticton to the Boundary line and one for the Similkameen district.

Q. That would be only for the summer time?

A. No, I think they should be there all the year round. There is lots of work for them even in the winter - preparing for the summer. The Instructor would have no time to lose.

THE CHAIRMAN: How about an Instructor in mechanical trades, such as shoe-

making, carpentering, engineering, building, etc., etc.?

A. Well, of course, it is pretty hard to get a man for everything. I think, however, that there should be a man to show them how to put up their buildings. The man for the building instruction could have a larger ground to cover than the Farm instructors.

Q. Would you have shoe-making instructors or blacksmiths on the Reserves?

A. I would prefer a blacksmith on the Okanagan Reserve, to teach them to repair machinery, etc., and he could cover the Salmon River Reserve as well.

MR. COMMISSIONER MACDOWALL: Are there many schools in these reserves?

A. No schools at all.

Q. There have been some schools built there have there not?

A. None that I know of. There was one place at Enderby which was prepared to go ahead with a school.

Q. Why did they not go ahead with it?

A. The older members of the band were opposed to it and the younger members were beaten on the vote.

Q. And the same applies to Penticton?

A. Yes.

Q. Do you suppose if day schools were established, the children would attend. - It is the younger people who have the children?

A. In the state in which the Indians are now, a day school is hardly the proper thing. I would prefer to see Boarding Schools established at the present time.

Q. They have a school at Kamloops?

A. The school in Kamloops cannot take in any more.

Q. If there were boarding schools established, do you think the parents would allow the children to go there in spite of the older people's vote?

A. Yes, I think so.

MR. COMMISSIONER SHAW: If day schools were established on the reserves where there are enough children to attend, and the attendance of the children was made compulsory, how would that appeal to the Indians?

A. In the first place, an Indian must have a good place and a

permanent residence a short distance from the place where the school would be built, so that they would have no difficulty in sending their children. From what I can see, at the present time the Indian is not fixed in proper shape as to his home, and keeping his children clean and giving them regular meals, to make a day school a success at the present time.

MR. COMMISSIONER MACDOWALL: What is most needed to aid in the progress of the Indians?

A. Education first of all.

Q. Thus, the Agents and instructors should have power to see that sanitary measures were carried out?

A. Yes.

MR. COMMISSIONER SHAW: If there was a system of compulsory attendance at School, would that not have a tendency to teach them cleanliness and regular meal hours?

A. But still, where I am, I have been there for a good many years, and my children have been going to school every day for the last twenty years.

Q. Yes, but you are not compelled to send your children to school, that lies with yourself?

A. Well, because I live better.

Q. You are surrounded by white people, and it is compulsory on thwir part to send their children to school?

A. Yes.

THE CHAIRMAN: In those places where there is a Christian Minister established, who lives among them, and his family conduct the school it seems to me that the Indians have become more advanced than in other places, what do you say to that?

A. That would be the only way, because the man you put there, minister or whatever he is, has to be right there all the time.

Q. The Christian movement and education combined?

A. Yes they should work on both at the same time.

MR. COMMISSIONER MCKENNA: I gathered from your remarks, that the Indians generally speaking with but few exceptions, had not reached that stage where the home environment was such as to make the day

schools operate advantageously amongst them?

A. No, not yet.

Q. Then you would look forward to the children of the people who were brought up in Boarding Schools, bringing up their offspring to attend day-schools in the future generations?

A. Yes.

Q. Down on the Plains they have their boarding schools where the Indians go and are taught. They say that when the Indians get out the boys-many of them-turn out to be the very worst class of Indians there are.

A. I should say that in that case he did not get sufficient education. When an Indian boy out in the West here, goes to these Boarding Schools - take for instance, the Kamloops Boarding School, he has been kept in and cooped up for a number of years, when his term is up, he is turned out just like the wild horses, and then he runs.

Q. Then you say there must be something done for the Indian boy after he leaves school?

A. Yes, Boys should be taught to get in on their own hook and go ahead with what they learned.

Q. Well, then, it would be the duty of the Instructors to look after the boys after they left school?

A. Certainly. The boy should be provided for in that way under the supervision of the Instructors, that would start him on his feet,

MR. COMMISSIONER WHITE: Where are you going to get the land from to give these young men when they leave school?

A. Well, that is why I say 80 acres per head should be allotted to the Indians through all the interior of British Columbia.

MR. COMMISSIONER MCKENNA: Is it a fact that the Chiefs have a marked influence over the Indians of the Band?

A. Yes.

Q. Is that influence used, generally speaking for the advancement of the Indians?

A. The older heads have some influence over the young man to not develop.

Q. Their influence keeps back the progress of the young men?

A. Yes, they tell them to keep away from the white man's life as much as possible.

Q. Now the holding of the lands in a reserve are got under a custom which has obtained for generations, and the Chiefs and Councillors allot the lands, subject to the approval of the Indian Department. Do the younger men feel that there allotments MUST be agreed to?

A. In allotting these lands in a good many cases, the Indian who is on the side of politics the same as the Chiefs at the time, will get the pull, and others who are not on the same side of politics as the Chief will be held back.

Q. So that there is a good deal of reserve politics?

A. Yes - a whole lot.

Q. Do you think that if an equitable allotment or subdivision of the reserve was made, and the Indians were given the title to their lands in severalty, without authority to sell it, it would be a good thing?

A. yes that would be the very thing for the Indians in the Okanagan District.

THE CHAIRMAN: Are the allotments as made now, not unalienable? And if an Indian dies he can make a will, and give it to whatever Indian he likes, and if he dies without a will, his children get it?

A. Every Indian claims a certain portion of your land. He comes along and knocks your fences down, and you cannot say a word. I myself have done lots of hard work, all to no purpose.

MR. COMMISSIONER MCKENNA: Is it not the common idea among the Indians that the land belongs to the Indians in common?

A. Yes.

Q. And if an Indian got a clear title to his land, would it not be to his advantage?

A. It would give him the heart to go ahead and work his land to better advantage.

MR. COMMISSIONER MACDOWALL: You say that the Chiefs and Councillors can come along and take anyone's property from them?

A. Well they have come and cut logs in my field and took them away and I could not stop them

Q. And could they come and take that house of yours?

A. Well, as things are now, they could do so if the Band so voted.

- Q. And what you want, then, is security of tenure?
- A. Yes, I believe everyone should have his own.
- Q. When these Indians came on your land and took your logs did you complain to the Agent?
- A. I did.
- Q. And did he stop them?
- A. When he came to stop them, it was too late for all the trees were down.
- Q. How many children have you?
- A. I have so many I don't know. I will answer that question after lunch.

This closed the examination

After lunch, ISAAC HARRIS desired permission to address the Commission and on permission being given, he said:-

"Gentlemen of the Royal Commission, as far as I went with the Commission, we went to every reserve and in the addresses of all the Indians, the words they said, were that they wished the Commissioners to help them with better terms. I take it for granted, that in the circumstances of the Indians at the present time there are family troubles on each reserve. In fact I might refer to my own reserve where I belong. It took me five years to get a permit to cut out a piece of timber to build my house with. First I had to go to the Chief and Councillors, and at that time maybe the Chief and Councillors were on the opposite side of politics to me. Before I was on their side of politics I was unable to cut my logs. It was inside my own field but I was not able to do it. When I did have their vote, my application was cut in half by Ottawa. Therefore I am short of half of what I applied for. I say that each individual should have his own place to work without hindrance, and he will have a better heart to work his land. We talked upon the following with the Indians of the Interior of British Columbia. Some-one has told the Indians that they have what is called an Indian title to all the Crown Lands of British Columbia. I am not in a position to say whether they have or not, but yet the Indians have a strong feeling on the subject, looking towards the Government and claiming their Indian titles of British Columbia in Crown Lands. Some of the Commissioners in their speeches through our travels, have expressed themselves and said that as soon as this

Commission is through, that the Indians will be administered according to the Indian Act; and the Indian Title I have learned have been recognised in some parts of Canada, and that right as I find it, is that each head of a family was entitled to \$500.00 for every square mile. Therefore, the Indians of British Columbia have been told all these things and it made them think that there is something "coming to them", and I have no doubt they may have something to get. On the other hand, when this Commission goes around and visits all the reserves, the Indians say "We want help". I have no doubt they will get help in regard to work on their reserves, protection I suppose, and Law, and any other help they may need I don't wish to keep you gentlemen very long in this case, but there is one thing I would like you Commissioners to recommend, and that is this:- My boy is trying to get to be a Doctor, and I should like to have him helped to get through McGill College. I make an application on behalf of myself for enfranchisement and ownership of land. I thank you, gentlemen, for your unfailing kindness towards me, and I am only too glad to have been able to travel with you people. You have treated me very well indeed, gentlemen, and I thank you. Wishing you gentlemen all good afternoon.

MR. COMMISSIONER SHAW: When you say it took you five years to get a permit to cut logs to build your house on No. 3 Reserve, was that on account of the power and influence of the Chief on that reserve?

A. I believe it was.

MR. COMMISSIONER MACDOWALL: You say you would like to become enfranchised have your own piece of land, and get your son educated, are there many other people in the Okanagan Agency, in the same position as yourself?

A. I could not say, but in our travels I came across quite a few at Deadman's Creek, who had very much the same feelings I had, to become owners of land in Fee Simple. There was one man came to me at Kamloops, from Nichola, who wanted a subdivision of the reserves.

Q. If you were to become enfranchised, would you be willing to pay taxes the same as any white man?

A. According to the Indian Act, if the Department says I am fit to take my place according as any other man, I should do so.

Q. You have been round with us a good deal and you know what is going on. Is there a division of opinion between the older and the younger Indians?

A. Yes. The statements I made this morning were merely touching the identical spots in regard to Indian administration.

MR. COMMISSIONER WHITE: Was that Chief who you spoke of as acting against you, induced by any white man to act in that way towards you in regard to the cutting of your logs?

A. I believe he was. At that time there was a bunch of them after me. Practically they put me in jail.

MR. COMMISSIONER SHAW: Were those white men you say took some part in the influencing the Chief, Officials of the Department or were they outsiders?

A. They were outsiders.

ROYAL COMMISSION ON INDIAN AFFAIRS FOR THE PROVINCE OF B. C.

BOARD ROOM, VICTORIA, B.
C.

November 11, 1913.

T.J. CUMISKEY, INSPECTOR OF INDIAN AFFAIRS, FOR THE OKANAGAN AND
KAMLOOPS DISTRICTS, WAS SWORN, and put in evidence a statement, reading
as follows:

STATISTICS PREPARED BY T.J. CUMISKEY

Inspector of Indian Agencies
Vernon, B. C.

OKANAGAN AGENCY

Acres	Population	Heads of families	Acres per Capita	Acres for each family of 4.
146,599,25	795	212	184	696
Children of school age between 6-17	Children attending any school			
abt. 150	None.			

KAMLOOPS AGENCY

Acres,	Population	Heads of families	Acres per Capita	Acres for each family of 4
101,467,045	1,411	366	78	277
Children of school age between 6-17	Children attending Kamloops Industrial School			
About 337	64. Made up of 32 boys and 32 girls.			

LYTTON AGENCY

Acres	Population	Heads of families	Acres per Capita	Acres for each family
127,490,87	2,153	589	59	216
Children 6-17	Children attending school			
About 380	24 girls at All Hallows, Yale, B. C.		Shulus Day School 6 boys - 4 girls.	

190 R. Catholics) 2 boys and 5 girls at
190 Anglicans) Lytton Day School
35 Boys at St. George's Industrial School, Lytton.
(All Anglican)

STATEMENT OF T.J. CUMISKEY

To the Royal Commission on Indian Affairs,
VICTORIA, B. C.

Hon. Chief Justice Wetmore,
Chairman of Royal Commission on Indian Affairs,
V I C T O R I A, B. C.

In presenting my statement on the conditions of the Indians in my Inspectorate, I shall confine my remarks to the two agencies which your Royal Commission has thoroughly inspected, namely Okanagan and Kamloops Agencies. I wish to state that my observations are of a general character as I submit that detailed information regarding each separate reserve can be obtained from the respective Agents.

Permission is given to the Superintendent-General in Section 20 of the Indian Act, to authorize surveys, plans and reports to be made of any reserve, showing and distinguishing the improved lands, the forests, and lands fit for settlement.

I consider that in order to deal intelligently with Indian Reserves, this work should have been done. I would give an accurate and fundamental basis to start from.

I presume, as the Reserves were surveyed, that the Surveyors made full notes in their Field Books of the character of the Country, nature of the soil, timber and so forth; this information is estimable or speculative and would not meet accurately the purpose I have in view. Had we accurate information as to the acreage of cultivable land, and land that could be brought under cultivation by irrigation or by clearing, etc, I would call it the first step in beginning a better land policy, for the advancement of the Indians than has hitherto been followed.

I consider that if the agricultural land on the reserves was

subdivided into lots - each lot to contain as many acres as would be deemed sufficient for an Indian family, and location tickets issued to the Indians, as described in Section 22 of the Indian Act - it would give a great incentive or encouragement to the Indians to work on their particular locations.

OKANAGAN AGENCY

This Agency contains 146,599.25 acres. It has a population of about 800 souls, and there are about 212 heads of families in the Agency. This would represent 184 acres per capita, or 690 acres for each head of the family. The Indians in this Agency average about four to a family. The last official Annual Census, if correct, show an increase of 11 souls in the whole Agency. There is much inequality in regard to the character of the land, and the Indian mode of living in this Agency. The Indians of Spallumcheen and Salmon River can farm without irrigation, and so can a good deal of land be successfully worked on the Okanagan reserve. But a great deal more land on the latter reserve could be brought under cultivation by the proper and economic use of water. All the reserves South of Okanagan require water to grow any kind of crops successfully. It may appear to many that there is an enormous amount of Indian reserve lands lying idle; but when we examine conditions closely, we find it only partially true and exists only in certain localities. While we cannot say with any degree of accuracy what amount of land in any of the large reserves can be brought under cultivation, we do know that a great percentage of land in the reserves in the Similkameen district, as well as at Penticton and Okanagan cannot be brought under cultivation, and must ever remain pasture land.

KAMLOOPS AGENCY

This Agency contains 101,467.045 acres. It has a population of 1,411 souls and there are about 360 heads of families in the Agency. This represents 72 acres per capita, or 275 acres for each head of the family. The last annual official census does not show whether there has been an increase, or a decrease in the population.

The same inequality in character of soil and

climatic conditions exist in this Agency. In the Salmon Arm and Adams Lake districts the land is timbered, and when cleared will grow crops successfully without irrigation. All the reserves West of the Shuswap Lake require irrigation.

I can state from my personal observation in regard to the conditions of the Indians, which extends over a period of nearly thirty years, that no permanent or real agricultural advancement has been made in that time. Are we not then justified in seeking for and advocating a policy which we consider will advance the Indians both materially and morally.

I would advocate the closing of all small and isolated reserves unless absolutely required for fuel purposes and so forth, and I would recommend placing the Indians on large reserves and give each head of a family an allotment. Competent farm instructors to be placed on those reserves who would have special qualifications in regard to conditions which would be met in different localities, for example: instructors on the Similkameen, Penticton and Okanagan reserves would require to have competent and practical knowledge of irrigation. Instructors on the Spallumcheen or Salmon Arm Reserves should have up-to-date knowledge on clearing land by modern methods, and so forth.

Funds to carry out the improvements and advancement which I have in view, could be obtained, to a great extent from the sale of small isolated reserves, as those reserves from my knowledge, are detrimental to Indian advancement.

If this policy were adopted, the work of advancement and agriculture, stock raising, and the better housing of the Indians, together with the supervision of sanitary conditions and so forth, would be concentrated and must produce good results.

EDUCATION

In the Okanagan Agency there are 150 children within the School age. No educational facilities of any kind are provided for the children of the Okanagan Band of Indians. Attempts were made in 1909 to open a day school at head of Okanagan Lake, and in 1910 at Penticton and Enderby. This scheme was carried so far at Enderby that desks and seats were

purchased by the Department and placed in the Old church building; but owing to the apathy and opposition of the Indians, no further progress was attempted.

I absolutely condemn day schools for the children of this land at their present state of civilization for many reasons which I can advance. The only true solution of the question, I consider, would be the establishing of an Industrial School, capable of accomodating 150 children under Government control at Whiteman's Creek, or on the West side of Okanagan Lake. Two or three hundred acres of land should be set apart from the reserve for this purpose.

In the Kamloops Agency there are 330 children within the school age. Kamloops Industrial School has an attendance of 64 children from this Agency, 32 boys and 32 girls. This is all that can be accomodated in this institution.

Those buildings are of wood and old; though a considerable amount recently has been spent on them by the Department in repairs, To solve the education problem for the children of this Agency, I consider new modern buildings, capable of accomodating at least 200 children, should be erected at an early date, and more cultivable land should be found so that dairy-ing and other necessary industries could be practically taught to the children.

POWER OF CHIEFS.

I observed that during our tour of inspection and investigation, several of the Indian Chiefs asked for some power so as to control evil inclined Indians on the reserves. I think their requests are reasonable and should get favourable consideration. Section 98 of the Indian Act provides that Chiefs of any band in Council, may make rules and regulations as to the carrying out of certain reforms and order on the reserves, subject to confirmation by the Governor-in-Council.

Up to the present, this section has been a dead letter.

Any person who has to do with the administration of Indian Affairs in B. C. and who is sincere and honest in his work, must admit the fact that the great drawback to Indian advancement is intemperance

and profligacy, and the greatest power we can get to assist in stamping this out is good chiefs, with some legal authority behind them to assist them. At the end of the last fiscal year in my inspectorate, there was no Indian or whiteman who violated the Indian Act at large. They were all brought in for trial. I accomplished this work chiefly through the assistance of the Indian Chiefs, who, when properly instructed, worked in harmony with the City Police and Provincial Constable of the Province. I can advance good reasons for the request that Chiefs' actions when done in the interests of law and order, should have the force of law, and no low-type lawyer should be in a position to bully the Chief and tell him that he will be prosecuted if he attempts to arrest, or deal with any of his evil-doing people.

INDIAN WATER RIGHTS.

Many complaints have been made to the Royal Commission during its tour by Indians in the Okanagan and Kamloops Agencies, as to whitemen using all the water available, totally ignoring any rights which the Indians may have. The complaints, are, I fear, only too true. The Department has engaged Mr. A.O. Cochrane, a leading young lawyer of the City of Vernon, and one of the best informed men of the Province on the "Water Act", to attend all sittings of the Board of Investigation, to look after the interests of the Indians, and if all Agents are energetic and competent in their duties in preparing Indian cases for this Board when it sits in the respective localities, I have no doubt, decisions will be given, which will be as just as possible, and which I anticipate will improve the present conditions of the Indians in respect to their Water Rights.

BOY GRADUATES OF INDUSTRIAL SCHOOLS.

WE have heard it stated that in many cases the boys who go through the Industrial Schools are in many cases, worse than the uneducated Indians. There is some cause for this statement, for the reason that after the boy leaves school, he is dropped. There is no continuity of policy to induce him to settle on land and begin to make for himself a home.

I think a certain amount of land should be set apart on reserves for these boys and induce them to begin to work on it.

as soon as they leave school, even if they live with their parents for some time. I would look forward to the Indians, or at least many of them, under the policy I have outlined, in the next generation being capable of taking on full enfranchisement. And I consider that no disability should be in the way of their pre-empting land other than the regulations which British subjects have to comply with.

Prior to the reading of the above statement, Mr. Cumiskey, who had been sworn, was questioned by the chairman as under:-

Q. You will read that statement, and the contents of that statement are true?

A. Yes.

After the statement had been read Inspector Cumiskey continued:-

"I find in nearly every reserve a number of half breeds. There are about 8 or 10 on the Okanagan reserve. These half breeds were abandoned in many instances by their white fathers and stayed with their mothers. They married Indian women on these reserves and are cultivating land. In some instances the Bands have voted for them to become members of the band, but the Department has refused to admit them into the band. Owing to that, fact, these half breeds can come into the cities and traffic in Liquor, and I think they should be made Indians, in these cases as they live the Indian mode of life among the Indians, therefore they should be admitted to membership of the band, so as to enable us to deal with them as Indians. I took it up with the Department for a ruling, and here is their answer (Letter handed to Chairman

MR. COMMISSIONER WHITE: How many reserves are there in the Kamloops

Agency, altogether?

A. I did not enumerate them.

MR. COMMISSIONER MCKENNA: You give the population of the Okanagan Agency as 795. You took that from the Official Blue Book published in 1912?

A. Yes.

Q. And there has been a census taken since that?

A. Yes.

Q. Do you know whether or not the last census taken shows any increase?

A. I could not say.

THE CHAIRMAN:- Why do you put in this letter?

A. Because it deals with a number of half breeds on reserves, over whom we have no control.

MR. COMMISSIONER MCKENNA: You spoke of the authority of the Chiefs,

I understood you to say, that you favour the Chiefs having authority, backed by the officers of the law?

A. Some authority so as to protect them in the way I have mentioned.

Q. Do you mean that the Chiefs should have a sort of Magisterial power?

A. Yes, subject to the Agent, and in arresting an Indian they should not be punished for it.

Q. Well, suppose the Chief saw some man come home drunk, and he was making hay at the time, and he called that man and made him work at his hay, would that be better than imprisonment or a fine?

A. Yes.

Q. And would you give them authority to impose fines?

A. Yes.

Q. What about them putting the money in their own pockets?

A. Well of course that would be wrong, but there are tribal rules governing the distribution of say money received in the way of such fines. A certain portion of it goes to the upkeep of the buildings on the reserve, some to the Chief, and some to the Indian Police.

MR. COMMISSIONER MACDOWALL:- Where are the Indians to be imprisoned, if they are sent by the Chief, say for 30 days, to prison?

A. They have their own jails on the reserves.

MR. COMMISSIONER SHAW:- In your observation during 30 years, of the Indians of the Interior of British Columbia, have you ever known where the Chiefs have those powers, that those powers have been abused?

A. Not to my knowledge.

MR. COMMISSIONER MCKENNA:- The powers you refer to, are not those mentioned in Section 98 of the Indian Act?

A. Yes, but they don't seem to have the force of law.

Q. Are the regulations you refer to, made under section 98 of the

Indian Act:

A. Yes.

Q. But they have not been confirmed by Order-in-Council?

A. Not to my knowledge.

Q. Section 98, would hardly admit of the fines being distributed by the Indians in the manner indicated by you?

A. No.

MR. COMMISSIONER MACDOWALL:- Well the Chief rules the Council and he can make regulations to suit himself?

A. Well, I dont think so. There is a vote taken at a General Meeting

MR. COMMISSIONER SHAW: - Is it not a fact, that among the Indians of a Band, particularly among the young men, that there is a sort of feeling of subserviency to the Chief?

A. There is.

Q. Which perhaps might influence their votes at times in a meeting of the band, against their own convictions, that is, a feeling that if they oppose the chief in this thing, that he will "get back" at them in some way?

A. I have never met that feeling.

MR. COMMISSIONER SHAW:- We had a very good instance of that at Kuper Island, where the Chief made certain statements, and subsequently the younger men came and said the Chief had not expressed the feelings of the Indians.

MR. COMMISSIONER MACDOWALL: At Skidegate, the Chief rather repulsed the Commission, and would not make any statements, and the younger men after the meeting told us they did not agree with the attitude of the Chiefs.

MR. COMMISSIONER MCKENNA: In your experience, do you consider that the influence which the Chiefs have, is used for the advancement of the tribe or band, or in the interests of progress?

A. Not so much in the interests of progress, but law and order.

Q. Then their influence retards progress?

A. I would not say it retards progress, but it is the best influence we have to repress evil.

Q. Do not the older Chiefs, rather want the young men to keep away from the ways of the white men?

A. Some of the Chiefs wish to keep to the old order of things, but this is largely the fault of the Agents in not using their influence on the Chiefs.

MR. COMMISSIONER SHAW:- Did not the opposition to the establishment of schools at Enderby and Penticton enamate from the Old Chiefs?

A. Yes.

MR. COMMISSIONER WHITE:- Is Isaac Harris' statement correct?

A. Yes, that statement is true?

MR. COMMISSIONER MCKENNA:- Would it not be possible to make regulations under the law, and to provide for their legal enforcement, without continuing to maintain the system which appears to be in vogue in some places, of the Chief's having judicial authority?

A. Yes, it would be possible. I have never any trouble with an Indian Chief. If I read and explain the law to him he will endeavour to have it carried out.

THE CHAIRMAN: Do I understand you to say, that none of these regulations made under section 98 of the Indian Act, have been confirmed?

A. No, they have not been confirmed.

Q. Our attention was drawn to the fact, that at Kamloops the Chiefs were doing this sort of thing.

A. It has not the force of Law at Kamloops, nor in any place in my Inspectorate.

MR. COMMISSIONER MCKENNA:- When you speak of Half breeds on the reserves are these the illegitimate children of Indian women by whitemen?

A. Yes.

Q. Would it be a feasible policy to remove these half-breeds?

A. In many cases it would create hardships.

Q. It would be a better policy to make them members of the band?

A. Yes that is my view.

Q. You say that in the general interests of the Indians it would be better to make them members of the band?

A. Yes.

MR. SHAW: With reference to the Chiefs exercising the powers mentioned under section 98 of the Indian Act. As a matter of fact the Indians appear to have been following the spirit of those regulations, without the official confirmation provided for, but instances

have occurred where the man penalised has complained to the authorities and it has been held that the chiefs were not acting within the law. It was stated that the house in which we held our meeting in Kamloops was built by the Indians, although it was the Chief's house, partly out of money received from fines, and partly out of money paid by the Canadian Northern Pacific Railway for right-of-way, to the Indians?

A. Yes, but that was engineered through the then Agent.

Q. You think it would be better to make these half-breeds Indians, rather than to expel them from the reserve?

A. Yes, I would modify that by saying that if a half-breed was an evil influence on a reserve, and caused trouble, I would have him removed.

MR. COMMISSIONER MCKENNA: I suppose the great majority of the half breeds you refer to are repudiated by the Indians, and, if removed from the reserves would be likely to become a charge upon the community?

A. Yes, they would be liable to become vagrants and criminals, so that their admission to membership in the bands, is desirable, not only in the interests of the Half-breeds themselves but in the interests of the Indians and also of the general public.

Q. Have you any suggestion to make as to how this liquor evil can be abated, apart from the half-breed business?

A. I consider it can be abated if we have energetic officers to enforce the law. We have succeeded in the large Okanagan reserve, in getting it under control. Last year, I might state, we put 57 Indians in jail and 27 white people, in the City of Vernon for infractions of the Act.

MR. COMMISSIONER SHAW:- It is the low class of white man as a rule that provides Indians with liquor, is it not?

A. The low class of white people and the half-breed.

MR. COMMISSIONER SHAW:- Do you consider that the penalty for supplying liquor to Indians, as laid down in the Indian Act, is severe enough?

A. I do not. I consider that the magistrates should have discretionary power to add whipping to the punishment of any whiteman who supplies liquor to an Indian.

Q. You would suggest that the punishment is not severe enough, and would suggest lashes?

A. Yes, Almost every crime that has been committed amongst the Indians, in British Columbia, from my observation, is attributable to liquor supplied by white people, or by half-breeds

MR. COMMISSIONER MCKENNA:- Would you give lashes for the first offence?

A. If a conviction was secured against a person who was commonly known to be a notorious supplier, I would suggest that lashes be given even for the first offence.

Q. Would you suggest imprisonment without the option of a fine?

A. It would be a better deterrent.

THIS CLOSED THE EXAMINATION OF INSPECTOR CUMISKEY.

AT THE CONCLUSION OF THE EXAMINATION OF INSPECTOR CUMISKEY, INDIAN AGENT, J. ROBERT BROWN, WAS RECALLED AND FURTHER EXAMINED:-

THE CHAIRMAN:- Now this is your Statement of population, which you were instructed to put in?

A. Yes.

Q. This includes all the reserves in your Agency?

A. No, not those you asked for especially - unless you want a detailed report of the whole Agency, which would take a long time to prepare ... if you want any further information I can forward it to you at any time.

Q. This only applies to the South Similkameen reserves?

A. Yes.
