

April 2005

Dedication

This work - the comprehensive and individual indices of the Federal and Provincial collections of Minutes of Decision, Correspondence and Sketches - is dedicated to:

Wanda Walk,
Negotiation Analyst, Specific Claims Branch, Vancouver,

Dr. John Hall,
Research Manager (to October 2004)
Specific Claims Branch Vancouver

&

Jacques Siegrist,
Senior Claims Analyst and currently Acting Research Manager
Specific Claims Branch, Vancouver

Although many others were involved in this project, it was the initiative and support of these three individuals which made its commencement and completion possible.

All of us who have the opportunity to use these indices thank you.

INDEX
VOLUME 1
MINUTES OF DECISION, CORRESPONDENCE & SKETCHES
LETTERBOOK No. 2 ~
Joint Indian Reserve Commission (JIRC), & SPROAT
March 1878 to January 1879
[No Reg. Num.]

The original of this volume is an oversized book. The original pages are a bluish colour. Each page is numbered. The original book is double-sided. The copy has been made single-sided. Thus, the position of the page numbers alternates. On pages when there are two letters, or the end of one letter and the commencement of another, it is important to realize that the addressee is at the end of the letter, not the beginning. The text of the copy has been slightly reduced to fit onto legal sized paper. The maps, however, are the same size as found in the original volume.

This volume is a "Letterbook", that is, it contains copies of letters which, at some later point, would have been made into formal correspondence. The original formal letters are, most likely, somewhere within the RG10 microfilms. The letterbook was, probably, maintained generally by a copyist, although, based upon the handwriting, it appears that Sproat or another Commissioner may also have used the letterbook personally. Sproat inquires at one point whether he should pay the copyist, \$5 or \$3 per day (p. 6).

There are frequent references to enclosures, the dates of which are sometimes cited, but these enclosures, with a few exceptions, were not reproduced in the letterbook. Since, however, an enclosure was noted in the letter, it is also noted on the index. Some letters are noted as being "cancelled." In this situation, the letter will be included in the index, with the notation that it was cancelled.

Some letterbook copies of Minutes of decision are included in this volume. These copies have been cross-referenced to the originals in the Federal Collection unless there is something substantively different between the letterbook and the original copies.

This volume deals with some of the work of the Joint Indian Reserve Commission (JIRC), but primarily it contains correspondence related to Sproat's work as sole Indian Reserve Commissioner. Sproat is appointed the sole Indian Reserve Commissioner on March 15, 1878 [p. 79]. The correspondence deals with a variety of issues including costs of operation of the Commission, difficulties dealing with the B.C. government, Sproat's perception and interpretation of policies; Sproat's perception and interpretation of his interactions with the Indians [eg. pp. 131, 151, 153, 165, 182, 219, 253, 277, 336, 343], and, as Sproat characterizes it, the "settling the Indian Land question." Indeed, Sproat does not appear to have seen his job as that of allotting reserves, but rather "settling the Indian Land question" [pp. 166, 167, 171 179, 194, 216, 233, 243, 271, 283-85, 296, 337, 340-41] or "adjusting reserves" [p. 207] or "adjust[ing] the land question" [pp. 286, 291, 308, 350-51, 369, 370, 374]. These "adjustments" were usually achieved through "compromise." In one instance, Sproat states that he advised the Indians that he had to look out for the interests of the white settlers as well as the Indians and that he would not "turn the country topsy turvy but could try to arrange such a reasonable compromise as circumstances permitted showing no favour either to white men or Indians" (p. 336). Compromise frequently meant getting the Indians to give up their claims to an area (eg. pp. 243, 254-56, 333). In summary, Sproat stated "[t]he whole of the work of the Commⁿ continues to be incessantly a work of compromise." (p. 337). Of a meeting with the Upper Nicola Indians, Sproat reported that he refused Chilliheetsa's "demands whereupon he returned to his tent for 24 hours. I then informed his people that I would proceed to lay off a reserve for them and that I was wiser than Chilliheetsa and they were, and, that they must submit to my decision which would be well considered and liberal." (p. 277)

A great deal of the correspondence in this volume deals with the matter of surveying the reserves set aside by the Joint Indian Reserve Commission and by Sproat [eg. pp. 44, 159-60, 161-62, 321]. Indeed, Edward Mohun, Surveyor for the JIRC and Sproat also used this volume as his letterbook. At the back of the original book are numerous letters by Mohun. Because Mohun

actually took the book, turned it upside down and began his correspondence from the end, he put in his own page numbers. On the index, numbering of this section is shown by indicating the original page number and then Mohun's numbering, eg. p. 414[2]. Interestingly, Sproat states in one letter that he is "not officially responsible for the management of the surveys." (p. 44) This may give some hint as to his position with respect to the dismissal of the services of the "Attendant Surveyor" (i.e. Mohun). "The object is to save the hitherto continuous pay of a regular surveyor, by taking advantage of the effect of my own experience in the Indian Reserve work, which enables me, to some extent, to dispense with the need of constant advice." (p. 321)

People of Note

Alexander Caufield Anderson
George Blenkinsop

Dominion Indian Reserve Commissioner, JIRC
Indian Reserve Commission staff; Census taker,
Secretary

Indians identified by Sproat

See complete list under Additional Subjects

James Lenihan

Indian Superintendent, New Westminster

Archibald McKinlay

B.C. Indian Reserve Commissioner, JIRC

Edward Mohun

Surveyor to the Indian Reserve Commission

Peter O'Reilly

Stipendiary Magistrate

B.W. Pearse¹

Agent for Public Works, Victoria

Dr. Israel Wood Powell

Indian Superintendent, B.C.

Gilbert M. Sproat

Joint Indian Reserve Commissioner, JIRC

Lawrence Vankoughnet

Deputy Superintendent General Indian Affairs, B.C.

Forbes George Vernon

Chief Commissioner of Lands & Works, B.C.

Items Located in the Indian Land Registry

None for this volume

Missing pages

None

¹ B.W. Pearse was the former Surveyor General for the Province of B.C. He prepared the 1871 Schedule of Reserves which appears in the Yellow Book, pp. 104-106.

ANNOTATED INDEX VOLUME 1

M.O.D. is an abbreviation for Minute of Decision

Reserve names are current (2004-05) spellings and current (2004-05) numbers. If the reserve no longer exists, the last name and number by which it was identified is used.

Band/Tribe names are as they appear within the volume. Cross-references to current (2004) names are provided in the footnotes.

PILQ refers to the *Papers Connected with the Indian Land Question, 1850-1875*. This book is also sometimes identified as the "Yellow Book."

DATE mm dd yyyy	RESERVE	BAND/TRIBE	AUTHOR/ SURVEYOR	TYPE DOC	PAGE
03 19 1878			Sproat	Letter ²	1
03 28 1878			Sproat	Letter [w/encl]	2
03 28 1878			Sproat	Letter ³	3
03 28 1878	Cowichan 1	Cowichan	Sproat	Letter [w/encl] ⁴	4
03 28 1878			Sproat	Telegram	5
03 29 1878			Sproat	Letter	6
03 31 1878			Blenkinsop	Finan. Statment ⁵	7-8
04 10 1878			Sproat	Letter [w/encl]	9
04 10 1878		Penelakut	Sproat	Letter	9-10
04 11 1878	Survey	General	Sproat	Letter	10
04 12 1878		General ⁶	Sproat	Letter	10-11
04 12 1878			Sproat	Memorandum	12-13
04 12 1878	Okanagan 1	Okanagan ⁷	Sproat	Memorandum	12-13

² Sproat advises Vernon that he has been "appointed by the Dominion Government to take the place of the Indian Superintendents for the work in relation to Indian lands, mentioned in Canadian order[sic] in Council 23rd Feby 1877 ..." Sproat requests to be informed of the procedure for approval of reserves. The "Superintendents" referred to by Sproat would appear to be his former colleagues McKinlay and Anderson, who were Indian Reserve Commissioners. With respect to the approval for the reserves, Sproat argues that it must be "given on the spot" at the time of his decision. Sproat had other opinions as to the procedure as well. It should be noted that Sproat's suggested process was not adopted.

³ Interestingly, Sproat inquires of Anderson whether he has received formal notice of the dissolution of the JIRC, noting that he (Sproat) has.

⁴ Sproat refers to "Mr. Marriner's case." This is in relation to a problem of settler encroachment on land the Indians believed was theirs. Sproat notes that he encloses 3 items: copy of letter dated April 27, 1877, from himself and McKinlay to I.W. Powell, Indian Superintendent, B.C.; copy of letter dated February 23, 1878, from Sproat to the AGBC; and, rough notes made by Sproat which were given to the AGBC on February 28, 1878, during a meeting. None of the items noted are reproduced in the letterbook.

⁵ Two pages itemizing expenditures by Sproat and Anderson and the Indian Reserve Commission for the period January to March 1878. Blenkinsop appears to have controlled the petty cash, and he signs the sheet for that. Sproat and Anderson sign off the other expenses. Based upon the handwriting, it appears that Blenkinsop prepared the entire financial statement. These are the statements enclosed in Sproat's letter of April 10, 1878 (p. 9).

⁶ Sproat states that "a deputation of six chiefs representing the Indian chiefs and the people between Yale and the mouth of the Fraser ..." came to see him at Victoria. He provides no more detail than this. There are currently 31 bands between Yale and the mouth of the Fraser. [See pp. 14-15, this volume where Sproat appears to make reference to this meeting.]

⁷ In his memorandum, one of the items noted by Sproat is the matter of the O'Keefe ranch.

DATE mm dd yyyy	RESERVE	BAND/TRIBE	AUTHOR/ SURVEYOR	TYPE DOC	PAGE
04 12 1878	Kamloops 2 ⁸	Kamloops	Sproat	Memorandum	12-13
04 12 1878		Upper Nicola	Sproat ⁹	Memorandum	13
04 12 1878	Temporary Res.	General	Sproat	Memorandum	13
04 12 1878			Sproat	Letter	14
04 15 1878	Survey	General	Sproat	Letter	14-15
04 22 1878	Survey	General	Mohun ¹⁰	Letter	15-16
04 17 1878			Sproat	Letter	17
04 18 1878			Sproat	Letter	17-18
04 11 1878	Survey	General	Sproat	Letter	18
04 18 1878			Sproat	Letter [w/encl] ¹¹	19-23
04 20 1878	Songhees 1	Songhees	Sproat	Letter ¹²	24-25
04 18 1878	Survey	General	Sproat	Memorandum	25-26
04 18 1878		Okanagan	Sproat	Memorandum	25-26
04 18 1878		Shuswap	Sproat	Memorandum	25-26
04 19 1878	Survey	General	Sproat	Memorandum ¹³	27
04 22 1878			Sproat	Letter	28
04 22 1878	Cowichan 1 ¹⁴	Cowichan	Sproat	Letter	29-30

⁸ Sproat identifies this as "an old fishing station" for which he wishes \$50 to induce the Kamloops Indians to give it up. The fishery is located at Bartlett Newman's pre-emption. Ultimately, two fisheries are allotted, Kamloops 2 and 3. It is difficult to determine and be certain, but later correspondence suggests that this fishing station is located where the Kamloops 2 reserve is currently. [See vl. 2, pp. 117-18; vl. 3, p. 164; Provincial Collection, Binder 3, Corres. Nos. 368/79, 369/79]

⁹ Sproat does not specifically identify an Indian group, however, it would appear that the area being discussed is around Douglas Lake and this area is used and occupied by the Upper Nicola Indians.

¹⁰ The date of this letter was altered from April 17 to April 22. In the original letterbook, Mohun or the copyist, pasted in the second page of the letter (i.e. p. 16). It was not possible to remove the letter and see what was underneath, but it can be seen that Mohun's name and title were crossed out on the original letterbook page.

¹¹ Letter enclosures cited by Sproat are not re-produced in the letterbook, however, Sproat's notes on "Mr. Smith's" letter of July 24, 1877 appear to be reproduced on pp. 20-23. The issue is unpaid accounts of the provincial government. Interestingly, Sproat quotes terms agreed upon for the payment of the Indian Reserve Commissioner during the term of the Joint Indian Reserve Commission. Further, he states that he has "no residence in Victoria but live in England, Victoria is the same to me as Nanaimo or Kamloops." (p. 21)

¹² This letter appears to refer to Songhees 1, although the reserve is not specifically identified. All other Songhees reserves are islands. This reserve was surrendered and sold in 1911. On BC 224 a large area is shown in pink, this could represent an area encompassing lands granted under the Douglas Treaty. [See p. 26 this volume; 1943 Schedule, p. 23, BC 224]

¹³ These are the same general instructions as to conduct Sproat provided Jemmett. [See p. 25-26, this volume]

¹⁴ There is a description of a fishery, this fishery is encompassed within Cowichan 1.

DATE mm dd yyyy	RESERVE	BAND/TRIBE	AUTHOR/ SURVEYOR	TYPE DOC	PAGE
04 22 1878			Sproat	Letter ¹⁵	30-32
04 22 1878	Survey	General	Sproat	Letter	31
04 24 1878			Sproat	Letter	33
04 24 1878	Survey	General	Sproat	Letter ¹⁶	34
04 24 1878	Survey	General	Sproat	Letter	34-35
04 24 1878	Survey	General	Sproat	Letter	35
04 25 1878			Sproat	Letter	36
04 25 1878			Sproat ¹⁷	Letter	36
04 24 1878	Survey	General	Sproat ¹⁸	Letter	37-39
04 26 1878		Cowichan	Sproat	Letter	40-41
04 27 1878		Shuswap	Sproat	Letter	42
04 27 1878		Okanagan	Sproat	Letter	42
04 27 1878	Survey	General	Sproat	Letter	42
04 27 1878		Sechelt ¹⁹	Sproat	Letter	42-43
04 29 1878	Survey	General	Sproat	Letter ²⁰	43-47
04 29 1878	Survey	General	Sproat	Letter	48-49
04 29 1878		Neskainlith	Sproat	Letter	48-49
04 28 1878			Sproat ²¹	Telegram [copy]	49
04 29 1878			Sproat ²²	Letter	50-53
04 29 1878	Survey	Kamloops	Sproat	Letter	54

¹⁵ It should be noted that notations were made on this letter in the original book. It is noted that the letter deals with water, also there is a marginal notation which states "no reply, see 188." This would appear to be a [i.e. 19th century] contemporary notation. The handwriting looks similar to that of surveyor, although which one is not clear. "188" refers to p. 188 of this volume, where reference is made to this letter in another letter from Sproat dated July 28, 1878. Other notations include underlining words and noting certain paragraphs on pp. 31 and 32. This letter deals with the powers of the IRC with respect to allotting water. [See p. 40, this volume, transmittal letter]

¹⁶ Mohun is advised that he will "independently have charge of these surveys ... sending plans &c [etc.] through me, to the Departments at Ottawa and in this Province." Reference is made to a letter from "Mr. Meredith" dated April 11, 1878. This letter is also mentioned in the letter to Powell found on p. 35. The letter is not reproduced in the letterbook. [See p. 43, this volume]

¹⁷ See note from Blenkinsop, p. 73, this volume.

¹⁸ Sproat outlines generally the planned itinerary of the surveyors for the coming season. [See p. 415 [1], this volume]

¹⁹ Sproat describes these Indians as the Indians of Jervis Inlet.

²⁰ Interestingly, this letter commences in one handwriting and ends in another.

²¹ See p. 128, this volume.

²² Sproat elaborates upon the provincial position with respect to the finality of his allotments and how they wish to limit him to the Yale District. Sproat notes that the Yale District is "nearly the whole southern interior of the mainland," however, when he goes to other districts he must have similar power (p. 52). In Sproat's opinion, "[t]he whole question is largely one of procedure and detail, and in this case, it comes down to a Commissioner sitting on a box with a hundred or more of eager, suspicious, acute Indians before him." (p. 52)

DATE mm dd yyyy	RESERVE	BAND/TRIBE	AUTHOR/ SURVEYOR	TYPE DOC	PAGE
04 29 1878	Kamloops 2 ²³	Kamloops	Sproat	Letter	54
04 29 1878	Survey	General	Sproat ²⁴	Letter [w/encl]	54
04 29 1878	Survey	General	Sproat	Letter	55
04 29 1878			Sproat	Letter	55
04 30 1878			Blenkinsop ²⁵	Letter	55-56,57
04 30 1878			Sproat	Letter	56
04 30 1878			Blenkinsop	Letter	57
04 30 1878			Blenkinsop	Letter	58
05 04 1878	Goldstream 13	Tsawout et al/ Saanich	Sproat	Letter [w/encl]	58-60
05 04 1878	Goldstream 13 ²⁶	Tsawout et al/ Saanich	Sproat	Letter	59-60
05 01 1878			Sproat	Letter	60
05 02 1878		Osoyoos	Sproat ²⁷	Letter [cancelled]	60-61
05 04 1878	Survey	General	Sproat	Letter [w/encl]	62-63,74
05 04 1878	Fishery	Esquimalt	Sproat ²⁸	Letter	64
05 04 1878		Esquimalt	Sproat	Letter [w/encl]	65-66
05 02 1878			Sproat	Letter [w/encl]	67
05 06 1878		Similkameen/ Keremeos	Sproat ²⁹	Letter	68
05 06 1878	Okanagan 1	Okanagan	Sproat	Letter [w/encl]	68-72
05 04 1878	Okanagan 1 ³⁰	Okanagan	Sproat	Letter	70-72

²³ This letter deals with more issues related to Bartlett Newman's pre-emption. Reference is made to promises made by the JIRC. [See vl. 2, pp. 117-123; vl. 3, pp. 164-66]

²⁴ Sproat encloses for Powell a letter to the Supt. General, written, Sproat states, at Mohun's request, on the subject of money required for surveys. The letter follows on p. 55.

²⁵ The lists referred to in the letter are found on p. 57.

²⁶ This reserve was a fishery and is currently held in common by the Tsawout, Tseycum, Tsartlip, Malahat and Pauquachin Indians. In this letter to the CCLW, Sproat opposes a pre-emption. He also makes mention of the work of the JIRC at Saanich in March 1877. [See p. 62, this volume; vl. 3, pp. 114-118]

²⁷ Sproat anticipates proceeding with work at Osoyoos, where, he notes, he will be "nearly 200 miles from a Telegraphic office and 70 or 80 miles from a Post office." (p. 60) He also identifies the team which accompanies him in the field: a cook, an interpreter, Mr. Blenkinsop [secretary] and Mr. Mohun [surveyor].

²⁸ Sproat notes the "agreements" between the Hudson's Bay Co., acting on behalf of the Crown [i.e. Douglas Treaties], with the Beecher Bay, Sooke, "Victoria" [i.e. Songhees], Saanich, Nanaimo and Fort Rupert Indians with respect to their fishing rights. [See pp. 72-73, this volume]

²⁹ There is a marginal notation initialled by Sproat which indicates that this letter was "Answered in Conversation."

³⁰ This letter concerns the issue of the O'Keefe land at the head of Okanagan Lake. Interestingly, Sproat states that, "the Indian Chief acts both at Okanagan and at Nicola..." No name is given.

DATE mm dd yyyy	RESERVE	BAND/TRIBE	AUTHOR/ SURVEYOR	TYPE DOC	PAGE
05 06 1878		Cowichan	Sproat ³¹	Letter [w/encl]	72-73
05 06 1878		Chemainus	Sproat	Letter	72-73
05 06 1878	Fishery	General	Sproat	Letter	72-73
05 09 1878			Sproat	Letter [cancelled]	74
05 06 1878			Sproat ³²	Letter	75-79
05 06 1878		Williams Lake	Sproat	Letter [w/encl]	80-81
05 06 1878		General ³³	Sproat	Letter	81-83
05 07 1878		Cowichan	Sproat	Letter	84-85
05 06 1878		Similkameen/ Keremeos	Sproat	Letter	86
05 06 1878		Williams Lake	Sproat	Letter [w/encl] ³⁴	87-88
05 07 1878		Cowichan	Sproat	Letter [w/encl] ³⁵	88
05 08 1878		Neskainlith	JIRC	Letter	89
05 08 1878		Adams Lake	JIRC	Letter	89
05 07 1878		Okanagan	JIRC	Letter	90
05 10 1878			Sproat	Memorandum ³⁶	90
05 08 1878		North Thompson, Kamloops, et al	JIRC ³⁷	Letter & M.O.D. [copy]	89,91-107
07 00 1877			JIRC	Authority	93
07 05 1877	Commonage	North Thompson & Canoe Lake	JIRC	M.O.D. [copy]	93

³¹ Sproat touches upon issues related to the Douglas Treaties. Sproat states he encloses a letter he wrote to Powell on May 4, 1878. This may be the letter found at p. 64, this volume.

³² Sproat reviews the work required of himself as IRC. He also reviews the past timetable of work of the JIRC, comparing work in the field and work at Victoria: 303 days in Victoria; 329 days in the field. [See p. 77, this volume]

³³ Sproat deals with the issue of the land question, i.e. the allotment of reserves. Sproat mentions issues as Okanagan (O'Keefe) and that "the Nicola Chief is the acting Chief at Okanagan." (p. 82) He also refers to a meeting at Okanagan Lake with an Indian Chief from Idaho and references to Douglas at Douglas Lake.

³⁴ Sproat states that he is enclosing his letter to the Provincial Secretary of "this date." Sproat wrote two letters on this date to the Provincial Secretary. Both letters make reference to matters in the Williams Lake area. Father McGuckin's letter is not found in this volume. [See pp. 81-83, 86, this volume]

³⁵ The letter enclosed is found at pp. 84-85, this volume.

³⁶ This is a reference to a letter from Sproat to the SGIA, enclosing letter received from missionary John Booth Good.

³⁷ The letterbook contains copies of the various covering letters which enclosed the JIRC Minutes of decision. This includes the letter to the CCLW, which is stated to have enclosed the Minutes of Decision of the JIRC for the reserves set aside by the JIRC "in a portion of the district of Yale, & at Victoria, and Esquimalt." It is noted that the sketches are unfinished "owing to open questions." A letter transmitting the M.O.D.'s to the B.C. Indian Superintendent, I.W. Powell was sent on the same day, May 8 (p. 91). A comparable letter was sent to the SGIA in Ottawa on May 9 (p. 92). The JIRC also provided James Lenihan, the Indian Superintendent of the Fraser District, with Minutes of Decision for his agency (p. 91) and, interestingly, Edward Mohun, Surveyor for the JIRC was also provided with a copy (p. 92). The letterbook copy of the Minutes of Decision follows the various transmittal letters. The original of the Minutes of Decision referred to can be found in volume 3 of the federal collection and binder 2 of the provincial collection. For detailed footnotes on the JIRC allotments, see volume 3. [See pp. 91-107, 397[19] this volume; vl. 2, pp. 116-23; vl. 3, pp. 150-262; vl. 3, "Third Copy" #3, ILR No. 1023-1; Provincial Collection, Binder 2, Corr. Nos. 1084/78, 1081/78]

DATE mm dd yyyy	RESERVE	BAND/TRIBE	AUTHOR/ SURVEYOR	TYPE DOC	PAGE
07 05 1877	North Thompson 1	North Thompson & Canoe Lake ³⁸	JIRC	M.O.D. [copy]	93
07 05 1877	Nekalliston 2	North Thompson & Canoe Lake	JIRC	M.O.D. [copy]	93-94
07 05 1877	Barriere River 3	North Thompson, Canoe Lake & Kamloops ³⁹	JIRC	M.O.D. [copy]	93-94
07 05 1877	Louis Creek 4	North Thompson, Canoe Lake & Kamloops	JIRC	M.O.D. [copy]	94
07 05 1877	Canoe Lake ⁴⁰	North Thompson & Canoe Lake	JIRC	M.O.D. [copy]	94
07 29 1877	Kamloops 1	Kamloops	JIRC	M.O.D. [copy] ⁴¹	94
07 29 1877	Kamloops 2 ⁴²	Kamloops	JIRC	M.O.D. [copy]	94
07 29 1877	Kamloops 3	Kamloops	JIRC	M.O.D. [copy]	94
07 29 1877	Kamloops 4 ⁴³	Kamloops	JIRC	M.O.D. [copy]	94
07 29 1877	Kamloops 5 ⁴⁴	Kamloops	JIRC	M.O.D. [copy]	94
07 28 1877	Skeetchestn ⁴⁵	Deadman's Creek	JIRC	M.O.D. [copy]	95
08 13 1877	Neskonlith 1	Neskainlith ⁴⁶	JIRC	M.O.D. [copy]	95-96
08 13 1877	Neskonlith 2	Neskainlith	JIRC	M.O.D. [copy]	96

³⁸ Although "Canoe Lake" is specifically identified by the JIRC, it is not known where it would appear that the "Canoe Lake" Indians are part of the North Thompson group which lived at Canoe Lake. The North Thompson Indians are currently known as Simpcw First Nation. [See vl. 3, pp. 150-262, "Third Copy" #3, ILR #1023-1; 1943 Schedule, p. 30; NRCan Schedule (2005), pp. 65, 82, 92; CLSRBC 136]

³⁹ This reserve and Louis Creek 4 are allotted by the JIRC for the North Thompson, Canoe Lake and Kamloops Indians. These two reserves are currently held exclusively by the North Thompson Indians. [See vl. 3, pp. 158-60; 1943 Schedule, 31; NRCan Schedule (2005), p. 65]

⁴⁰ The JIRC allot a reserve at the "old Indian settlement at Canoe Lake", but acknowledge they had not been able to visit the area and that the "exact boundaries must be hereafter defined." The exact location of this settlement is not known. [See vl. 3, pp. 5, 160]

⁴¹ The JIRC exclude an area on St. Paul's Creek known as "Schiedam Ranch". [See vl. 3, pp. 162-165; Provincial Collection, Binder 3, Corres. Nos. 368/79, 369/79]

⁴² See pp. 54, 136, 158-61, this volume; 1943 Schedule, p. 29; CLSRBC 235; Provincial Collection, Binder 3, Corres. Nos. 368/79, 369/79.

⁴³ See vl. 3, p. 164; 1943 Schedule, p. 30; NRCan Schedule (2005), p. 49.

⁴⁴ See vl. 3, pp. 164-66; 1943 Schedule, p. 30; NRCan Schedule (2005), p. 49; CLSRBC 235; Provincial Collection, Binder 3, Corres. Nos. 368/79, 369/79.

⁴⁵ These Indians and the reserve are currently identified as Skeetchestn; both were formerly known as Deadman's Creek. [See vl. 3, pp. 168-72; 1943 Schedule, p. 28; NRCan Schedule (2005), pp. 65, 83]

⁴⁶ This group is identified by the JIRC as "South Thompson or Niskahnilth Indians". Neskonlith has also been spelled, Neskainlith. The current spelling is Neskonlith for both the reserves and the Indian group. [See vl. 3, pp. 174-78; 1943 Schedule, p. 30; NRCan Schedule (2005), pp. 60, 92; Yellow Book, p. 105, item Q (1); 1875 Dominion Reserve Schedule, p. 103, item 73]

DATE mm dd yyyy	RESERVE	BAND/TRIBE	AUTHOR/ SURVEYOR	TYPE DOC	PAGE
08 13 1877	Switsemaliph 3 ⁴⁷	Neskainlith Little Shuswap Lake Adams Lake	JIRC	M.O.D. [copy]	96
08 13 1877	Hustalen 1 ⁴⁸	Adams Lake	JIRC	M.O.D. [copy]	96-97
08 13 1877	Squeam 2 ⁴⁹	Adams Lake	JIRC	M.O.D. [copy]	97
08 13 1877	Toops 3	Adams Lake	JIRC	M.O.D. [copy]	97
08 13 1877	Sahhaltkum 4 ⁵⁰	Adams Lake	JIRC	M.O.D. [copy]	97
08 13 1877	Stequmwhulpa 5 ⁵¹	Adams Lake	JIRC	M.O.D. [copy]	97
08 13 1877	Switsemaliph 6	Adams Lake	JIRC	M.O.D. [copy]	97
08 13 1877	Switsemaliph 7 ⁵²	Adams Lake	JIRC	M.O.D. [copy]	97
08 14 1877	Quaaout 1 ⁵³	Little Shuswap Lake	JIRC	M.O.D. [copy]	98
08 14 1877	Chum Creek 2 ⁵⁴	Little Shuswap Lake	JIRC	M.O.D. [copy]	98
08 14 1877	Meadow Creek 3	Little Shuswap Lake	JIRC	M.O.D. [copy]	98
08 14 1877	Scotch Creek 4	Little Shuswap Lake	JIRC	M.O.D. [copy]	98
08 16 1877	Switsemaliph 3 ⁵⁵	Neskainlith Little Shuswap Lake Adams Lake	JIRC	M.O.D. [copy]	98,99
08 16 1877	Switsemaliph 6	Adams Lake	JIRC	M.O.D. [copy]	99
08 16 1877	Switsemaliph 7 ⁵⁶	Adams Lake	JIRC	M.O.D. [copy]	99
08 16 1877	North Bay 5 ⁵⁷	Little Shuswap Lake	JIRC	M.O.D. [copy]	99

⁴⁷ Reference is made to this reserve after the Minutes of decision for Niskonlith 1 and Niskonlith 2. [See p. 99, this volume; vl. 3, pp. 180, 198-200, 202-04]

⁴⁸ See vl. 3, pp. 184-86; 1943 Schedule, p. 26; NRCan Schedule (2005), p. 39; PILQ, p. 105; CLSRBC 221; CLSRBC 7025.

⁴⁹ See vl. 3, p. 186; 1943 Schedule, p. 26.

⁵⁰ This original allotment excluded 320 acres owned by a settler named Walker. [See vl. 3, pp. 186-88; vl. 16/1, p. 7; 1943 Schedule, p. 26]

⁵¹ This reserve was also known as Adams Lake 5. It is described by the JIRC as "a strip of timber land". [See vl. 3, pp. 188-90; vl. 16/1, p. 9; 1943 Schedule, p. 26; NRCan Schedule (2005), p. 39; CLSRBC 3]

⁵² This reserve and Switsemaliph 6 comprise the remainder of the reserve allotted in common by the JIRC to the Neskainlith, Adams Lake and Little Shuswap Lake Indians.

⁵³ See pp. 190, 198-200, 202-204, this volume; vl. 3, pp. 194-96; CLSRBC 221; CLSRBC 7025; CLSRTBC 192; CLSRTBC 7; PILQ, p. 105, Item Q(2); 1875 Dominion Schedule, p. 103.

⁵⁴ The JIRC identify a "Jim's Creek", this is currently known as Chum Creek.

⁵⁵ See vl. 3, pp. 202-04; vl. 16/1, pp. 11-12; CLSR 7025; NTS sheet 82L/11; 1943 Schedule, pp. 26, 27, 30.

⁵⁶ See vl. 3, pp. 190, 202-04.

⁵⁷ The 1943 Schedule erroneously cites the date of allotment as August 14, 1877 when it should be August 16, 1877. The description of this would seem to be oriented incorrectly. Marginal notations in volume 3 indicate this error. [See vl. 3, pp. 204-06; vl. 16/1, p. 11; 1943 Schedule, p. 32; CLSRTBC 7]

DATE mm dd yyyy	RESERVE	BAND/TRIBE	AUTHOR/ SURVEYOR	TYPE DOC	PAGE
09 03 1877	Salmon River 1	Spallumcheen ⁵⁸	JIRC	M.O.D. [copy]	100
09 03 1877	Enderby 2 ⁵⁹	Spallumcheen	JIRC	M.O.D. [copy]	100
09 03 1877	Graveyard ⁶⁰	Spallumcheen	JIRC	M.O.D. [copy]	100
09 03 1877	Eagle Pass ⁶¹	Spallumcheen	JIRC	M.O.D. [copy]	100
10 15 1877	Okanagan 1	Okanagan ⁶²	JIRC	M.O.D. [copy]	100-01
10 15 1877	Otter Lake 2 ⁶³	Okanagan	JIRC	M.O.D. [copy]	101
10 15 1877	Harris 3 ⁶⁴	Okanagan	JIRC	M.O.D. [copy]	101
10 15 1877	Swan Lake 4 ⁶⁵	Okanagan	JIRC	M.O.D. [copy]	101
10 15 1877	Long Lake 5 ⁶⁶	Okanagan	JIRC	M.O.D. [copy]	101
10 15 1877	Priest's Valley 6 ⁶⁷	Okanagan	JIRC	M.O.D. [copy]	101
10 15 1877	Duck Lake 7 ⁶⁸	Okanagan	JIRC	M.O.D. [copy]	101

⁵⁸ Identified by the JIRC as "Spellumcheen". The township and section numbers cited in the Minute of decision are old numbers. The 1943 Schedule cites the current township numbers. [See vl. 3, p. 208; vl. 16/1, p. 13; 1943 Schedule, p. 115, NRCan Schedule (2005) pp. 66-67, 97; CLSRBC 7041]

⁵⁹ This allotment excluded the land of two settlers. The description begins with "T. 35 ..." and includes the next paragraph commencing "T 38 ..." The cardinal points in the description are incorrect. [See vl. 3, pp. 208-10; NTS sheet 82L/11; CLSRBC 216]

⁶⁰ This graveyard was a reserve, but this reserve was, apparently, cancelled. The 1943 Schedule incorrectly cites the date of allotment as 11 August 1893 and it incorrectly cites the date of survey as 1901. The original survey was by Mohun in 1881. [See vl. 3, p. 210; 1943 Schedule, p. 115; CLSRBC 216]

⁶¹ This reserve was not allowed by the provincial government as the provincial government had sold the land to a settler named Byrnes. An alternate reserve, named Sicamous 3, was allotted to the Spallumcheen Indians in 1893 by Peter O'Reilly. There is a marginal notation in volume 3, in pencil in the original, which notes that this reserve was cancelled. The 1943 Schedule incorrectly states that the current Sicamous 3 was allotted by the JIRC in 1893. [See vl. 3, p. 210; vl. 14, pp. 202-05, 189-89a, 303a-304, 307a, 311, 314; vl. 15, pp. 28-30, 33, 44; 1943 Schedule, p. 115; CLSRBC 216; CLSRBC 221; CLSRBC 7025]

⁶² The JIRC identify the Indians as "Indians head of Okanagan Lake". [See vl. 3, p. 216; 1943 Schedule, p. 108; CLSRBC 7041]

⁶³ Otter Lake was originally known as Spellumcheen Lake. This description begins "T7, all that portion ..." [See CLSRBC 7041]

⁶⁴ The description for this reserve is found at the end of the paragraph commencing "T7 ..." it consists of the statement "... also the south west quarter of S13."

⁶⁵ The description for this reserve begins "T8, a small piece of land ..." This reserve was cut-off by McKenna-McBride November 18, 1913; the cut-off was settled in October 1983. [See 1943 Schedule, p. 108; NRCan Schedule (2005), p. 61; CLSRBC 7041]

⁶⁶ The description for this reserve begins "T9, a portion of S22 on the shore ..." Long Lake is currently known as Kalamalka Lake. This reserve was cut-off by McKenna-McBride. [See vl. 3, p. 218; 1943 Schedule, p. 108; NRCan Schedule (2005), p. 61]

⁶⁷ The description for this reserve begins "T9, a portion of S30 ..."

⁶⁸ The description for this reserve is found in the paragraphs commencing "T20 ..." and "T23 ..."

DATE mm dd yyyy	RESERVE	BAND/TRIBE	AUTHOR/ SURVEYOR	TYPE DOC	PAGE
10 15 1877	Mission Creek 8 ⁶⁹	Westbank/ Okanagan	JIRC	M.O.D. [copy]	101
10 15 1877	Okanagan Commonage	Okanagan ⁷⁰	JIRC	M.O.D. [copy]	101-02
10 15 1877	Okanagan 1 ⁷¹	Okanagan	JIRC	Note [copy]	103
11 24 1877	Penticton 1 ⁷²	Penticton	JIRC	M.O.D. [copy]	103
11 24 1877	Nicola Prairie 3 ⁷³	Penticton	JIRC	M.O.D. [copy]	103
11 24 1877	Penticton 2 ⁷⁴	Penticton	JIRC	M.O.D. [copy]	104
11 16 1877	Osoyoos 1 ⁷⁵	Osoyoos	JIRC	M.O.D. [copy]	105,105a-c
11 16 1877	Dog Lake 2 ⁷⁶	Osoyoos	JIRC	M.O.D. [copy]	105
05 04 1878	Songhees 1 ⁷⁷	Songhees	JIRC	M.O.D. [copy]	105-06
05 04 1878	Halkett Island 2 ⁷⁸	Songhees	JIRC	M.O.D. [copy]	106
05 04 1878	Discovery Island 3	Songhees	JIRC	M.O.D. [copy]	106
05 04 1878	Chatham Island 4	Songhees	JIRC	M.O.D. [copy]	106
05 04 1878	Esquimalt 1	Esquimalt	JIRC ⁷⁹	M.O.D. [copy]	106

⁶⁹ The description for this reserve commences "T26, ..." This reserve was also known as Tsinstikeptum 8. [See vl. 3, pp. 220-22; 1943 Schedule, p. 108; NRCan Schedule (2005), p. 74]

⁷⁰ This commonage was not confirmed as a reserve. [See vl. 3, pp. 222-28; NRCan Schedule (2005), p. 61]

⁷¹ In a note, the Commissioners address the issue of the O'Keefe pre-emption, which ultimately became part of Okanagan 1.

⁷² The original of this Minute of decision has not been located. In addition to this copy, there is a copy in "Third Copy" No. 3 at the end of volume 3. The heading for this section is: "Okanagan Lake, Okanagan River and Dog Lake, Penticton Indians." This reserve was cut-off by McKenna-McBride November 21, 1913. This cut-off was settled in March, 1982. [See "Third Copy" No. 3, pp. 46-47; vl. 16/1, p. 22; vl. 13, pp. 21-36; vl. 14, p. 131; 1943 Schedule, p. 110]

⁷³ See vl. 3, p. 238; 1943 Schedule, p. 111; NRCan Schedule (2005), p. 62.

⁷⁴ This reserve was ultimately reduced by O'Reilly in 1893 as a result of claims to the land by a settler named Ellis, cut-off by McKenna-McBride in 1913 and re-instated in 1982. [See vl. 3, pp. 238-40; vl. 13, pp. 21-35; vl. 14, p. 131; vl. 16/3, p. 135; 1943 Schedule p. 111; NRCan Schedule (2005), p. 62]

⁷⁵ The date "16th and 21st November 1877" is given as the date of decision. This page contains the error in township identification; rather than reading 50 and 51, it reads 5 and 6. Unlike the original, the Roman numerals L and LI have not been added. In the Letterbook the numbers 50 and 51 have been placed in as corrections and three pages entitled "Erratum," signed by Anderson and McKinlay, have been inserted. This original allotment differs from the current shape of the reserve. [See vl. 2, pp. 152-161, esp. pp. 154, 160; vl. 3, pp. 21, 248, 250-52; 1943 Schedule, p. 109; NRCan Schedule (2005), p. 62; CLSRBC 232; Provincial Collection, Binder 8, Corr. No. 2998/84]

⁷⁶ See pp. 21-23, this volume; vl. 3, pp. 248-50; 1943 Schedule, p. 110; NRCan Schedule (2005), p. 62.

⁷⁷ This section is entitled "Victoria Superintendency, Victoria District, Songish Indians." It is worth noting that many places which now form part of the city of Victoria were included within the boundaries of the original Songhees 1 allotment, including Point Ellice, where Peter O'Reilly had his home. This reserve was ultimately exchanged for New Songhees 1. [See vl. 3, p. 254; PILQ, pp. 5-11; CLSRBC 224]

⁷⁸ See vl. 3, p. 256; 1943 Schedule, p. 23; NRCan Schedule (2005), p. 66; 1913 Schedule of Reserves, p. 63.

⁷⁹ This reserve was originally surveyed in 1866. [See vl. 3, pp. 258-62; 1913 Schedule of Reserves, p. 61; 1943 Schedule, p. 20; NRCan Schedule (2005), p. 45]

DATE mm dd yyyy	RESERVE	BAND/TRIBE	AUTHOR/ SURVEYOR	TYPE DOC	PAGE
05 13 1878		Williams Lake	Sproat	Letter [w/encl] ⁸⁰	107
05 13 1878		Soda Creek	Sproat	Letter [w/encl]	107
05 13 1878			Sproat	Letter [Private]	108
05 13 1878		Williams Lake	Sproat	Letter	109
05 13 1878		Soda Creek	Sproat	Letter	109
05 13 1878			Sproat	Letter [w/encl] ⁸¹	110
05 13 1878			Sproat ⁸²	Letter	111
05 18 1878			Sproat	Letter [w/encl] ⁸³	112-113
05 18 1878	Cheam 1	Cheam	Sproat	Letter	113
05 18 1878	Temporary Res. ⁸⁴	Unknown	Sproat	Letter	113
05 18 1878	Temporary Res. ⁸⁵	Yale	Sproat	Letter	113
05 18 1878	Temporary Res. ⁸⁶	Yale	Sproat	Letter	113
05 20 1878		Spuzzum	Sproat ⁸⁷	Letter	114-16
05 19 1878	Douglas Lake Commonage	Upper Nicola	Sproat ⁸⁸	Letter	117-18
05 21 1878			Sproat	Letter	119-20

⁸⁰ Sproat encloses a letter from Rev. McGuckin regarding the "disaffection" of the Indians at Soda Creek and Williams Lake. McGuckin's letter is not included in the letterbook. [See pp. 87-88, this volume]

⁸¹ Sproat encloses correspondence between himself and Father McGuckin. Sproat's correspondence is noted above. McGuckin's is not included in the letterbook.

⁸² Sproat notes that the Provincial Government have not published the Report of the work of the Commissioners for the "last year and the public being ignorant of the Indian Land question, get their information from silly newspaper comments." Sproat advises the SGIA that he intends to publish an extract of the JIRC's work, although he does not specify where or in which "silly newspaper."

⁸³ The enclosed letter follows. As does the "list" referred to in the enclosed letter. Sproat identifies areas which he believes should be withheld from pre-emption.

⁸⁴ Sproat's description is very problematic. He states the land he wishes set aside is on the "left bank" of the Fraser. It is not possible to ascertain where "Mariaville Island" is located. Sproat refers to Scowlitz, but Scowlitz is on the right bank. There are reserves attributed to numerous Indian bands on both sides of the river between Hope and Scowlitz.

⁸⁵ Sproat identifies the area as being from "Gordon's Ranch (1 1/2 miles below Yale) to American Bar with a width of two miles back from the river" on the right bank of the Fraser. This is a very large area. Within this area there are currently numerous reserves all attributed to the Yale Indians. [See NTS sheets 92H/11, 92H/6]

⁸⁶ Sproat's description puts this temporary reserve on both sides of the Fraser River. This area, as described, was not confirmed as a reserve, however, there are numerous reserves attributed to the Yale Indians in the area identified.

⁸⁷ Interestingly, Sproat states that the Indians are kept advised of his movements through Mr. Lenihan, the Superintendent of the Fraser River Superintendency (p. 114). In addition to noting that he has met with the Spuzzum, "Lower Fraser" and "Upper Fraser" Indians, Sproat indicates that he has met, or intends to meet, with the Yale, Hope and Cheam Indians (p. 115).

⁸⁸ No specific reserve is identified. Although it seems most likely that it is the Douglas Lake Commonage being discussed. Sproat remarks at the end of the letter that he is "in agony from neuralgia."

DATE mm dd yyyy	RESERVE	BAND/TRIBE	AUTHOR/ SURVEYOR	TYPE DOC	PAGE
05 21 1878			Sproat ⁸⁹	Letter	119-20
05 21 1878			Sproat	Letter	120-21
05 22 1878	Spuzzum 1 ⁹⁰	Spuzzum	Sproat	Letter	121-23
05 25 1878	Fishery	Boston Bar ⁹¹	Sproat	Letter	123-25
05 25 1878	Fishery	General	Sproat ⁹²	Letter	123-25
05 25 1878	Austin's Flat 3	Boston Bar	Sproat	Letter	123-25
05 25 1878	Skuet 6 ⁹³	Spuzzum	Sproat	Letter [w/encl]	125-27
05 27 1878			Sproat	Letter	129
05 27 1878			Sproat	Letter	129-30
05 27 1878			Sproat	Letter [cancelled]	130
05 30 1878		Spuzzum	Sproat ⁹⁴	Letter	131-34
05 30 1878		Boston Bar	Sproat	Letter	131-34
05 30 1878		Kamloops	Sproat	Letter	131-34
05 30 1878		Okanagan	Sproat	Letter	131-34
05 30 1878	Survey	Kamloops	Sproat	Letter	134
05 30 1878	Survey	General	Sproat	Letter	135-36
05 30 1878	Survey	Okanagan	Sproat	Letter	135-36
05 30 1878	Kamloops 2	Kamloops ⁹⁵	Sproat	Letter	135-36

⁸⁹ Sproat requests that the land at the "northern boundary at Sam Postman on Posman's claim" be kept open (p. 120). Unfortunately, it is not possible to locate this land based upon Sproat's description. It would appear to be on the Fraser somewhere between Georgia Strait and Mission.

⁹⁰ Sproat discusses Mr. Biesta's pre-emption. This pre-emption is ultimately cancelled and the land is encompassed within Spuzzum 1. [See pp. 145-47, this volume; vl. 4/1, p. 2-6, especially p. 4; vl. 10, p. 95]

⁹¹ See vl. 4/2, pp. 17-18.

⁹² Sproat states that he does not intend to mark off Indian fishing places along the Fraser, "except at a few frequented spots..." (p. 124). He also states that he will not define the boundaries of the fishery at 19 Mile Post, the location of the receiver of the letter, a settler whose name appears to be Mr. John Marcello.

⁹³ This letter deals with the land of the Indian woman named "Cow-ki-noe." The location of the land is oriented to the location of the old Alexandria Bridge. The current Alexandria Bridge is not where the old Alexandria Bridge was located. This, combined with description makes the land difficult to locate, however, the issue of this land is dealt with not only by Sproat, but also by O'Reilly. Ultimately, O'Reilly states that the land is included within Skuet 6, which he misleadingly identifies as the "No. 2" reserve in his field minute and Minute of decision, and it is confirmed as a reserve on April 26, 1884. [See pp. 121-23, this volume; vl. 4/2, pp. 15-16; vl. 10, pp. 91-97, esp. pp. 92-93, 95-96; CLSRBC 150]

⁹⁴ Sproat states that since leaving Yale he has "dealt with the land questions of between 500 and 600 Indians who have saved much trouble by stating their wishes, and then leaving the adjustment fully in my hands." (p. 131) Sproat also states that whitemen first came to B.C. in 1858 and that it was 12 years, that is 1870, before any Indian reserves were set aside. Further, it is presumed that the "Chief Joseph" referred to (p. 132) is the same individual identified in earlier correspondence.

⁹⁵ At the end of this letter, Sproat makes reference to "the matter of B. Newman's fishery." (p. 136) It appears that an attempt to negotiate with the Indians to settle for \$50.00 in lieu of a fishery would require the written authorization of the CCLW. Sproat remarks, "I shall much regret to see a fishery there, but I have given the Prov: Gov: [sic] every chance of protecting Mr. Newman ..." [See p. 94, 158-61 this volume; NTS Sheet 92I/8]

DATE mm dd yyyy	RESERVE	BAND/TRIBE	AUTHOR/ SURVEYOR	TYPE DOC	PAGE
05 30 1878		Okanagan	Sproat	Letter	136-37
05 31 1878	Neskonlith 1	Neskainlith	Sproat	Letter	138-39
05 31 1878		Kamloops	Sproat	Letter	138-39
05 31 1878	Survey	General	Sproat	Letter	138-39
05 27 1878		Boston Bar	Sproat	Memorandum ⁹⁶	139
06 02 1878			Sproat	Letter	140
06 03 1878	Kopchitchin 2 ⁹⁷	Boston Bar	Sproat	Letter [w/encl]	140-41
06 03 1878			Sproat	Letter	142
06 03 1878		Lytton	Sproat	Letter	142-44
06 03 1878	Survey	General	Sproat	Letter	142-44
06 01 1878		Boston Bar	Sproat	Letter	144
06 01 1878		Spuzzum	Sproat	Letter	144
06 02 1878			Sproat	Letter	145
06 04 1878	Spuzzum 1	Spuzzum	Sproat	Letter [w/encl]	145-46
06 04 1878	Spuzzum 1 ⁹⁸	Spuzzum	Sproat	Letter [w/encl]	146-47
06 05 1878			Sproat	Letter	148
06 05 1878			Sproat	Letter	148
06 05 1878		Boston Bar	Sproat	Letter	148-49
06 05 1878		Boston Bar	Sproat	Sketch ⁹⁹	149
06 05 1878	Swan Lake 4	Okanagan	Sproat	Letter [w/encl]	149
06 04 1878			Sproat	Letter	149-50
06 05 1878			Sproat	Letter	150
06 07 1878		Spallumcheen ¹⁰⁰	Sproat	Letter [Private w/encl]	150-51

⁹⁶ See "cancelled" letter p. 130.

⁹⁷ Enclosure not copied into letterbook. Sproat addresses this letter to O'Reilly. Sproat states that it is his belief that O'Reilly allotted the Kopchitchin ("Chopah-shits-in") reserve in 1870 and Sproat requires some clarification regarding Chinese miners in the area. This reserve is identified in the 1871 list prepared by B.C. [See p. 185, this volume; PILQ, p. 105, item M(8)]

⁹⁸ Sproat requests that Mr. Biesta's pre-emption be cancelled as the land he has pre-empted was an Indian settlement. This land, identified here as "Shwimp" is within Spuzzum 1. [See CLSRBC 150]

⁹⁹ The sketch included by Sproat is confusing. Although he orients the land next to Scuzzy River, the shape of the land is much further upstream. While the area is within land used by the Boston Bar Indians, it is difficult to determine if Sproat is referring to the area at Scaucy 5 or Shyrptahooks 7. [See vl. 6, p. 32; NTS sheet 92H or 92H/14]

¹⁰⁰ Sproat makes reference to "Nelson Valley." No such place could be located in the Gazetteer. Sproat also refers to going to the Spallumcheen to deal with the Indian reserves there, thus Spallumcheen has been used as a reference in this instance.

DATE mm dd yyyy	RESERVE	BAND/TRIBE	AUTHOR/ SURVEYOR	TYPE DOC	PAGE
06 12 1878			Sproat	Letter ¹⁰¹	151
06 12 1878	Survey	General	Sproat	Letter	151-52
06 12 1878	Sho-ook 5 ¹⁰²	Boothroyd	Sproat	Letter	152
06 12 1878			Sproat ¹⁰³	Letter	152-54
06 12 1878	Survey	General	Sproat	Letter	152-54
06 12 1878	Survey	Kamloops	Sproat	Letter	153-54
06 12 1878	Survey	Kamloops ¹⁰⁴	Sproat	Letter [w/encl]	154-56
06 12 1878		Kamloops	Sproat	Sketch	155
06 12 1878	Kamloops 1	Kamloops	Sproat	M.O.D. [copy]	155
06 12 1878	Kamloops 4 ¹⁰⁵	Kamloops	Sproat	M.O.D. [copy]	155
06 12 1878	Fishery ¹⁰⁶	Kamloops	Sproat	M.O.D. [copy]	156
06 12 1878	Okanagan 1	Okanagan	Sproat	Letter	156-58
06 12 1878	Survey	Okanagan	Sproat ¹⁰⁷	Letter	156-58
06 12 1878	Kamloops 2	Kamloops	Sproat ¹⁰⁸	Letter	158-61
06 12 1878	Survey	Kamloops	Sproat	Letter	158-61

¹⁰¹ Sproat states that he has found the Indians "quite disposed ... to assist in the adjustment of their land question. // In all cases they have left the matter in my hands after having stated fully their own views. I have in the last 3 weeks dealt with 1500 Indians and land off 30 Reserves."

¹⁰² Although not specifically identified, the area Sproat delineates ultimately is reserved as Sho-ook 5 for the Boothroyd Indians, subject to the claims of the settlers. Sproat reiterates for the CCLW that he has allotted 30 reserves "(some of them old)" and met with 1500 Indians in the last three weeks. Sho-ook reserve is identified as an "old reserve." [See vl. 6, pp. 42-44; PILQ, p. 105, Item M(3)]

¹⁰³ Sproat deals with numerous issues in this report to the SGIA. Among them, he notes that Blenkinsop continues to take a "careful census" of the Indians (p. 154). Sproat also notes that his position regarding the three man Commission has "undergone some modification." From what he has been able to learn during his brief time as sole Commissioner, Sproat states that the Indians did not "appreciate" the three man Commission. "It was too complex for them to understand" and the Indians had some doubts about "some of the gentlemen." This resulted in the Indians "argue among themselves, and prefer larger demands and withhold confidences to some extent." (p.154)

¹⁰⁴ Sproat's enclosures are Minutes of decision and sketches, some missing, related to the Kamloops reserves. Interestingly, he dates his Minutes of decision June 12, 1878. No originals have been located of these Minutes.

¹⁰⁵ The size of the reserve described by Sproat does not concur with the current size of Kamloops 4, however, this is the timber reserve assigned to the Kamloops Indians. [See vl. 3, p. 164; 1943 Schedule, p. 30]

¹⁰⁶ Sproat refers to a fishing station. Unfortunately, the sketch to which Sproat refers was removed from the original letterbook and Sproat's description is somewhat confusing. In all likelihood, given the size and context, this is a reference to the Paul's lake extension of Kamloops 1, but it is difficult to be certain.

¹⁰⁷ It is in this letter that Sproat intimates that the survey of Okanagan 1 should include the O'Keefe pre-emption. Interestingly, since O'Keefe is threatening to use force to prevent the survey, Sproat advises Mohun to inform Jemmett that he will have to make due without the Indians who would normally make up his crew (p. 157).

¹⁰⁸ In discussing the survey to be undertaken, Sproat refers to a Mr. Campbell of Cache Creek. In this paragraph, Sproat states, "but I forget whether it is Newman's or Trapp and McDonalds (where I induced the Indians (do not forget) to abandon two fisheries leaving only Mr. Bartlett Newmans [sic] - ..." (p. 159) He goes on to state, "[t]he Indians may wish for some of the low ground immediately at the fishery, but this Mr. Newman requires for cultivation, and I have to give the Indians a fishery there, not arable land, but only an enclosure as above stated." [emphasis in original] (pp. 159-60)

DATE mm dd yyyy	RESERVE	BAND/TRIBE	AUTHOR/ SURVEYOR	TYPE DOC	PAGE
06 12 1878	Kamloops 2	Kamloops	Sproat	Sketch	160
06 12 1878	Kamloops 2	Kamloops	Sproat	Sketch	161
06 12 1878	Kamloops 1 ¹⁰⁹	Kamloops	Sproat	Letter	161
06 18 1878		Lytton	Sproat	Letter	161-62
06 19 1878			Sproat	Letter[s] ¹¹⁰	163-64
06 22 1878			Blenkinsop	Letter [w/encl]	164
06 22 1878	Cowichan 1	Cowichan	Blenkinsop	Letter [w/encl]	164
06 22 1878		Upper Nicola	Sproat	Letter	165
06 23 1878		Bonaparte	Sproat	Letter	166
06 27 1878			Sproat	Telegram [copy]	167
06 27 1878	Survey	General	Sproat	Telegram [copy]	167
06 29 1878		Various	Sproat ¹¹¹	Letter	167-68
06 29 1878	Swan Lake 4 ¹¹²	Okanagan	Sproat	Letter [w/encl]	168
07 01 1878			Sproat ¹¹³	Letter	168-69
07 01 1878	Cowichan 1	Cowichan	Sproat	Letter	169-70
07 01 1878	Fishery ¹¹⁴	Yale	Sproat	Letter [w/encl]	170-71
07 01 1878			Sproat	Letter	172
07 10 1878	Kanaka Bar 2	Kanaka Flat ¹¹⁵	Sproat	Letter	172-74
07 10 1878	Bucktum 4 ¹¹⁶	Boston Bar	Sproat	Letter	174
07 10 1878	Bucktum 4	Boston Bar	Sproat	Sketch	174
07 10 1878	Kopchitchin 2	Boston Bar	Sproat	Sketch	174

¹⁰⁹ This is a very brief letter addressed to a Mr. Harper. Although the letter is addressed to Mr. Harper at Clinton, it would seem that the area referred to is land he held at Kamloops.

¹¹⁰ There are four letters, all of the same date, all dealing with the expenses of the Commission.

¹¹¹ Sproat states that he "had previously reserved all the land & water, not legally held, for 10 miles up and down the Fraser from Lytton and for 5 miles up the Thompson with a width of 5 miles back from the banks, pending an enquiry into the settlement of the Indian land and water question in this locality ..." (p. 167). This is a very large area encompassing the lands of various Indian groups. [See vl. 4/2, pp. 44-47]

¹¹² Sproat states he is enclosing a letter and sketch from Thos. Greenhow dated June 15, 1878 in regard to land allotted by the JIRC at Okanagan. The enclosures Sproat refers to are not included in the Letterbook. [See p. 175 this volume; vl. 3, pp. 216-18, 228-30; CLSR 7041]

¹¹³ Sproat writes to three settlers in the South Thompson area regarding cutting timber.

¹¹⁴ Sproat touches upon his ability to allot lands along the lower Fraser. He specifically refers to fisheries issues.

¹¹⁵ This group is currently known as Kanaka Bar. In this letter, Sproat deals with water issues. He describes the area under discussion as an "old Indian settlement" which was marked out by the Royal Engineers. The area that Sproat appears to be referring is included within Kanaka Bar 2. Mr. Hautier's claim is excluded from the reserve. This area, Lot 4, Gr. 1, is currently surrounded by Kanaka Bar 1A and Kanaka Bar 2. [See vl. 4/4, pp. 6-13; vl. 6, pp. 57-59; vl. 18, pp. 404-05; NRCan Schedule (2005), p. 86; CLSRBC 7; MPS 666; NTS Sheet 921/4]

¹¹⁶ Sproat identifies the area discussed as being at Butcher Flat. This is an alternate name to Bucktum 4, as is Im-bucktum. [See vl. 4-2, pp. 40-43; vl. 6, pp. 28-32; vl. 18, pp. 372-75; NRCan Schedule (2005), p. 41]

DATE mm dd yyyy	RESERVE	BAND/TRIBE	AUTHOR/ SURVEYOR	TYPE DOC	PAGE
07 14 1878	Swan Lake 4	Okanagan	Sproat	Letter	175
07 15 1878		Lytton	Sproat ¹¹⁷	Letter	175-76
07 15 1878	Inkluckcheen 21	Lytton	Sproat	Letter	176
07 16 1878			Sproat	Letter	177
07 16 1878			Sproat	Letter	178
07 17 1878			Sproat	Letter	178-80
07 17 1878		Okanagan	Sproat	Letter	178
07 17 1878		Klahoose	Sproat	Letter	180
07 17 1878			Sproat	Letter	180-81
07 17 1878		Lytton	Sproat ¹¹⁸	Letter	182-84
07 17 1878		Spuzzum	Sproat	Letter	182
07 04 1878		Neklapamuk ¹¹⁹	Sproat	Memorandum	184
07 21 1878			Sproat	Letter	184
07 21 1878			Sproat	Letter	185
07 24 1878		Lytton	Sproat ¹²⁰	Letter [w/encl]	185-86
07 28 1878	Temporary Res.	Oregon Jack Creek & Cornwall ¹²¹	Sproat	Letter	186-87
07 28 1878			Sproat	Letter	188
07 30 1878		High Bar ¹²²	Sproat	Letter	188-89
07 30 1878		Lytton	Sproat	Letter	189-90
07 30 1878		Oregon Jack Creek & Cornwall	Sproat	Letter	190

¹¹⁷ Sproat writes to Henry Maynard Ball, former Stipendiary Magistrate. While the letter is primarily concerned with water allotments, Sproat makes reference to a letter from Governor Douglas to Ball, dated October 1, 1859, with respect to assigning land reserves to the Lytton Indians. Sproat makes specific reference to Ball's allotment at "In-kluck-cheen." This area is subsequently known as Inkluckcheen 21, Lytton Indians. N.B.: The 1859 letter referred to is not found in the PILQ. [See PILQ, p. 105, Item L(3); see also multiple references in OBI for vl. 5/2 and vl. 17]

¹¹⁸ Sproat states that at this point he has dealt with over 2000 Indians (p. 182) and that before he left Lytton, 15 chiefs and over 100 representatives from all the tribes between Yale and Lytton appeared on horseback at his camp without notice, carrying their flags to say goodbye. They made speeches and then raised their flags and gave three cheers for the Queen (p. 183). Sproat also makes reference to his Lytton field minute.

¹¹⁹ Sproat states the "Neklapamuk tribes [reside] between Spuzzum and Lytton inclusive." Thompson River area.

¹²⁰ Sproat writes to the CCLW stating that he is enclosing his field minute on the land and irrigation affairs of the Lytton Sub-group of the "Nekla-kap-a-muk." [See pp. 189-90 this volume; vl. 5/2, pp. 65-113; Provincial Collection, Binder 2, Corr. Nos. 1768/78, 1769/78]

¹²¹ Sproat makes a vague reference to the area. It would appear to correlate to work done with the Indians he identifies as Oregon Jack Creek & Cornwall. Sproat further states that there are "263 Indians between Cook's Ferry and Cache Creek (without counting the numerous Bonaparte tribe ...)" [See pp. 188-89, 189-90 this volume; 5/3, pp. 13-23, 31-32]

¹²² Sproat states that he has had "several visits from Indian chiefs who live above Clinton ..." It is very difficult to determine the Indians which Sproat would be referring to. Sproat identifies one of the chiefs as "Steoach-kein" who comes from a place Sproat identifies as "May-lah-am-un" (p. 189), however, neither this chief nor this place are mentioned in other correspondence. The closest Indian group "above Clinton" would be the High Bar Indians, so that is who has been identified in the index.

DATE mm dd yyyy	RESERVE	BAND/TRIBE	AUTHOR/ SURVEYOR	TYPE DOC	PAGE
07 29 1878	Survey	General	Sproat	Letter [w/encl]	190-91
07 29 1878	Survey	General [Interior]	Sproat	Letter [w/encl]	191-92
07 29 1878	Survey	General [Coast]	Sproat	Letter [w/encl]	192
07 30 1878	Fishery	General	Sproat ¹²³	Letter	193-97
08 03 1878		Nicomen	Sproat	Letter [cancelled]	197-200
08 03 1878		Cook's Ferry	Sproat	Letter [cancelled]	197-200
08 03 1878		Oregon Jack Creek & Cornwall	Sproat	Letter [cancelled]	197-200
08 03 1878		Bonaparte	Sproat	Letter [cancelled]	197-200
08 03 1878	Kumcheen 1	Cook's Ferry	Sproat	Letter [cancelled]	197-200
08 03 1878		Bonaparte	Sproat	Letter	200-01
08 15 1878		Oregon Jack Creek & Cornwall	Sproat	Letter ¹²⁴	201-02
08 15 1878		General	Sproat	Letter	202-04
08 15 1878		General	Sproat ¹²⁵	Letter	205
08 15 1878		General	Sproat	Letter	205-06
08 15 1878			Sproat	Letter	207
08 15 1878		Okanagan	Sproat ¹²⁶	Letter	208-09
08 15 1878		Cook's Ferry	Sproat	Letter	208-09
08 15 1878		Bonaparte	Sproat	Letter	208-09
08 15 1878	Skeetchestn ¹²⁷	Deadman's Creek	Sproat	Letter	210
08 15 1878	Survey	Deadman's Creek	Sproat	Letter	210
08 15 1878		Lytton	Sproat ¹²⁸	Letter [w/encl]	210-11
08 15 1878	Cowichan 1	Cowichan	Sproat	Letter	211

¹²³ Sproat states "there are two great classes of Indians in this Province, namely, those who live on fish and those who live on flesh. ... The whole 30 or 40 thousand Indians in British Columbia are a fish eating people, and to all of them, but more especially perhaps to the Interior Indians, the salmon is the principal article of fish diet." (p. 194)

¹²⁴ See p. 215, this volume; vl. 5/3, p. 20.

¹²⁵ Sproat writes about the problem of "drunkenness" amongst the Indians at Bonaparte, Deadman's Creek and Kamloops. Interestingly, this letter is "copied twice" into the letterbook. [See pp. 220, 231, 232, 253-54 this volume]

¹²⁶ Interestingly, later in the volume, this letter is partially copied again into the book. [See p. 221, this volume]

¹²⁷ The Deadman's Creek Indians are currently known as Skeetchestn. [See NRCan Schedule (2005), p. 83]

¹²⁸ Sproat encloses "for addition to the appendix of my Lytton Field Minute sent to you 30th July 1878. Copy of my letter 15 July 1878 to Capⁿ H.M. Ball and of his letter to me in reply 29 July 1878." None of the documentation referred to has been copied into the letterbook. In discussing the requirements of the Indians, Sproat remarks, "[t]heir state of imperfect civilisation [sic] and want of foresight are the reasons why the Crown assumes to act as Trustee for them ..." (p. 211) [See pp. 244-45, this volume; N.B.: An extract from the Lytton field minute can be found in vl. 5/2 commencing at p. 65; a complete copy can be found in the Provincial Collection, Binder 2, Corr. Nos. 1768/78, 1769/78]

DATE mm dd yyyy	RESERVE	BAND/TRIBE	AUTHOR/ SURVEYOR	TYPE DOC	PAGE
08 18 1878	Spatsum 11	Cook's Ferry	Sproat ¹²⁹	Letter	212
08 18 1878	Spatsum 11	Cook's Ferry	Sproat	Letter	213
08 18 1878	Okanagan 1	Okanagan	Sproat	Letter	214
08 18 1878	Okanagan 1	Okanagan	Blenkinsop	Letter	214
08 21 1878	Temporary Res.	Oregon Jack Creek & Cornwall	Sproat	Letter	215
08 21 1878	Survey	Oregon Jack Creek & Cornwall	Sproat	Letter	215
08 21 1878	Kamloops 1	Kamloops	Sproat ¹³⁰	Letter	216
08 21 1878	Temporary Res.	Oregon Jack Creek & Cornwall	Sproat	Letter	217
08 21 1878	Survey	Oregon Jack Creek & Cornwall	Sproat	Letter	217
08 21 1878	Temporary Res.	Oregon Jack Creek & Cornwall	Sproat	Sketch	217
08 20 1878		Oregon Jack Creek & Cornwall	Sproat	Letter	218
08 28 1878		Kamloops	Sproat ¹³¹	Letter	219
08 15 1878			Sproat	Memo	221
09 02 1878		Cook's Ferry ¹³²	Sproat	Letter	223
09 02 1878		Cook's Ferry	Sproat	Sketch	223
08 26 1878			Sproat ¹³³	Finan. Statement Notes	223-228 233-39
08 26 1878	Survey	Kamloops	Sproat	Finan. Statement Notes	233-34
09 09 1878	Paul's Basin 2	Coldwater ¹³⁴	Sproat	Letter	229
09 10 1878	Okanagan 1	Okanagan	Sproat	Letter [w/encl]	229-30
09 10 1878	Okanagan 1	Okanagan	Sproat	Letter [w/encl]	231

¹²⁹ Sproat identifies the area as "Indian lands at Spaptsum Flat." He also refers the enclosed copy of his field minute on the subject dated July 28, 1878. [See vl. 6, pp. 108-109a]

¹³⁰ Sproat is writing to Mr. Harper at Clinton with respect to the Kamloops reserve. This must be in relation to Mr. Harper's ranch in that area. Reference is also made to the Scheidan ranch.

¹³¹ The date is somewhat difficult to discern, but it would appear to be as cited.

¹³² Sproat does not identify a specific group, however, given what little information there is and the sketch, it is possible that this relates to land around Kloklowuck 7 of the Cook's Ferry Indians.

¹³³ See p. 265, this volume.

¹³⁴ This letter is directed to a settler named Coultie. Sproat makes reference to an Indian named Paul wishing to attempt to grow wheat. Sproat also mentions Chilliheetsa, who is the chief of the Upper Nicola. Based on other correspondence, it would appear that the area being referred to is at Coldwater and what possibly ultimately became Paul's Basin 2. [See vl. 4/9; vl. 4/10, pp. 5-7]

DATE mm dd yyyy	RESERVE	BAND/TRIBE	AUTHOR/ SURVEYOR	TYPE DOC	PAGE
09 12 1878		General	Sproat ¹³⁵	Letter [w/encl]	231-32, 253-54
08 26 1878			JIRC/ Sproat	Letter	239-40
08 26 1878	Survey	General	Sproat	Letter	240
08 26 1878	Survey	General	Sproat	Letter	240-41
08 26 1878			Sproat ¹³⁶	Letter [w/encl]	241-42
08 26 1878	Shackan 11 ¹³⁷	Lower Nicola	Sproat	Letter	243
08 26 1878		Lytton	Sproat	Letter	244
08 26 1878	Inkluckcheen 21	Lytton	Sproat	Letter	244-45
08 26 1878	Spatsum 11	Cook's Ferry	Sproat	Letter [private]	245-47
08 26 1878	Survey	General	Sproat	Letter	247
08 18 1878			Sproat	Letter	248-52
09 03 1878			Sproat	Letter [w/encl]	252-53
09 12 1878	Nicola Mameet 1 ¹³⁸	Lower Nicola	Sproat	Letter [w/encl]	254-56
09 14 1878	Old Zoht	Lower Nicola ¹³⁹	Sproat	Letter	256
09 14 1878	Old Zoht	Lower Nicola	Sproat	Sketch	256
09 14 1878	Nicola Mameet 1	Lower Nicola	Sproat	Letter [w/encl]	257-58
09 14 1878	Fishery ¹⁴⁰	Lower Nicola	Sproat	Letter [w/encl]	258-59
09 14 1878	Pipseul 3	Lower Nicola	Sproat	Letter [w/encl]	258
09 14 1878		Upper Nicola	Sproat ¹⁴¹	Letter [w/encl]	259-60

¹³⁵ This letter, which is the enclosure to Sproat's covering letter on p. 231, concludes on p. 253-54.

¹³⁶ Sproat encloses an accounting statement, included in the letterbook. Sproat concludes this letter to the SGIA with the statement: "I am without funds -"

¹³⁷ Interestingly, this letter is dated six days after Sproat's field minute. In his field minute Sproat touches upon this subject and states "I effected a compromise of this question ..." Mr. Duball probably owned Lot 1024. [See vl. 4/6, p. 5-9; NTS 92/16]

¹³⁸ Sproat writes to a Thomas Schwartz in the Nicola Valley requesting that Schwartz sign a letter authorizing Sproat's settlement of a dispute apparently between Schwartz and the Lower Nicola Indians, who Sproat identifies as "the Indians of Na-wetse-us-ti-kun's tribe ..." This is the Lower Nicola Indians. Mr. Schwartz's lot is 129, which is completely surrounded by the Nicola Mameet reserve. [See pp. 257-58, this volume; vl. 3, p. 370; vl. 4/9, p. 2]

¹³⁹ Sproat states that he has "laid off a small reserve in township 93 from vacant land ..." Sproat provides a small, not very helpful sketch. Reference to NTS sheet 92/12 indicates that there is no reserve currently at this point. The NRCan schedule indicates that there was a reserve known as "Old Zoht" at this place, but that it was surrendered in 1899 in exchange for what the area within Zoht 5. [See vl. 3, p. 304, "Third Copy" No. 4, p. 50; NRCan Schedule (2005), p. 55; CLSRBC 207; 1943 Schedule p. 102; 1885 Schedule, p. 396; 1902 Schedule p. 57; CLSR ATBC 266]

¹⁴⁰ Sproat advises Mr. Guichon and his partners that while he will "make the Indians' land and fishing station at Pipseul," the Indians "are to have, as they always have had, the undisturbed right of fishing in Mameet River and Mameet Lake, with right of access thereto, ..." Mr. Guichon and his partners agree to this.

¹⁴¹ Sproat writes to O'Reilly regarding his earlier visit to the Nicola Indians. Among other things, Sproat states, "Chilliheetsa [Chief, Upper Nicola] evidently thinks that no binding agreement, if such was required at all; could be entered into as to land for his people, without his presence and consent." (p. 259). Chilliheetsa "states positively" that he had never met with either Cox or O'Reilly. [See p. 262, 276-77 this volume; PILQ, pp. 50-51]

DATE mm dd yyyy	RESERVE	BAND/TRIBE	AUTHOR/ SURVEYOR	TYPE DOC	PAGE
09 14 1878	Douglas Lake Commonage	Upper Nicola	Sproat	Letter [w/encl]	259-60
09 14 1878	Spatsum 11	Cook's Ferry	Sproat	Letter [w/encl]	260
09 16 1878	Tsinkahtl 8 ¹⁴²	Cook's Ferry	Sproat	Letter	261
09 19 1878			Sproat	Letter	261
09 19 1878			Sproat	Letter	261-62
09 20 1878		Upper Nicola	Mohun	Letter	262
09 22 1878	Douglas Lake 3	Upper Nicola	Sproat	Letter	263
09 22 1878	Douglas Lake 3	Upper Nicola ¹⁴³	Sproat	Letter	264
09 22 1878	Douglas Lake 3	Upper Nicola	Sproat	Letter [unofficial]	265
09 25 1878	Douglas Lake 3	Upper Nicola	Sproat	Letter [w/encl]	266
09 26 1878	Douglas Lake 3	Upper Nicola	Sproat	Letter	266-68
09 26 1878	Douglas Lake 3	Upper Nicola	Sproat ¹⁴⁴	Letter [Private]	268
09 26 1878	Douglas Lake 3	Upper Nicola	Sproat	Letter [w/encl]	268-69
09 27 1878	Douglas Lake 3 ¹⁴⁵	Upper Nicola	Sproat	Letter [w/encl]	269-70
09 27 1878		Upper Nicola	Sproat	Letter	271
09 28 1878		Cook's Ferry ¹⁴⁶	Sproat	Letter	272
10 03 1878	Osoyoos 1	Osoyoos	Sproat	Letter	273
10 09 1878	Osoyoos 1	Osoyoos ¹⁴⁷	Sproat	Letter [w/encl]	274
10 09 1878			Sproat	Letter	274-75
10 19 1878	Okanagan 1	Okanagan	Sproat	Letter	275
10 19 1878			Sproat	Letter [w/encl] ¹⁴⁸	275-76

¹⁴² Although not specifically identified, this is the reserve Sproat allotted in the vicinity of John Murray's land. [See p. 278 this volume; vl. 6, pp. 103a-104]

¹⁴³ Sproat writes to Douglas with respect to the disputed land at Douglas Lake. With respect to remarks made to Sproat in a letter from Douglas that "it is the first intimation" that he had of the dispute, Sproat responds, "I think in writing your letter you must have made some error as the dispute of the Indians with your nephew has been notorious for years, and certainly everyone in Nicola valley knows of it. You yourself mentioned it to me in May last ... you left at my camp a signed statement of the particulars, of the dispute from its origins." It is difficult to determine, but it would appear that this correspondence, and the other related correspondence, deals with land now included within Douglas Lake 3. [See vl. 4/11]

¹⁴⁴ Sproat states that he has "no hope that the Indians will consent to the surrender" of the "old reserve" at Douglas Lake, however Sproat believes he can arrange a compromise.

¹⁴⁵ This letter and the enclosure related to the settlement of the dispute between Chilliheetsa and the Douglasses at Douglas Lake. Cross written on the letter is an abbreviation of the terms of the settlement. The enclosure is the "Memorandum of Agreement of Compromise." [See vl. 4/11, pp. 9-11]

¹⁴⁶ This letter appears to allude to issues dealt with in Sproat's letter of August 26, 1878, found a pp. 245-47, this volume.

¹⁴⁷ Sproat's enclosure is an extract from the Minutes of decision of the JIRC, on the page is a notation "see Page 105, Extract from "all the vacant ... to Hayne's preemption claim." The page "105" referred to is page 105 of this volume.

¹⁴⁸ It would appear that the enclosure precedes the letter.

DATE mm dd yyyy	RESERVE	BAND/TRIBE	AUTHOR/ SURVEYOR	TYPE DOC	PAGE
10 19 1878	Douglas Lake 3	Upper Nicola	Sproat ¹⁴⁹	Letter	276-77
10 19 1878		General	Sproat	Letter	278-79
10 19 1878	Coldwater 1	Coldwater ¹⁵⁰	Sproat	Letter	279-81
10 19 1878	Joeyaska 2 ¹⁵¹	Lower Nicola	Sproat	Letter	279-81
10 18 1878		Neklakapamuk ¹⁵²	Sproat	Letter	279-81
10 21 1878	Survey ¹⁵³	Okanagan	Sproat	Letter	282
10 21 1878	Okanagan 1	Okanagan	Sproat	Letter	282
10 21 1878		General	Sproat ¹⁵⁴	Letter	283-85
10 21 1878		Klahoose	Sproat	Letter	285-86
10 21 1878		Sliammon	Sproat	Letter	285-86
10 21 1878		Klahoose	Sproat	Letter	286-87
10 21 1878		Sliammon	Sproat	Letter	286-87
10 21 1878		Sechelt	Sproat	Letter	286-87
10 22 1878	Fishery	Okanagan	Sproat	Letter	287
10 22 1878			Sproat	Letter	288
10 26 1878			Sproat ¹⁵⁵	Letter [w/encl]	288
10 26 1878	Survey	General	Mohun	Letter	289
10 25 1878	Survey	General	Mohun	Letter	289-90
10 25 1878	Survey	General	Mohun	Letter	290-91

¹⁴⁹ Sproat provides background on O'Reilly's allotment to the Upper Nicola in 1868 and to his own dealings with the Indians. Sproat states that he refused Chilliheetsa's "demands whereupon he returned to his tent for 24 hours. I then informed his people that I would proceed to lay off a reserve for them and that I was wiser than Chilliheetsa and they were, and, that they must submit to my decision which would be well considered and liberal." (p. 277)

¹⁵⁰ Sproat refers to the area as "the Coldwater." This reserve was allotted jointly to the Lower Nicola, Spuzzum, Boston Bar, Boothroyd, Siska, Upper Similkameen. In 1894, the Deputy Superintendent General of Indian Affairs noted that the Upper Similkameen had "no share" in this reserve. Nevertheless, the 1943 Schedule identifies the holders of the reserve as Lower Nicola, Boston Bar, Spuzzum, Boothroyd and Siska and Upper Similkameen. It is currently held by the Coldwater Indians. It is unclear when the Coldwater Indians were actually deemed to be a Band. [See See vl. 4/10, pp. 2-4; vl. 18, pp. 447-48, vl. 14, p. 196; 1943 Schedule, p. 101; NRCan Schedule (2005), p. 43]

¹⁵¹ With respect to allotting this reserve, Sproat states "Jo-i-yas-kah shall have a piece of land at the place he so much desired ... but the precise lines I am at present unable to state having only the Surveyor's report before me and not having myself been able to visit the ground though I passed near it when I did not know that the Indians wished to get it." (p. 280) [See vl. 3, p. 294; vl. 4/10, pp. 8-12]

¹⁵² Sproat makes reference to the Neklakapamuk request for a meeting.

¹⁵³ Sproat alludes to his instructions to Jemmett to include the disputed O'Keefe land within the survey of Okanagan 1.

¹⁵⁴ Sproat deals with the issue of his authority within different areas of B.C., including the railway belt and the Coast district. He identifies the Klahoose, Sliammon Indians specifically and Indians at Comox and Jervis Inlet.

¹⁵⁵ Sproat states he is enclosing a "general report on the work of the Indian Reserves this year so far." The report is not within the letterbook.

DATE mm dd yyyy	RESERVE	BAND/TRIBE	AUTHOR/ SURVEYOR	TYPE DOC	PAGE
10 26 1878	Temporary Res.	Similkameen/ Keremeos	Sproat ¹⁵⁶	Letter	291
10 26 1878	Temporary Res.	Similkameen/ Keremeos	Sproat ¹⁵⁷	Letter [w/encl]	292-93
11 11 1878		Similkameen/ Keremeos	Sproat	Letter	293
11 24 1878		Adams Lake	Sproat	Letter [w/encl]	294-96
11 25 1878			Sproat	Letter	296
11 25 1878		Lower Fraser ¹⁵⁸	Sproat	Report	296-301
11 25 1878	Yale Town 1	Yale	Sproat	Report	297
11 25 1878	Hope 1	Hope ¹⁵⁹	Sproat	Report	297-98
11 25 1878	Greenwood Island 3 ¹⁶⁰	Hope	Sproat	Report	298
11 25 1878	Chawathil 4	Hope	Sproat	Report	298
11 25 1878	Aylechootlook 5 ¹⁶¹	Lakahamen/ Somass River	Sproat	Report	298-99
11 25 1878	Upper Sumas 6	Sumas/ Somass River	Sproat	Report	298-99
11 26 1878		General	Sproat ¹⁶²	Letter [Confident., w/encl]	301-08
11 26 1878	Okanagan 1	Okanagan	Sproat	Letter [Confident., w/encl]	303-04, 306-07
11 26 1878	Spatsum 11	Cook's Ferry	Sproat	Letter [Confident., w/encl]	304-05

¹⁵⁶ This letter is written to the Assistant Land Commissioner in the Okanagan. Sproat states that he "reserved formally all the unoccupied lands in the Similkameen valley from Princeton to the Frontier [sic] ... it is necessary for the present to keep the land in general in the valley temporarily reserved ..." Sproat refers to the pre-emption of a man named Edward Daigneault [See pp. 293, 305-06 this volume; vl. 5/3, pp. 60-67, 77a-80d]

¹⁵⁷ See vl. 5/3, pp. 60-67.

¹⁵⁸ Sproat submits a report to the Supt. General in Ottawa respecting his work on the "Lower Fraser - that is from Yale (the head of navigation) to the mouth of the river..." Sproat states that the Indians "on the lower portion of the river are one people, and though claiming to belong to particular villages, move about constantly from one place to another ... I propose before assigning land to any of the tribes, to ascertain who are the Lower Fraser Indians, and to take a view of the people as a whole." (p. 297) Transportation and the cost of it is of some concern to Sproat. He states that he has "told the Indians that they at least must convey me from one village to another ..." (p. 300) He notes that Indians are used to being paid something for such a service and requests permission to pay something to the Chief of the Adams Lake Indians for assisting Jemmett when Jemmett was in the area undertaking surveys.

¹⁵⁹ The Hope Indians are currently known as Chawathil. [See NRCan Schedule (2005), p. 86]

¹⁶⁰ Sproat discusses Greenwood Island. At this point, however, the island has not yet been allotted as a reserve. Sproat notes that the island was "in the list of Indian Reserves given to the Dom. Govt. by the Prov Govt. but it appears to have been sold to E. Croft in March 1861." [See vl. 18, pp. 213, 288, 292-93; PILQ, p. 105, Item K]

¹⁶¹ Sproat makes reference to "old reserves formally assigned" to the Indians. This would appear to refer to Aylechootlook 5 and/or Upper Sumas 6. [See p. 306 this volume; PILQ, p. 105 Items I(5), I(6)]

¹⁶² Sproat provides his opinion on the attitude of the provincial government toward the work of the Reserve Commission, however, he also remarks that the Supt. General has also not responded to his previous correspondence (p. 302). He also discusses issues related to various Indian groups with whom he has dealt.

DATE mm dd yyyy	RESERVE	BAND/TRIBE	AUTHOR/ SURVEYOR	TYPE DOC	PAGE
11 26 1878	Temporary Res.	Similkameen/ ¹⁶³ Keremeos	Sproat	Letter [Confident., w/encl]	305-06
11 26 1878	Cowichan 1	Cowichan	Sproat	Letter [Confident., w/encl]	306
11 26 1878		General	Sproat ¹⁶⁴	Letter	308-310
11 27 1878			Sproat	Letter [w/encl]	311
11 27 1878	Shackan 11 ¹⁶⁵	Lower Nicola	Sproat	Letter	312-13
11 27 1878			Sproat	Letter [Private, w/encl]	313-14
11 27 1878		General	Sproat ¹⁶⁶	Letter [w/encl]	315- 19,321
11 04 1878	Survey ¹⁶⁷	General	Sproat	Letter	320
11 16 1878	Survey	General	Sproat	Letter	321-23
11 16 1878	Survey ¹⁶⁸	General	Sproat	Letter	323-24
11 06 1878		Neklakapamuk ¹⁶⁹	Sproat	Letter [w/encl]	324-28
11 06 1878		General	Sproat	Letter [w/encl]	328-29
11 06 1878	Fishery	General	Sproat	Letter	329-33
12 01 1878		Neklakapamuk	Sproat	Letter [w/encl]	333-34
10 26 1878		General	Sproat ¹⁷⁰	Report [w/encl]	334-46

¹⁶³ Although Sproat does not specifically identify him, it would seem he is referring to Mr. Daigneault. [See p. 291, this volume]

¹⁶⁴ Sproat writes to the CCLW providing a listing of the matters requiring the attention of the provincial government. Sproat cites the length of time the matters have been before the provincial government. N.B.: In the original, some notations were made in red ink. These pages have been reproduced at their actual size, in colour.

¹⁶⁵ See p. 243, this volume, vl. 4/6, p. 5-9.

¹⁶⁶ In accordance with circular 10,185 dated August 19, 1878, Sproat submits his accounts, noting that "owing to the nature of the work of this Commission it will not be possible entirely to carry out these instructions." N.B.: page 317 contained some notations in red ink. It has been copied at full size, in colour.

¹⁶⁷ In this letter, Sproat advises Mohun that the position of Attendant Surveyor, which Mohun holds, is to be abolished. Mohun, "in the meantime" is to be employed at \$150.00 per month to plot the surveys of Jemmett and Green if he is not employed in doing other survey work himself.

¹⁶⁸ Sproat advises Powell: "In pursuance of instructions received by me from the Supt. Gen. of Indian Affairs, Mr. Mohun ceased to day [sic] to fill the office of Attendant Surveyor, and undertakes the work of plotting the surveys of Cap. Jemmett and Mr. A. Green and preparing maps of reserves which will have to be conveyed by the Province to the Dominion ..." (pp. 323-24)

¹⁶⁹ With respect to allotments he made for them, Sproat states that the Indians "very reluctantly for a time but finally with good sense, agreed to the method of adjustment ..." (p. 325) Their resistance may have had to do with the encroachment of settlers on their traditional lands. Sproat concludes by observing that the Indians "seem to like the notion of partly managing their own affairs." N.B.: The original version of this letter can be found in RG10, Vol. 3669, File 10,691.

¹⁷⁰ This is Sproat's report of his work apparently in both 1877 and 1878. Sproat states that with the exception of some "questions" of "rather a serious nature ... the Indian land question is adjusted throughout the whole southern interior of the mainland of the province for about two hundred miles back from the frontier. Rock Creek, Fort Shepherd and Kootenay are the only places near the frontier which have not yet been visited..." (pp. 334-35)

DATE mm dd yyyy	RESERVE	BAND/TRIBE	AUTHOR/ SURVEYOR	TYPE DOC	PAGE
12 05 1878		Lower Fraser ¹⁷¹	Sproat	Letter	347-48
12 03 1878	Yale Town 1	Yale	Sproat	Letter [w/encl]	349-50
12 05 1878		Neklakaḡamuk	Sproat	Letter	350-51
12 05 1878		New Westminster ¹⁷²	Sproat	Letter	351-52
12 05 1878		Neklakaḡamuk	Sproat	Letter	352-53
12 08 1878	Survey	General	Sproat	Letter	353
12 07 1878		General	Sproat	Letter	354-56
12 23 1878			Sproat	Receipt	356
12 08 1878		Union Bar/ ¹⁷³ Yale	Sproat	Letter	357-59
12 08 1878	Kawkawa Lake 16	Union Bar/ Yale	Sproat	Letter	357-59
12 08 1878	Puckatholechin 11	Union Bar/ Yale	Sproat	Letter	357-59
12 21 1878			Sproat	Letter	360
12 21 1878			Sproat	Letter[s]	360
12 23 1878	Survey	General	Sproat	Letter	361
12 23 1878		Lower Nicola	Sproat	Letter	362
12 23 1878	Okanagan 1	Okanagan	Sproat	Letter	362-63
12 23 1878			Sproat	Letter	363-64
12 26 1878		Sumas, Matsqui/ Chilliwack	Sproat ¹⁷⁴	Letter	364
12 26 1878		New Westminster	Sproat ¹⁷⁵	Letter	364-65
01 16 1879	Survey	General	Sproat	Letter	365
01 16 1879	Survey	General	Sproat	Letter	365-67
01 27 1879		Similkameen/ Keremeos	Sproat	Letter	367

¹⁷¹ Sproat offers no more specific description of the Indians than this. This letter describes the reception given Sproat by some of these Indians.

¹⁷² Sproat identifies these Indians as "those who reside at and who visit New Westminster." They should not, necessarily, be equated with those Indians known as the New Westminster Band. Sproat's letter deals with the resolution by New Westminster council to "remove ... all Indians now living on Corporation property, outside the City limits &c." [See vl. 18, pp. 263-65, 338-40]

¹⁷³ Although Sproat does not identify a particular group of Indians, based upon the Indian names provided, it would appear that he is referring to issues affecting the Union Bar Indians. N.B.: This letter is somewhat broken up. Further statements from the Indians appear on page 359. [See vl. 18, pp. 205-09, 272-277]

¹⁷⁴ This letter is the commencement of considerable correspondence related to Mr. Derby's desire to build a dyke which may affect colonial reserves and lands upon which reserves may be allotted. This correspondence also deals with the "Somass Dyking Act." The Indian groups affected by this are the Sumas, Matsqui and, as identified by Sproat, the Chilliwack Indians. For the purpose of the index, all three groups are identified with respect to related correspondence.

¹⁷⁵ Sproat is soliciting the views of the Mayor and Council of New Westminster with respect to the question of Indian reserves "at" the city.

DATE mm dd yyyy	RESERVE	BAND/TRIBE	AUTHOR/ SURVEYOR	TYPE DOC	PAGE
01 27 1879	Matsqui Main 2 ¹⁷⁶	Matsqui/ Chilliwack	Sproat	Letter	368
01 27 1879		Kamloops	Sproat	Letter	368
01 27 1879		General ¹⁷⁷	Sproat	Letter	369
01 27 1879		Sumas, Matsqui/ Chilliwack	Sproat	Letter	369-70
01 27 1879		Sumas, Matsqui/ Chilliwack	Sproat	Memorandum	370
01 27 1879		Sumas, Matsqui/ Chilliwack	Sproat	Letter	370-73
01 25 1879		Sumas, Matsqui/ Chilliwack	Sproat ¹⁷⁸	Letter	373-379
01 25 1879		Sliammon, Klahoose & Homalco	Sproat	Letter	379
01 28 1879	Survey	General	Sproat	Letter	380
01 27 1879		General	Sproat	Letter	381-82
01 27 1879			Sproat ¹⁷⁹	Letter [w/encl]	382-83
06 19 1878	Survey	General	Mohun	Letter	415 [1]
07 01 1878		Kamloops	Mohun	Instructions	415-13 [1-3]
07 01 1878	Kamloops 1	Kamloops	Mohun	Instructions	414 [2]
07 01 1878	Kamloops 1	Kamloops	Mohun	Sketch	414 [2]
07 01 1878	Kamloops 5	Kamloops	Mohun	Instructions	414 [2]
07 01 1878	Kamloops 5	Kamloops	Mohun	Sketch	414 [2]
07 01 1878	Kamloops 2	Kamloops	Mohun	Instructions	414-13 [2-3]
07 01 1878	Kamloops 2 ¹⁸⁰	Kamloops	Mohun	Sketch	413 [3]
07 01 1878	Neskonlith 2	Neskainlith	Mohun	Instructions	413-12 [3-4]
07 03 1878	Survey	General	Mohun	Letter[s]	412-11 [4-5]

¹⁷⁶ Sproat makes a general reference to lands affected by a dyke at Matsqui. The nearest reserve would be Matsqui Main 2.

¹⁷⁷ Sproat writes to the CCLW enclosing a memorandum with respect to "the position" he finds himself in with respect to "the adjustment of Indian Reserves at Chilliwack, Somass [Sumas] and Matsqui." [See pp. 371-79, this volume]

¹⁷⁸ Curiously, there is no addressee for this letter, nor the preceding letter found on pages 371-73, however, based upon certain remarks in the letter (pp. 378,379), it was probably intended for the SGIA and the previous one for the CCLW. Also, this letter contains a tabular census for Indians of what Sproat deems to be the Chilliwack and "Somass" [Sumas] and Matsqui Indians (p. 374). All of the correspondence between pages 369 and 379 deals primarily with Mr. Derby and his dyking endeavours. These endeavours affect the Sumas, Matsqui and Chilliwack Indians. [See vl. 2, pp. 95-99]

¹⁷⁹ This is Sproat's last letter in this volume. The next page in the book represents the *end* of Mohun's letterbook. Mohun used this book from the back. His pagination is shown in [].

¹⁸⁰ This sketch orients Bartlett Newman's pre-emption in relation to Kamloops 2. [See NTS Sheet 921/8]

DATE mm dd yyyy	RESERVE	BAND/TRIBE	AUTHOR/ SURVEYOR	TYPE DOC	PAGE
07 03 1878	Survey	General	Mohun	Letter	411 [5]
07 03 1878	Survey	General	Mohun	Letter [w/encl]	411-10 [5-6]
07 03 1878	Survey	General	Mohun	Letter [w/encl]	409 [7]
07 20 1878	Skeetchestn ¹⁸¹	Deadman's Creek	Mohun	Letter	408-08 [7-8]
07 24 1878	Survey	General	Mohun	Letter	407 [9]
07 30 1878	Survey	General	Mohun	Letter [cancelled]	406-05 [10-11]
07 30 1878	Survey	General	Mohun	Letter	405 [11]
07 30 1878	Cowichan 1	Cowichan ¹⁸²	Mohun	Letter	404 [12]
04 18 1878	Survey	Kamloops	Mohun ¹⁸³	Instructions [w/encl]	403-02 [13-14]
04 18 1878	Survey	Deadman's Creek ¹⁸⁴	Mohun	Instructions [w/encl]	403-02 [13-14]
04 18 1878	Survey	Neskainlith ¹⁸⁵	Mohun	Instructions [w/encl]	403-02 [13-14]
04 18 1878	Survey	North Thompson ¹⁸⁶	Mohun	Instructions [w/encl]	403-02 [13-14]
04 18 1878	Survey	Adams Lake	Mohun	Instructions [w/encl]	403-02 [13-14]
04 18 1878	Survey	Shuswap Lake	Mohun	Instructions [w/encl]	403-02 [13-14]
04 18 1878	Survey	Spallumcheen	Mohun	Instructions [w/encl]	403-02 [13-14]
04 18 1878	Survey	Okanagan	Mohun	Instructions [w/encl]	403-02 [13-14]

¹⁸¹ This was a JIRC allotment. [See vl. 3 pp. 168-72; vl. 16/1, p. 6]

¹⁸² In response to a request from Mr. Marriner to alter the boundary of the Cowichan reserve, Mohun responds that he put the issue to Sproat, however, "the boundary of the Indian Reerve having been formally declared by the Commission no alteration can legally be made except by the Hon^{ble} the Sup^t Gen^l of Indian Affairs and then only with the fill consent of the Indians."

¹⁸³ These instructions from Mohun to Jemmett appear to cover all the Minutes of decision by the Joint Indian Reserve Commission in the Thompson-Okanagan area. These Minutes of decision can be found in volume 3, pp. 150-263. Mohun makes reference to the reserves "shown on the sketches numbered 1 & 2" (p. 403 [13]). These sketches are CLSR 7025 (No. 1) and CLSR 7041 (No. 2). Mohun encloses extracts from the Minutes of decision. Mohun advises Jemmett that it "is especially recommended that one of your party should be an English Speaking Indian, as it is absolutely essential that no misunderstanding on any subject, connected with the Reserves should occur between yourself and the Indians; in dealing with whom you will need to exercise all your patience and discretion." (p. 402[14]) Mohun then makes reference to an enclosed memorandum from the IRC [i.e. Sproat] which is not in this volume. [See vl. 3, pp. 150-263; CLSRBC 7025; CLSRBC 7041]

¹⁸⁴ In relation to this survey, Mohun advises Jemmett to acquire the "records" of Mr. Pumpmaker, a settler in the area (p. 402 [14]).

¹⁸⁵ Mohun identifies this area as "South Thompson." He advises Jemmett to acquire the records of Messrs Bryan and Walker in relation to this area. The area near "Little Lake" is Neskonlith 2.

¹⁸⁶ See vl. 3, pp. 156-60.

DATE mm dd yyyy	RESERVE	BAND/TRIBE	AUTHOR/ SURVEYOR	TYPE DOC	PAGE
04 20 1878	Survey ¹⁸⁷	General	Mohun	Letter [w/encl]	401 [15]
04 29 1878	Survey	Comox	Mohun ¹⁸⁸	Instructions [w/encl]	400-398 [16-18]
04 29 1878	Survey	Squamish	Mohun	Instructions [w/encl]	400-398 [16-18]
04 29 1878	Survey	Sechelt	Mohun	Instructions [w/encl]	400-398 [16-18]
04 29 1878	Survey	Saanich	Mohun	Instructions [w/encl]	400-398 [16-18]
04 29 1878	Survey	Cowichan	Mohun	Instructions [w/encl]	400-398 [16-18]
04 29 1878	Survey	Qualicum	Mohun	Instructions [w/encl]	400-398 [16-18]
04 29 1878	Survey	Nanoose	Mohun	Instructions [w/encl]	400-398 [16-18]
04 29 1878	Survey	Halalt	Mohun	Instructions [w/encl]	400-398 [16-18]
04 29 1878	Survey	Lyackson	Mohun	Instructions [w/encl]	400-398 [16-18]
04 29 1878	Survey	Penelakut	Mohun	Instructions [w/encl]	400-398 [16-18]
04 29 1878	Survey	Chemainus	Mohun	Instructions [w/encl]	400-398 [16-18]
04 29 1878	Survey	Nanaimo	Mohun	Instructions [w/encl]	400-398 [16-18]
04 29 1878	Oyster Bay 12	Chemainus	Mohun	Instructions [w/encl]	398 [18]
05 16 1878	Survey	General	Mohun	Letter	397 [19]
05 25 1878	Survey	General	Mohun	Letter [w/encl]	397 [19]
05 30 1878	Kamloops 2 ¹⁸⁹	Kamloops	Mohun	Letter	397-96 [19-20]

¹⁸⁷ There is no day date provided. Based on surrounding correspondence the 20th was used.

¹⁸⁸ In his instructions to Green, Mohun notes that some of the reserve boundaries were "resurveyed four years ago" that would be in 1874, thus, after B.C. joins Confederation, but prior to the inception of the Indian Reserve Commissions. Mohun also advises Green in the same manner he advised Jemmett with respect to having an "English speaking Indian" to ensure there is no misunderstanding amongst the Indians whose reserves are being surveyed. The areas Mohun identifies appear to relate to the allotments by the JIRC for the Indians on Vancouver Island and at Jervis Inlet found within two different sets of Minutes of decision. These Minutes of decision also contain allotments for the Squamish Indians and, although not specifically cited, may have been included as Green is instructed to survey those reserves "shown and described on the plans, and in the notes and copies of Minutes of Decisions [sic] handed you herewith ... you will then survey the various reserves on the Coast of the Mainland as far south as the mouth of the Fraser River also shown and described as above. [See vl. 3, pp. 56-119; 124-32; FBBC 49a for 1874 survey notes]

¹⁸⁹ With respect to this fishery near Bartlett Newman's pre-emption, Mohun writes to the CCLW under instructions from Sproat. Mohun states that the position of the fishery would be "a continual source of annoyance to the settlers in the vicinity." He notes it is the only place the Indians lay claim to in the area "they having voluntarily abandoned other spots. // It is of but little value to the Indians themselves and it is believed that for a small money compensation say Fifty Dollars, they would cheerfully give up claim to it." If the provincial government were to make the offer "it would free the whole country lying between Kamloops & Nicola from Indian Reservations and would confer a great benefit on the settlers in the neighbourhood." (p. 396 [20])

DATE mm dd yyyy	RESERVE	BAND/TRIBE	AUTHOR/ SURVEYOR	TYPE DOC	PAGE
05 30 1878	Kamloops 4	Kamloops	Mohun	Instructions	396-95 [20-21]
05 30 1878	Kamloops 1 ¹⁹⁰	Kamloops	Mohun	Instructions	395 [21]
06 01 1878	Survey	General	Mohun	Instructions	394 [22]
08 06 1878	Survey	General	Mohun	Letter [Private]	393-92 [23-24]
08 08 1878	Survey	General	Mohun	Letter	392 [24]
07 17 1878	Survey	General	Mohun ¹⁹¹	Letter	392-91 [24-25]
08 17 1878	Skeetchestn	Deadman's Creek	Mohun	Letter	391-90 [25-26]
08 20 1878	Cowichan 1	Cowichan	Mohun	Letter	390 [26]
08 21 1878	Skeetchestn	Deadman's Creek	Mohun	Letter	390-89 [26-27]
08 21 1878	Survey	General	Mohun	Letter	389 [27]
08 21 1878	Cowichan 1	Cowichan	Mohun	Letter	389-88 [27-28]
09 19 1878	Survey	General	Mohun	Letter	388 [28]
09 19 1878	Cowichan 1	Cowichan	Mohun	Letter	388-86 [28-30]
09 19 1878	Survey	Kamloops	Mohun	Letter	386 [30]
10 19 1878	Survey	General	Mohun	Letter	386 [30]
10 21 1878			Mohun	Letter	385 [31]

¹⁹⁰ The two lots would be a reference to Schiedam Flats.

¹⁹¹ Mohun reminds the CCLW that the provincial government will have to accept the surveys undertaken by the Dominion surveyors.

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¹⁹² The census references in this volume are often to Indians within a geographic area, rather than a particular band.

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¹⁹³ It is possible to discern that Sir John A. Macdonald has taken over as Superintendent General of Indian Affairs because he is addressed as "The Hon., the Supt. General of Indian Affairs," which reflects his position as Prime Minister. Although, admittedly, when Sproat begins personally using the letter book, about p. 213, the term "Hon." is not in his addressee notes.

¹⁹⁴ B.W. Pearse was the former Surveyor General for the Province of B.C. He prepared the 1871 Schedule of Reserves which appears in the Yellow Book, pp. 104-106.

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¹⁹⁵ Sproat identifies these Indians as those who "reside at and who visit New Westminster." (p. 351)

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¹⁹⁶ Sproat's statement is unclear, presumably this is the same individual referred to earlier in this volume.

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¹⁹⁷ This field cites Sproat's indications of where and when he will travel.

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¹⁹⁸ This is an indirect reference, Sproat states the Dominion govt. "now owns all the lands on the Thompson not legally held ..."

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¹⁹⁹ Sproat appears to write and refer to Clapperton both as a settler and a government agent or "J.P."

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²⁰⁰ The man is identified as "Mr. Francisco", but it would appear to the man later identified as Francisco Mendoza.

***THE ORIGINAL OF THIS BOOK IS OVERSIZED. THE
COPY OF THE TEXT HAS BEEN SLIGHTLY REDUCED
TO FIT ONTO THIS SIZE PAPER. THE SKETCHES ARE
THEIR ORIGINAL SIZE.***

AT THE BACK OF THIS VOLUME, EDWARD MOHUN, SURVEYOR TO THE RESERVE COMMISSION, HAD HIS LETTERBOOK. SPROAT'S LETTERBOOK ENDS AT PAGE 384 AND MOHUN'S, BECAUSE HE STARTED AT THE BACK OF THE VOLUME, ENDS AT 385.

RATHER THAN TURN MOHUN'S LETTERBOOK UPSIDEDOWN AND BACKWARDS, AS IT IS IN THE ORIGINAL, THE PAGES HAVE BEEN TURNED THE SAME WAY AS SPROAT'S TEXT, BUT THE ORIGINAL ORDER OF MOHUN'S LETTERBOOK HAS BEEN MAINTAINED. THUS, THE BEGINNING OF MOHUN'S LETTERBOOK IS STILL THE LAST PAGE OF THIS VOLUME.

Letter Book No 2.

no
2



Anderson A C paying acct. 3. 36. 73. *request for
JAC Jackson re* Ditto

Anderson J. R. Balance ¹⁶³ 87.

Amounts due ²²³ ~~unpaid~~ 30 June '78,

Agreement of Compromise ²⁷⁰ between J Douglas ²⁷⁹ Jun. and Ind. O Lakes

Receipt for
\$6544.00
and
printing

67
2000

any 9th from 1000
(252) 261
500 \$ Receipt 500

Bank of British Columbia

2.

blank forms
dept. 6 R.
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163
Rec: 2000

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Mar 11 350

\$275-276
(6000⁰⁰ 18 Sep) 356 360
5500⁰⁰ 19 Dec

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Bill. chief, Laws on Drunk²⁰⁰ns,

Barres ^{J.C.} ~~18~~, about Spatnaun Flat, Chinese & other guests his locality ²⁷²

Chief Commissioner of Lands & Works

1878
Mar: April July 1878

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4. Cook's Ck. Indians
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90 2111.
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Records in common Inds on
185 Donnas Dyking
Principle to be
adopted (water,
field minutes
Lytt. sent

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Clapperton Ind. ^{Douglas} ¹⁶⁵ 117, ²⁶⁸ mill visit Nicola, ²⁷⁹ Disputed claim D. Lake,
(Ind: lands ²¹⁵ Cold water, Indian meeting, Paul all ²⁷⁹ contract)
Cogan C. G. 120, to make copies of Records N.W. District.

Cogan Geo: ¹⁶⁴ Cancel record ²²⁹ ²⁵⁹ ²⁷⁸ ³⁶²
Conchie A. Fall wheat for Paul, Agreement to sign,
Cambre H. J. Indian lands Rail. Belt,
Campbell Ronald, Quartz ³⁶² Okla Res,

Hickenson E. ^{Reserving lands} ^{N.W. District} ¹¹⁹.

Hart, water sec. ¹⁸⁵ Spring ranch,

Howling Ind. Land cult. ²⁰¹ by Ind: claimed by him, ²¹⁵ Reference to ditto questions,

Duball J. ²⁴³ To settle w. Ind: for fences, ²⁶¹ request to pay Murray \$12⁰⁰,

Hally E. ²⁶² Instructions O'Reilly sett: Chillico Res.

Douglas J. Sen. ²⁶³ Chillico claims land head D. Lake. ²⁶⁴⁻²⁶⁵ claim foot of Lake

Douglas J. Sen. ²⁶⁸ Recon & Compromises - ²⁶⁹ House to Indians in lieu 25⁰⁰

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St. 8th Street

Fishery at
Germans

Chit. of
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St. 8th Street

Min 1000
Sagoyroo

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W. Keefe, C., ²²⁹ Proposed mile, ²⁷⁵ water for mill purposes Meadows Creek,
²⁸⁷ Fishing rights Indians 1000,

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^{38. Comm.} 286. ^{39. Comm.} 276.

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P
C

1878 March April May

Superintendent General of Indian Affairs

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 5
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 10
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 26
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Ross Wm. <sup>order for
June 25th re</sup> 36.

O'Reilly P. <sup>Boglin Bar
140.</sup> ¹⁸⁵ papers Chin. ^{259.} Chiliketsoo Res.

Robson In^s. ^{17th 2.} lands res: steel rails,

Spratt Pres^{nt}, to pay ³¹⁴ 11⁵⁰ to Bk Br. Col.

Spratt G. M. S. <sup>4th Sunday
pay 25th 23.</sup> From E. M. ^{289. 290.} Coast & int. sury

Sanders E. H. <sup>Cookins' Record
2nd Edition or 1st Edition</sup> 125.

Schwartz Thos. ^{25th} Lett: aucton^y to sign, ²⁵⁵ Copy Award, ²⁵⁷ Agreement to sign,

Super^{ltd} General

370	381
Memo on Ind.	Progress to 27 th Jan ^{ry} 1879
Recesses affected	showing recesses
by Sonnas	and pop: dead
Dyking scheme	with on Low: Fraser
373	and also re
Letter to accom-	Indians since
pany above	May last.
and	visit to Ind.
Reference to	of Klakoox &
trip to Klakoox	
& on steamer	
"Leonora"	382.
Persons of tribes	Accounts 31 Dec sent
Chilwick	showing bal ^{ce} that
Sonnas & Inatsgu	date 1443 ²⁵
	1879 ⁸ 141 ²⁵
	will conform to
	circular as to
	monthly a/c
	if placed in
	funds (in time)

R
C

Walker J. ^{Clarion 1880}
^{Scott Thompson}
129.

Witz. il. what Helen Roman 137.

Wheeler ¹⁸⁴
water theme.

Woodward W. J. P., Wood cutting ³⁶² by Inds.,

W
X

Victoria B.C.

19th March 1878

Sir

Having been appointed by the Dominion Government to take the place of the Indian Superintendents for the work in relation to Indian Lands, mentioned in the Canadian orders in Council 23rd Feb'y 1874 I have the honor respectfully to request that you will have the goodness to let me know, as soon as possible what procedure it is proposed to adopt in reference to the approval by you of the apportionments of the Lands to the Indians from time to time.

Such approval or notice of appeal, must of course be given on the spot, and at the time of my decision in the case of each reserve. It will not be prudent to give any information to the Indians as to the proposed Reserves until the question has been finally arranged between yourself and me.

It is necessary also that I should be able in cases appealed, to give some assurance to the Indians that the final decision would be given by the Judge of the Supreme Court within a reasonable time. I shall be glad if you will inform me within what time, on an average - from the lodging of the appeal is it likely the Judge will be able to undertake this duty?

I presume the whole cost of the appeals will be paid by the Provincial Government

I have the honor to be Sir

Yours obed^t Servt.

(Signed)

G. McSprouth

The Honble

Forbes Vernon

Chief Comm^r of Land & Works.

Victoria

Victoria B.C.

28th March 1878

W. C. Ward Esq.

Manager Bank of British Columbia
Victoria

Sir

Having been appointed by the Dominion Gov^t as
Special Commissioner for adjusting Indian Land
Reserves and having received from them a credit
of six thousand five hundred ^{and forty four} dollars (~~\$6544~~^{\$6544.⁰⁰}) by
wire to your Bank I have to request that you will
open an account accordingly and furnish me
with a cheque book and pass book. The name
of the account to be "G. M. Sprout Dominion Gov^t
"Commissioner"

I remain

Your obt. Serv^t,

(Signed) G. M. Sprout

Dominion of Canada

\$6544.⁰⁰Victoria B.C. 28th March 1878

Received from the Receiver General of
Canada through the hands of the Bank of
British Columbia at Victoria, the sum of Six
thousand five hundred and forty four dollars
— cents being of Indian Expenditure Reserve
Commission

Signed G. M. Sprout

Office Indian Commissioner

28th March 1878

Dear Anderson

Mr Matthews says I have to do no work for a week, but a telegraphic credit has come to me from the Dominion Govt. with some money, and as Blenkinsop has driven out to see me I have signed a number of cheques and given them to him for delivery and the obtaining of receipts; Among these are cheques for what Mr Blenkinsop states will be due to your goodness at 31st March, which I hope you will find correct.

Did the Governor send you notification of the dissolution of the Commission? He sent me a notification, and I understand the Prov^l Govt have sent one also to Mr McKinlay.

I will try to be in town tomorrow.

Yours faithfully

Signed G M Sproat

A. C. Anderson Esq

Victoria B.C.
28th March 1878

Sir

I have the honor to acknowledge the receipt of your letter of the 25th Inst.

Mr. Marriner's case has been reported in to the Hon^{ble} the Attorney General

Enclose the following copies for your information

1st Letter Mr. Hurley and Sproat to Lieut Col. Powell 27th April 1877

2nd G. M. Sproat to the Hon^{ble} the Attorney General 23rd Feb^y 1878

3rd Rough notes on this case by me given to the Hon^{ble} the Attorney General during interviews of Mr. Marriner with him and the Hon^{ble} Mr. Smith on the 28th Feb^y 1878

I am Sir

Yours obed^t Serv^t

Signed G. M. Sproat

The Hon^{ble}

The Chief Commis^r

Lands & Works

Victoria

Telegram

British Columbia. Victoria.

28 Mar: 1878

Vancouver

Indian Department

Ottawa

Shall I pay
copyist five dollars or three dollars per day
s^d Sproat.

British Columbia Victoria
29 March 1870

Sir

I have to acknowledge receipt of a telegram from Mr VanKoughnut advising that \$6544 had been placed to my credit for payment of past and current accounts of the Indian Reserve Commission.

I signed a receipt for this sum to the Receiver General through the Bank of British Columbia, and have paid nearly all the accounts up to the end of March as per statements and vouchers herewith.

I asked you by telegram yesterday whether I should pay the copyist at \$5 a day or \$3.

I am Sir

Your obedt servt.

(sd) G. M. Sproat

To

The Hon: The Superintendent General
of Indian Affairs
Ottawa

No.

Cash

Indian Reserve Commissioner H. C. Anderson

1878			
Jan 1	To Balance		133 63
March 27	Cash - Remittance by wire from Ottawa		6544 00

Statement of Cash Expenditure
from 1 Jan^y 1878 to 31 March 1878

Balance on hand 31 Dec 1878 133.63

Paid out the following sums

Griff. March 1878

Voucher 9	R. Jasse	13.50	
10	P. H. Compton	26.50	
12	Engl. Charde 100	20.50	
13	F. Story	15.00	
20	Petty Cash items	11.87	
21	R. Stokes	30.00	117.37

Petty Cash Balance \$16.26
31 March

In Bank Br Columbia 392.25

Con. forward to April \$408.51

Victorin

March 31. 1878

Geo. Hentkinson

April 1 Balance

1677 63
\$ 408 51

65

Contra

and F. M. Sproat in ac with Dominion Govt.

1878 By paid

March 29

Amounts unpaid 31st Decr. 1877

From

35.37

66/168

85/89

3544 00

Salaries

H. E. Anderson

1 900 00

G. M. Sproat from 1st Jan 8 to 16th March

2 375 00

E. Mohr

3 450 00

Geo. Blenkinsop

4 180 00

1905 00

Allowances
in Victoria,

H. E. Anderson

5 225 00

G. M. Sproat from 1st Jan 8 to 16th March

6 93 75

E. Mohr

7 135 00

Geo. Blenkinsop

8 135 00

588 75

Sundry Accounts

Robt. Isaac

9 13 50

P. W. Compton

10 26 50

Hayward & Sonkinson

11 15 00

Eug. Chardt & Co.

12 20 50

Robt. Story

13 15 00

C. Warren

14 20 00

Ramell Deasy

15 20 00

Hibben & Co.

16 14 50

D. W. Higgins

17 12 00

Thos. Co. & Holroyd

18 20 00

Geo. Francis

19 12 50

Geo. Blenkinsop

20 11 87

R. Stokes

21 30 00

231 37

Balance 31st March

408 51

Victoria B.C.

30th March 1878

Sd. H. E. Anderson

Recd. Com.

Sd. G. M. Sproat

Recd. Com.

\$ 6677 63

Indian Reserve Commission.

British Columbia

Victoria 10th April 1878

Sir,

I have the honour to enclose duplicate accounts and Vouchers for Expenditure to 31st March originals of which were sent with my letter of 29th March 1878.

I am, Sir,

Your obt. serv^t

The Hon:

Sgt. Gilbert Malcolm Spout.

The Supt^r General
of Indian Affairs
Ottawa.

Indian Reserve Commission

B. Columbia Victoria

10th April 1878

Sir,

I have the honour to acknowledge receipt of your letter of 29th inst. about an alleged purchase by the Dominion Government of the farm of the late Mr Wm Conn of Super Island.

The Dominion Gov^t so far as is known to me in my capacity of Indian Commissioner have not engaged to buy, and do not intend to buy this farm.

Mr Conn offered it to the Hon^{ble} The Superintendent General of Indian Affairs, who declined the offer and the matter ended - The representatives of Mr Conn seem to have wrongly addressed the Hon^{ble} The Minister of Public Works on the subject instead of The Hon^{ble} The Superintendent General of Indian Affairs, but I do not think there is anything more to be learned

in

in connection with it than as stated above.

I have the honour to be, Sir,

Your obt. servt.

Sd. G. M. Stewart

Indian Res. Commissioner

B. W. Pearce Esq. n.

Agent for the Dept. of
Public Works of Canada.

Victoria.

Indian Reserve Commission

British Columbia

Victoria 11th April 1878

Sir,

I have to day received your telegram of this date with respect to surveys of Indian Reserves and I replied as per copy of Telegram annexed

I am, Sir,

Your obt. servt.

The Hon,

The Supd^t. General
of Indian Affairs
Ottawa.

Sgd. G. M. Stewart

Copy

Incommend two thousand dollars to start surveys.

Indian Reserve Commission

British Columbia

Victoria 12th April 1878.

Sir,

I have now to inform you that a deputation of six chiefs, representing the Indian chiefs and the people between Gale and the mouth of the Fraser came, by the last trip of the 'Enterprise', to see me at Victoria about their lands.

Theo-

They appeared to be very much in earnest, and, I, of course, listened attentively to what they said, which I beg leave to communicate to you for the information of the Provincial Government. I myself, at present, have no knowledge of the state of Indian land matters in that District.

The Indians say that their lands are not sufficient in area, and that, for several years, white settlers have been coming into the District, and, in some cases, have been permitted to take up lands which the Indians were hoping to get.

They ask that this be no longer permitted. They further said they were much wounded by the Commissioners having gone past them last year to visit the Indians of the Interior.

They considered that they have been quiet and obedient to the law, and have not been well treated as regards their land.

I think it will be necessary for me to make an effort, this year, to adjust Indian land matters in this important district, because, if what the Indians say is true (as to which, as above said, I have no information) it may be a difficult and expensive matter for the Provincial Govt. to provide land for them.

I presume that the possible wants of the Indians have been considered in connection with the proposed appropriation of Crown Lands in this District under the dyking scheme of Mr Derby.

I respectfully beg to recommend that, pending my examination of that District, the lands in the neighbourhood of Reserves should not be permitted to be

sold or pre-empted.

If I could get away soon, and were placed in a good position to enable me to finish Nicola, Bonaparte, &c., I think I might begin the new Westminster District before the Autumn was well advanced.

The Hon:

The Chief Comm^r
Lands & Works
Victoria

I am, Sir,

Your obt^d Serv^t

Sgt. G. M. Sprout

Indian Reserve Commissioner

Memorandum of things which seem to me to require being done at this time by the Prov. Gov^t in order to facilitate the further adjustment of Indian Land difficulties.

(1st) Agreement as to procedure. See my letter to Chief Commissioner of Lands & Works 19th March 1878. (Before this is finally settled I shall be glad to see the proposed wording of it, as this might tend to save correspondence between the two Governments.)

2nd, Payment of arrears due to G. M. Sprout and George Shinkinsop so that all the money claims connected with the old Reserve Commission may be squared off.

3rd, Instructions as to the disposal of Prov. Gov^t property in the hands of the late Comm^r (see statement and report as to this property attached.)

(4) Cancelling of the Record of Office of Okanagan (see statement of case sent to Attorney General.)

(5) Authority to expend Fifty dollars

to induce the Kainloops Indians to give up claim to an old fishing station inconveniently placed among white settlers on the Nicola road.

+ 16, Agreement between Chief Comm.ⁿ Lands & Works and Mr Douglas, Nicola, as to compensation for a pre-emption of his occupied by the Indians and claimed by them as an old settlement, and therefore never legally open to pre-emption.

This Douglas question is one of policy as it is generally believed in Nicola that unless the Indians get it they will never be satisfied. I should be sorry to have to examine the question of whether or not the place is an old Indian settlement.

The question is one for compromise and I suggest that the Chief Commissioner should settle it with Mr Douglas before I go to Nicola either by giving him land or a sum of money in exchange for his pre-emption.

It would not be advisable for me to undertake any fresh work in Okanagan or Nicola until the cases of O'Keefe and Douglas are finally settled. If they cannot be arranged so as to enable me to enter the field with prospects of success, I propose to work in the New Westminster District, but this would, in my judgment, be unadvisable, looking to the feelings of the Indians in the interior, and to the expectations of the people at Nicola, as described in Mr Clapperton's letter which I sent from Cache Creek to Mr Elliott. X

(7) Temporary Reservations of land in the neighbourhood of Indian settlements or Reserves

, Inty G. N. S.

12/4/78

Victoria

April 12th 1878

Sir,

I beg leave respectfully to enclose a statement of things which seem to require the attention of the Provincial Government at this time to facilitate the further adjustment of Indian Land matters.

I am, Sir,

Your obed^t Serv^t

Sgd.

G. M. Spratt

Indian Res. Commissioner

The Hon.

The Prov. Secy

Victoria

Indian Reserve Commission

British Columbia

Victoria 15th April 1878

Sir,

I have the honour to advise that I have received a telegram from the Minister of the Interior, stating that Mr. McKenna's recommendations as to surveys were approved, that Surveys James and Green were to be employed under Mr. McKenna's instructions, and asking what sum of money would be required to start the parties.

To this I replied that \$2000 would start the parties, and the money was sent on Saturday.

Meanwhile Mr. McKenna wrote to Capt. James to come down to receive instructions, by return trip of the Enterprise.

It was part of the recommendations which have received the approval of the Minister that one party should work on the coast and another in the Interior. Naturally Capt. James will take

the

the latter party, and Mr Green who resides at Cowichan will take the east party. I have told Capt. Emmett he must start on Friday first. We had some spare tents here with which we have supplied him.

His route cannot be better than the Commissioner's route last year; only he will begin at Deadman's Creek; then Kamloops, Fort Thompson and so on to the Okanagan Country -

I am doing all I can to get away in a week or ten days. I had a deputation of six chiefs from the Lower Fraser begging me not to go past them to the upper Country.

I am Sir,

Yours faithfully,
Jd. H. M. Spots.

James Denihan Esq.
Indian Superintendent
New Westminster

Indian Reserve Commission

Belleville ^{22nd} ~~17th~~ April 1878

Sir,

I have the honour to inform you that the Dominion Govt. have arranged to send out immediately two survey parties to survey Indian Reserves.

One party will work on the Coast under the command of Mr Ashdown Green. The other party will work from Deadman's Creek to Osoyoos under the command of Capt Emmett.

The Reserves, in some instances, are bounded partially by the unsurveyed claims of settlers, and, in order to make a survey of the Reserves, it will be necessary to ^{that} ~~own~~ the lines

IN THE ORIGINAL, A PAGE CONTAINING THE CONCLUSION OF THE LETTER HAS BEEN PASTED ONTO THE PAGE. A COLOUR COPY OF THE ORIGINAL PAGE HAS BEEN PROVIDED. IT WAS NOT POSSIBLE TO REMOVE THE LETTER TO COMPARE THE TWO VERSIONS, HOWEVER, IT SHOULD BE NOTED THAT MOHUN'S SIGNATURE IS CROSSED OUT ON THE ORIGINAL PAGE.

of some of these claims should be run.

In reference to these claims I have the honour to request that you will cause a survey of them to be made in anticipation of the visit to the ground of the Dominion Surveyors, so that their work may not be delayed.

If it will suit the Provincial Government better to authorize the Dominion Surveyors to survey such claims, in connection with Indian Reserves, I will instruct them to do so, provided that the Provincial Gov^t agree to accept the surveys and pay to the Dominion Government a fair share of the cost.

I shall be glad to know if it will be necessary to make surveys of islands, the whole of which has been assigned to the Indians or which have been assigned with the exception of the claims of a single settler which would of course have to be surveyed. It would save expense if the Prov^t Gov^t were able to agree to convey such islands by their description on the Admiralty Charts.

I have the honour to be
— Sir E. Mowlem
In charge of Ind. Res. Surveys.

The Hon:
The Chief Com^r
Land & Works
—

~~Sd, E. Mowlem In charge
of Ind. Res. Surveys.~~

of some of these claims should be run.

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I have the honour to be
— Sir C. Moken

In charge of Ind. Ter. Surveys.

The Hon:

The Chief Com^r
of Land & Works

~~Sd, E. Moken In charge
of Ind. Ter. Surveys.~~

Indian Res. Commission

B. C. Vickerman

17th April 1878

Sir,

I respectfully beg to ask, whether looking to the inferior quality and high cost of writing paper in this place, and to the increase of correspondence with your Government, necessitated by the new arrangement for adjusting Indian lands, the Prov. Govt. will have the goodness to furnish the Indian Reserve Commission with stationery required at cost price.

I am, Sir, &c.

The Hon. the Prov. Secy

S^{rs}, G. M. Sproat - Ind. Res. Com.

Victoria

18th April 1878.

Dear Elliott,

The real question is what am I to say to the Indians?

The proposal in your telegram makes it impossible for me to assure them of anything, for any decision might be reversed. If I cannot assure them, it will be quite useless for me to take the field at all, as the Hon. Govt. by the order in Council you showed me strongly insist there shall be no change of policy in dealing with the tribes not yet dealt with.

I must say one thing or the other to the Indians.

The scroll drafted by Mr Vernon the other day seemed to meet the

difficulty. The alteration opens it, unless the Prov. Govt
authorizes me to assure the Indians in all cases
except those reserved by consent for consideration.

Yours faithfully,
Sd G. M. Sprunt.

Indian Reserve Commission.

B.C. Victoria 11th April 1878

Sir,

I have the honor to enclose a copy of a telegram
received by me to day from the Hon. the Sup^t
General of Indian Affairs, by which you will
observe that you are appointed to superintend
the surveys about to be undertaken by parties
under the command of Mr. Green and
Capt. Semmett.

It will be necessary for you
accordingly to communicate with these gentlemen,
and to take all steps necessary to enable them
to do their work in a prompt and economical
manner, so as to give satisfaction to the Govern-
ment and to the Indians. They must in
general be guided strictly by the decisions of the
Commissioners with which you are familiar.

The question of funds will doubtless be
arranged by the Sup^t General in a few days,
meanwhile you will proceed with the above
work under the authority of the telegram,
so that no time may be lost.

Yours very

E. M. Egan,
Surveyor

Sd G. M. Sprunt
Ind. Res. Com^{rs}

Indian Reserve Commission

P. C. Victoria

18th April 1878.

Sir.

Being about to leave Victoria, without knowing when I may return, I beg to enclose a statement of money due to me by the Provincial Gov^t of \$5587⁵⁰ and shall be glad if the Gov^t will cause the amount to be paid to me as a considerable portion is more than a year overdue, and it is undesirable that such accounts should be left open.

I send it to you as the Hon: the Minister of Finance is absent.

I enclose copies of my letter to Hon. W. Smith - 7th July 1877.

His reply 24th July 1877.

My rejoinder 3rd August 1877.

Also notes on Mr. Smith's letter of 24th July.

I do not understand the objections made to the accounts on the part of the Provincial Gov^t, contrary, as I am advised, to the distinct obligation of the Agreement between your predecessors and the Dominion Gov^t in reference to my remuneration -

Yours obed^t Serv^t

Sr, J. M. Spratt

The Hon:

The Provincial Secretary
Victoria -

Notes on Hon: W. Smiche's letter 24th July 1877

As to pay on Sundays
when in Victoria

I believe the contention as to
pay on Sundays has been
given up, as the Provincial
Government have paid me
for Sundays in Victoria
since March 1877.

That they have not
done so for Sundays
before that time is
probably an omission.

As said in my
letter 3rd August 1877.

namely the
agreement between
the Govts.

It does not appear to be
"a reasonable construction
"of that Agreement, that,
"in an employment extending
"over a considerable time,
"I am to be considered as
"not acting between 12 o'clock
"on Saturday night and
"12 o'clock on Sunday night
"during short periods of the
"whole time arbitrarily
"selected"

Mr Smiche says the Govt. never agrees to pay \$10⁰⁰
per day and expenses.

The following is the Agreement between the
two Governments.

That each Commissioner be
paid by the Government appointing him and that the third Com^{rs}
be allowed ten dollars per day while acting and that his pay and
other expenses be borne equally by the Dom: and Prov: Govts.

' when the arrangement was
 ' made to allow £500 per day
 ' for expenses in the field it
 ' was distinctly understood
 ' to be upon the same prin-
 ' ciple as is followed by when
 ' other Govt. Officers are absent
 ' on duty from their fixed
 ' residences

No such arrangement
 was ever mentioned to me
 or hinted at, and I could
 not have agreed to such
 a proposal.

The arrangement
 is on record in Deputy
 Provincial Secy. letter
 to me 26th Oct 1876 (see copy)

It refers to a proposal which
 would be convenient as
 regards the method of
 arranging for expenses in
 the field. The principle
 of paying the expenses of the
 Joint Com^{rs} was not touched
 by that letter, nor could
 it have been as that was
 settled by the agreement between
 the two Govts. I have nothing
 to do with the practice of
 the Civil Service in P.C.

I was an officer acting
 under a specific agreement,
 which the purposes of it,
 the Dom. Govt. have interpreted
 by paying their share of
 the costs in dispute.

I have no residence
 in Victoria but live in
 England. Victoria is the
 same to me as Kanaim
 or Kamloops.

I am to be paid while
 'acting'. Can it be said
 that I have not been 'acting'

while in Victoria? I have been
in fact fully occupied with
Commissioner's work every day.

As to the rate of pay
being high

Whether high or low it is
the subject of a distinct
agreement made between
the Western Gov^t and the
Dominion Gov^t. I think
the pay very low, and the
Dominion Gov^t, who first
proposed the rate, have now
it is said, recognized the
fact and raised it.

The Joint Commis^{rs}
pay is the only one named
in the Agreement between the
Gov^{ts} with their own Comm^{rs};
respectively, the Gov^{ts} might
have made what arrangements
they pleased, but I dare
say the presumption was that
all three would probably
be paid alike.

Yrs, G. M. S.

Copy

G. M. Sprat In ap with Prov^l Gov^t

Salary as Joint Commissioners
from 1st to 31st March

31 Days @ 100	310.00
Pay by Hon. Gov ^t 1/2	<u>155.00</u>

Decd 31st March 1878 \$155.00

Copy

G. M. Sprout In ac with Prov. Gov.

March 31st By the following portions of
 pay^{re} due from the Prov
 Gov^t under agreement
 (6th Jan 1876)

Pay on the following Sundays

In August 1876	2.	
Sept	4.	
Oct	5.	
March 1877	3.	
Days	14 @ 10 ⁰⁰	140.00

Allowance for Expenses in Victoria

From 24 th August to 2 nd Nov ^r '76	71	@ 2 ⁵⁰	177.50
11 th March to 11 th June '77	93	-	232.50
19 th Dec ^r to 31 st Mar '78	103	-	257.50
			807.50
Reduced Com. Exp: Share, paid,			403.75
Prov. Gov. Share			\$ 403.75

Certified Correct

S^t. A. McKislay

S^t. G. M. Sprout

Duplicate of above
 sent to Hon R. Beavert
 17 Jan 1877

Indian Reserve Commission

B.C. Victoria 20 April 1878

Sir,

It is no part of my duty to examine claims which may be made by white men to the property of the Indians. But, in pursuance of your request, I have read the statement which you sent to the Indian Reserve Commission on the subject of your claim to a portion of the Songhees Reserve at the Indian Canal Landing.

You state that Mr Douglas promised that you should have possession of the above portion of the Reserve, but, you do not produce any original document to prove your claims nor, can I find any such document in the Office of the Government.

Your claim, therefore, as presented to me rests upon your own statement, and upon the evidence of Mr J W McKay, whom you name as the gentleman who made the delivery, as you allege, under instructions from Mr Douglas of the necessary right to the Indian Canal Landing.

I do not know any gentleman whose statements would be entitled to more credit than your own, but, it is obvious, that no statement of yours can be received as evidence of your title to a valuable piece of land.

As regards the evidence of Mr McKay, I have seen that gentleman, and, he says that, to the best of his recollection, Mr Douglas directed him to make arrangements for permitting you to use temporarily the above piece of ground as a shipyard.

It does not confirm your statement that the delivery was a perpetual one.

I may add my own opinion to the effect that, even if you could produce a formal grant of the above piece of land by you from the Government of Sir James Douglas, the Govt. of the Dominion, as Trustees for the Indians, would scrutinize narrowly the authority under which such a grant purported to be issued, seeing that the Songhees Reserve, including the piece of land in question, appears to have been the private property of the Songhees tribe since 1850 at least.

Wm. H. Main Esq
Victoria

I have &c.
S. G. M. Sprunt
J. R. Com^{rs}

Memorandum

Victoria B.C. 18th April 1878

Capt. Semmatt will bear in mind that he is employed by the Superintendent General of Indian Affairs to survey the Reserves on behalf of the Dom. Govt who are the trustees of the Indians. An unfortunate state of affairs has for some time existed among the Shuswap and Okanagan Indians, and the promptitude of the Dom. Govt in following up the decisions of the Comm^{rs} by instructions for surveying the Reserves is probably in some degree connected with a desire to assist in restoring the confidence of the Indians in the good will of the Govt.

It is only necessary to mention this fact to Capt. Semmatt, to ensure on his part the exercise of great patience and courtesy

in his dealings with the people, and especially with the chiefs.

Capt. Emmett in conversing with the Indians will be careful to explain to them, if necessary, that he is merely an executive officer instructed to mark off the boundaries of the Reserves as allotted by the Comr and that he cannot express any opinion on land questions generally. The men of the Survey party should be informed that drunkenness or attempted familiarity with the Indian women will be followed by immediate dismissal.

Indian Reserve Commission

P. C. Victoria 20 April 1878

Sir,

I beg to enclose copy of a letter, of this date, from me to James H. Thain of Victoria, who has for some time back been endeavouring to make a claim to a portion of the Songhees Reserve, at this place.

I have given a copy of the letter to W. Powell.

I am Sir, &c.

The Hon.

The Sup^r General
of Indian Affairs.

Sd. G. M. Sprat. Secy. R. Com.

P. C. Victoria 20 April 1878

Sir,

I beg to enclose copy of my letter of this date to Mr Thain about his claim to a portion of the Songhees Reserve.

I am Sir, &c. &c.

J. H. Powell Esq.
Ind. Sup^r

Sd. G. M. Sprat. Secy. R. Com.

27
For Mr Green

Memorandum. Victoria B.C.
19th April 1878,

It is probably only necessary to mention to Mr Green that he is employed by the Superintendent General of Indian Affairs to survey the Indian Reserves on behalf of the Dominion Gov^t who are the Trustees of the Indians, in order to ensure on his part the exercise of great patience and courtesy in his dealings with the people and with the Chiefs.

Mr Green will have the goodness to bear in mind, in conversing with the Indians, that he is merely an executive Officer instructed to mark off the boundaries of the Reserves, as allotted by the Commissioners, and that it is necessary he should not express any opinions on land questions generally.

The men of the survey party should be warned that drunkenness or attempted familiarity with Indian women will be followed by instant dismissal.

Sd. Gilbert Malcolm Sprunt
Ind. Res. Comm^r

Indian Reserve Commission

B.C. Victoria 22nd April 1878.

Sir,

Referring to list of Gov^t property enclosed in my letter of the 12th inst. I have now to say that there are some things entirely worn out and expended, other things much worn, and other things

again not required in future work, while some are in pretty good repair, and may be taken over by the Romanion Government, if the arrangement should be completed under which they are to bear all expenses.

I enclose a list of the latter class of things, with prices attached which I would recommend the Rom. Gov. to give for them.

These are, in my judgment, fair prices and probably higher prices than could be otherwise got for them.

Some of the Articles are in Victoria, some at Kamloops.

I suggest that the prices should be agreed here for those things in Victoria that may be taken over, and that at Kamloops, Mr. Wether be authorized to agree to the prices of the same class of things.

Further, that the same arrangement be made here, and at Kamloops, with reference to the things which, not being required, must be sold on account of the two Governments.

Be so good as to deal with the above offer immediately, so as to facilitate my arrangements for outfit for the present season.

The Hon. The Prov.
Secretary

I am &c &c
G. M. Sproule J.R.C.M.

Indian Reserve CommissionVictoria 22nd April 1898

Dear Sir

I understand that Mr Robertson has begun to erect a saw-mill on part of the Indian Reserve at Cowichan and is probably cutting wood on the Reserve in connection with this work, no doubt in accordance with former arrangements made with yourself and the consent of the Indians there obtained.

I think it was stated in a newspaper lately that the Public Works Department intended clearing out the Cowichan River.

In connection both with the clearing of the River and the requirements of the proposed saw-mill in getting sawlogs down the River, I may remind you of the absolutely necessity of thoroughly explaining to the Indians the effect of these operations upon their numerous fishing weirs, and of obtaining their intelligent consent to such operations and their agreement with your approval to receive compensation for any injury to their weirs.

If, as I apprehend, the weirs will be generally in when the logs are being run down the River the loss to the Indians will be great if indeed anything can compensate them for the loss of their salmon.

I take leave to bring the above to your notice respectfully as these numerous Cowichan Indians, from a recent examination of their history which I have made, have past-grievances to which it is undesirable to make any additions, and particularly as I have been told that an old fishing place on

Fraser River frequented by the Cowichan as a winter fishing place has been sold some time ago over their heads.

It is desirable, both in the interest of the white and Indian people of Cowichan that a sawmill should be established there, but the illegal occupation of the Reserve or the establishment of a business which may directly affect the Indian supplies of fish should not be permitted, except on some clear understanding.

I believe the Canadian Fishery Act strictly interpreted prevent Indian weirs on small rivers, but this may be changed during the present Session so as to permit such weirs to be made. In case this alteration should not be made in the law, the Department, for the time, has a lever in its being able to refuse permission for the erection of the mill on the Reserve unless some arrangement can be come to about the weirs.

I am &c &c

Col. Powell

Sd. by M. Sprout J. R. Comr

Ind: Supd: 2

Indian Reserve Commission

Water

P.C. Victoria 22nd April 1878

Sir,

I beg leave respectfully to mention, for the consideration of His Honor The Great Governor in Council, that, so far as I have been able to ascertain the facts, the Indians in many parts of the interior of the mainland are not well placed as regards the essential requirements of water for irrigating their Reserves.

In some few cases

water

2. From reply
see 188.

water for the above purpose has been assigned specially to the Indians, with their old Reserves, but, in a great many cases, this has not been done - It is possible that the

Officers entrusted with the duty of laying off Reserves may have supposed that, in giving the land, they, by that act, also gave the necessary quantity of water to the Indians.

The Land Laws, however, both of the Colony & the Province, while protecting Indian Settlements against pre-emption or purchase, do not protect the requirements of the Indians with respect to water for irrigation.

The laws expressly enable water to be acquired by priority of record, and no record has been made on behalf of the Indians, except in a few cases in which, as above stated, water has been assigned with the Reserves, which assignment might, perhaps, be considered equivalent to a record.

Would this be so?

The survey party now proceeding to the interior to survey the boundaries of the Reserves will also examine the question of water, and until this is done, and the facts ascertained, the work of the Commissioners during the past year in the interior must be considered incomplete.

White settlers have made records of water at nearly all the Reserves visited, and whether their Records are excessive or not, and when it will be the bearing of a conflict between the legal rights of the white settlers and the equitable rights of the Indians will have to be considered and determined.

I presume this matter can be arranged on the spot between the Assistant Land Commissioner and myself, or the Indian Chief Surveyor, so far as the real quantity of water really required by white settlers, who have made records, is concerned.

I shall be glad to know your views as to what should be done to adjust water questions between the two Governments in the case of old Reserves for which too little water is available owing to the records of white settlers. The expense of my having to revisit these places, to make a final adjustment, would be very considerable.

With respect to the numerous places in the interior, not yet visited by the Indian Reserve Commission, where water will be required by the Indians. I do not know whether, under the existing Land Law it is in the power of the Provincial Government to refuse to receive records of water by white settlers in the neighbourhood of Indian Reserves.

If not, it appears to be desirable that they should obtain such powers from the Legislature, otherwise the Province may be put to a great deal of expense because it is unnecessary to say that the Indians must have water as well as land, and that water should, in all cases, have been provided for them from the first.

You will oblige me by stating whether the decision with respect to water of the Indian Reserve Commission contained in their Minutes of Decision will be equivalent to a legal record, or, whether the quantity of water required by each Tribe must be specifically recorded in the Land Office of the District, and, if so, whether the record should be made in the name of the Tribe or the Superintendent General of Indian Affairs.

I have &c &c
Sd G. H. Sprunt J. R. Com.

The Hon;

The Prov. Secy

Indian Reserve Commission

B. C. Victoria 24th April 1878

Sir,

Having compared the Prices of Stationery bought here by the Indian Reserve Commission with the Invoice Prices of stationery sent from Ottawa to the Indian Department here, and finding that the latter prices are much lower, I have purchased only a small supply for present wants, and now beg leave to enclose an indent of stationery which, if you think fit, may be sent for the use of the Indian Reserve Commission to the care of the Indian Department at this place.

At Mr Holmes's request

I have added a few items required in the survey branch.

I am Sir &c &c

The Hon: The Supt. General.

St. G. M. Spruce I.R. Com

Indent of Stationery, Estimated for 12 months,
for use of the Indian Reserve Commission.

70 Lb Plain I cap Paper	1/2 lb Official Envelopes
30 . ruled . do	1 . f. cap size do
30 . note . do	1/2 . note . do
2 . Blotting . do	3 boxes and paper slips Binders
1 . Cartridge . do	3 I. R. Bands
6 . ruled cap, Brod, do	2 doz blk lead Pencils
1 M. Pouches . same as form,	4 boxes Quill nibs
1/2 lb red sealing wax	6 pcs red tape, 1/8 & 1/4 in,
1 Ruler, 2 feet,	
2 Red letter Books for	
Manuscript not letterpress	
6 plain Mem Books, same,	

St. G. M. Spruce

Ind. Res. Comⁿ

Victoria
24 April 1878

Indian Reserve CommissionP.C. Victoria 24th April 1878

Sir,

I have now to enclose copy of a letter from Mr Meredith to me dated 11th April on the subject of surveying the boundaries of Reserves.

It appears to be the Minister's wish that you should independently have charge of these surveys, getting money on requisition from Dr Powell, Indian Superintendent, subject to the conditions stated, and sending plans &c through me, to the Departments at Ottawa and in this Province.

Your obed^t. Serv^t
 E. M. Sproule J.R. Com
 E. M. Sproule C.E. SA

Indian Reserve Commission.P.C. Victoria 24th April 1878

Sir,

The authority which reached me by telegram from the Hon: The Superintendent General to appoint you as Surveyor has been explained by a letter from Ottawa received by me to day.

The Supt. General does not order your appointment, but expresses a preference for your name among others which had been brought to his notice.

I will advise him in due course that there is nothing to interfere with such preference, and that you have been appointed.

In all matters you will be under the instructions of Mr McKim and will be good enough to pay strict attention thereto particularly as regards the regularity of your reports, so that the progress and position of the work under your care may be

thoroughly known from time to time

It is understood that if, (which is not likely this season), Mr. Moken is not required to act as Attendant Surveyor to the Indian Reserve Commission, he will take charge of one or other of the survey parties that may be in the field.

The Sup^t General requests that the work shall be prosecuted with the greatest possible despatch.

Your obed^t Serv^t

Asst. Comm^r Genl. Coy^r
Victoria

Sd. G. M. Sprout Ind. Res. Com.

Similar letter ~~Copy of above~~ sent to Capt. Emmett.

Indian Reserve Commission

P.O. Victoria 24th April 1878.

Sir,

I have the honour to enclose a copy of a letter from Mr. Meredith, dated Ottawa 11th April 1878, on the subject of surveying the boundaries of Indian Reserves.

It appears to be the Minister's wish that Mr. Moken should independently have charge of these surveys, getting money on requisition from you and sending the plans and returns of surveys - which I presume include accounts - through me to the "Department", that is to say, to head quarters at Ottawa, and to the two branches of the Department in the Province, according to the Superintendency in which the surveys are made.

I am Sir, &c.

Colonel Powell

Sd. G. M. Sprout Ind. Res. Com.

Indian Sup^t

Similar letter sent to Jas. Enihan Esq.

P.C. Victoria 25th April 1878

Dear Sir,

Please to deliver to Mr Walter From
or his order any horses or other property of the
Indian Reserve Commission which he may apply for

I am, Dear Sir &c

W Ross Esqr C.P.R.S

Sd G. M. Sproat Ind. Res. Com^{rs}

Indian Reserve Commission

P.C. Victoria 25th April 1878

Dear Sir,

It is necessary that I should go
through the formality of asking you to be good
enough to look to see if you have any papers, documents,
books or journals connected with the business of the
Ind. Res. Com^{rs}, and, if so, to request that you
will deliver the same to Mr Blenkinsop, as part of
the Records and property of the Commission, except
what it may be necessary to take with me during the
present season for reference, will be collected and
deposited in the Indian Office Victoria, or, at such
other place as may be agreed on by the two
Governments to whom all past Records belong; and,
it is with view that I write you to make the
present request.

H.C. Anderson Esqr
Victoria

I am, Dear Sir &c
Sd G. M. Sproat Ind. Res. Com^{rs}

Similar letter sent to A. Mc Lintay Esqr.

Indian Reserve Commission

6425

British Columbia.

Victoria

24th April 1878Surveys

Sir,

I have to acknowledge the receipt of your letter of the 11th Inst stating your wishes with respect to the survey of the Boundaries of the Indian Reserves allotted by the Commission.

Mr A. Green and Capt. Jemmett have in accordance with your instructions been appointed to take charge respectively of the two parties, and I have given each gentleman specific instructions in writing to exercise great patience and courtesy in his intercourse with the Indians, and to warn their men that drunkenness or attempted familiarity with Indian women will be followed by instant dismissal, and exclusion from any future service under the Department.

In order to avoid the misunderstandings which have arisen in the past from the use of the imperfect Chinook jargon in interpreting, and in order to save the expense of a regular interpreter, each Surveyor has been instructed to employ an English speaking Indian as one of the party at the ordinary wages of a workman.

The Surveyors themselves have been reminded that they are employed by the Department on behalf of the Indians, but that as merely executive officers, they must not converse with the Indians on land matters.

All other instructions have been given to the Surveyors by Mr Motion who had on receipt of your telegram of the 11th been informed of his appointment to supervise these surveys, in conjunction with his duties as attendant Surveyor with the Indian Reserve Commission.

It

It has been judged advisable that the Coast party under the command of Mr. A. Green should begin at Stooke near Victoria, and work up the east coast to Comox, crossing thence to Jarvis Inlet on the mainland and Howe Sound where the streams will be low towards the fall of the year and every effort will be made by this party to finish during the present season all the reserves on the coast allotted by the Commission. Mr. Green will start tomorrow for Stooke and employ there and at Beeder Bay any settlers as laborers, beginning afterwards with a regular party at Saanich to work northward.

Capt. Jemmett came here on the 13th for instructions from New Westminster, returning by the steamer on the 16th with orders to start from New Westminster for Kamloops on the 19th.

He should be there tomorrow. He was permitted to take his chairman from New Westminster, but owing to the great cost of travelling was instructed to engage the other men of his party at Kamloops.

He has been instructed to attend to the water required upon the reserves for irrigation, but I almost think it will be necessary for Mr. Mohun and perhaps myself, to assist him in this part of his work at some of the first reserves, as though an excellent officer he has not been in that part of the country and the water question requires some engineering skill as well as knowledge of the conditions of farming there, and moreover may give rise to nice questions, as you will see from a separate letter from me of this date upon the subject.

To prevent clashing I have communicated your instructions generally with reference to the surveys to the two Superintendents for their information.

information, stating that Mr Mahum was to have charge of them, getting money on conditional requisition from Mr. Powell acting as banker, and sending the plans, returns and accounts through me, to Headquarters at Ottawa, and such information as was necessary, to the two branches of the Department in the Province.

This arrangement seems the best that circumstances permit of as it brings the work under the care of those who know all the conditions of it, and as Mr Mahum not only knows the acts of the Commissioners but also has a general idea of their intentions.

Your instructions that the work shall be prosecuted with the greatest possible dispatch have been communicated to the Surveyors.

Capt. Gemmett will have several months work close to Hamloops Lake, North and South Thompson rivers and Hudsons Lakes and the use of a boat ought save much expense with a pack train.

The C. P. R. Survey department have two big boats at Hamloops, but owing to the Paymasters absence at Ottawa I could not get the loan of one. The Clerk in charge suggested that I should telegraph to Ottawa on the subject, which I did but have not yet got a reply from you. There are few boats on these inland waters and the canoes are small and inferior.

I have supplied to Capt. Gemmett 4 tents and 2 flies, and to Mr A Green 4 tents and one drawing board paid for by the Ind. Reserve Commission when it was supposed 18 mos ago that Survey parties would follow them up closely.

I have taken receipts for these articles which the Surveyors must account for or return.

The Honble
The Superintendent General
of Indian Affairs
Ottawa

I am Sir, &c &c
(Signed) Gilbert Malcolm Sproat.
Ind. Res. Commr.

Indian Reserve Commission

British Columbia
- Victoria

24th April 1878

Water

Sir,

I beg now to enclose for your information copy of my letter of the 22nd Inst to the Hon^{ble} the Prov^l Secretary, on the subject of the water required by the interior Indians for irrigation.

I have not yet received an answer. Perhaps in practice, water enough for all, may be found, but the question is not in a satisfactory position. The land is worthless without water.

The Hon. The
Super^r General
of Indian Affairs
Ottawa

I am Sir &c. &c.
signed Gilbert Malcolm Sproat
Ind. Res. Comm^r

Indian Reserve Commission

British Columbia
- Victoria

26th April 1878

Sir,

The Commissioners a year ago gave the Provincial Government their minutes of decision for the lands of the Cowichan Indians on Vancouver Island, with sketches of the reserves.

Three months ago the Provincial Government issued a Crown Grant for two sections or about 200 acres of the reserve allotted by the Commissioners.

The grantee is Mr. William Sutton of Walkerton
Ontario

Ontario, Sheriff of the County of Bruce, and he has had 15 or 20 men working on the land and has built two houses and cut and collected timber to construct a sawmill.

On learning this fact which I did in going through the papers connected with the coast reserves with Mr. Mahon, and Mr. A. Green the lately appointed surveyor, I wrote a letter ~~on~~ on the 22nd Inst as per enclosed copy, to Dr. Powell in whose hands the matter now is.

I nevertheless will advise with him as to the best way of dealing with this unfortunate case which has arisen of course simply from the unbusinesslike inaction of the Provincial Govt. in not referring to the documents and sketches in their possession.

I hope some way of compromising the question may be discovered as the existence of the mill (if the salmon weir question can be well settled) will be useful to the Indians as well as to the whites, indeed when the Commissioners were at Cowichan, they told the Indians that there was some talk of a saw mill being erected and they seemed pleased.

There seems to be some fatality attendant upon all governmental dealings with these important Cowichan tribes, and the history of these dealings forms the main difficulty now in adjusting any irregularities that may occur in transactions with them.

I enclose for your information rough notes on the history of past governmental dealings with these Indians. I have lent my book to Dr. Powell, so that he may make a copy of these notes for himself, and examine or add to them, by further researches for which, at present, I have no time.

The Provincial Government quite appreciate
the

the awkward position they are in, but I hope the matter may be settled in some way satisfactory to the Indians that shall not cause a stoppage of the useful sawmill enterprise.

I am Sir

Yours obed^t. Serv^t

(signed) Gilbert Malcolm Sprott

Ind. Res. Commissioner.

The Honble the
Superintendent General
of Indian Affairs
Ottawa.

Indian Reserve Commission
Victoria B.C.
27 April 1878

Sir,

I beg to enclose census of the Indians in the Muswap and Okanagan districts to whom reserves were allotted by the Commissioners last year.

Mr. Mohun on passing through New Westminster will call to explain what is being done about the surveys, and why he cannot get finish the sketches owing to the existence of several open questions which will it is hoped be determined this spring

Yours faithfully

James Lenihan Esq
New Westminster.

signed

G. M. Sprott

Ind. Res. Comm^r

Victoria B.C.

27 April 1878

Dear Sir

In anticipation of Mr. Green the surveyor going to Jarvis Island, allow me to express a hope that the lumber-lease question there may be
arranged

arranged with the Prov. Govt. before he reaches the District as these ^{very} deserving Indians are sure to ask about the timber lease. The privilege sought is really of small value

Yours very truly
(signed) - G.M. Sproat

Col. Powell

Indian Dept.

Indian Reserve Commission
British Columbia
Victoria

Expenditure for Surveys 29th Apr 1878

Sir

Some little clearing up of your wishes on this matter seems to be required at your convenience, in order, more particularly to define where actual responsibility rests.

I write after friendly consultation with Mr. Lowell and Mr. McKim.

In the joint letter of Mr. Anderson and myself to you dated 28th Feb^y last it was said as regards the "surveys" "whether in order to secure uniformity the work shall be in the hands exclusively of one or other of the Superintendents may be a matter of your consideration".

You deal with this among other other matters, in Mr. Meredith's letter to me dated 11th April 1878.

Whether rightly or not I interpret your last named letter to mean upon this point that as the surveys are to be carried on in the two Superintendencies, you do not at present see your way to appoint one of the two Superintendents to control both parties, and to avoid clashing

you select Mr. Moken a neutral competent person to supervise the surveys generally in the Province.

It is also in your mind that ^{not} only does Mr. Moken know what the Com^r intended, but as the Abundant Surveyor with me, he will, to some extent, have an opportunity of advising with me on survey matters, though I am not officially responsible for the management of the surveys.

On reflection I think the arrangement which I thus suppose you to have made is better than that suggested, as above, in the letter of Mr. Anderson & myself 28th Feb^r, first; because you will probably require both Mr. Moken and myself to certify to the surveys before the Hon^{ble} Com^r will accept the conveyance of the land, and secondly, because as has strongly been brought to my mind in preparing with Mr. Moken, instructions for the Surveyors, neither of the Superintendents know, nor can be expected to know, sufficiently about the acts of the Com^r and the various questions still open with the Prov. Gov^t, to enable him either to instruct the Surveyors or effectively advise him in case of questions arising during the progress of the work.

So much on the question of principle. The question on which some doubt arises in Dr. Powell's mind is his position with respect to the credit which you have sent to him on account of surveys, particularly in connection with the requirements of the following extract from Mr. Meredith's letter of 11th April 1878.

"Mr. Moken to furnish Dr. Powell with a statement in detail of the amount necessary to be advanced each surveyor before such advance is made"

Dr. Powell as I read
the

the above letter, is to be the barter, without responsibility for the survey, authorizing to disburse upon the above statement in detail being furnished to him by Mr. Mohun. This is simple enough, but the difficulty in Dr. Powell's mind is what, under the actual circumstances will constitute a statement in detail.

A statement can be furnished by Mr. Mohun, but it cannot be a statement in detail strictly. It can show the surveyor's wages per month; also the labour per month that cannot be exceeded; the cost of board per month that must not be exceeded; and a round sum of several hundred dollars for the whole season for purchase of canoe, repairs, travelling expenses, petty and incidentals.

The surveyor's wages of course will be a fixed item - no difficulty about that.

The labour is pretty well known, but till the surveyor gets on the ground, the exact outlay from time to time cannot be known.

Some men will not draw their wages till towards end of season; it may be necessary to discharge men and pay them off suddenly, as inefficient, or because Indians at lower wages may be employed, and these latter must be paid in cash, and you can never count on when an Indian will leave.

What provisions should cost is known to Mr. Mohun, but some things can be bought more cheaply in Victoria, and others in Nanaimo, (to which vessels go direct from San Francisco) and of some articles several months supplies should be bought at once, and when the surveyor leaves the east coast of the island for the uninhabited (by whites),

coast of the mainland at Iain Inlet Howe Sound. He must take several months of all kinds of supplies.

It is difficult to say when the east coast will be finished, but every effort has to be used to finish both that and the mainland coast, as far as allotted by the Com^r during this season.

The Surveyor himself could not give a statement in detail except at the times of his seeing the money - nor could Mr Powell nor Mr Lenihan, residing in Victoria and New Westminster, know whether the statement was likely to be right or not. In fact a certain responsibility must be upon the Surveyor in charge of parties, though that may not be officially recognised - Mr Graham being responsible.

It is for this reason that I think the Surveyor from each Reserve should send Mr Graham, wherever he may be, field notes, log book, and then accounts.

From his having surveyed on the same ground, and having accompanied the Com^r again over it his examination of these documents would enable him to judge whether the Surveyor was making due progress, and at a fair cost. Having to sign the accounts and make them up, would cause his examination to be real. If the Surveyor was not doing well, he should be discharged. This is a little more roundabout than if the Surveyor sent his papers to the Superintendent, but it is to be remembered that the latter could not, nor could I alone, judge of the manner in which professional survey work was being conducted. It would be a sham, instead of a real supervision. as far as circumstances permitted.

The same remarks

apply to Capt. Jewett's work in the interior, even more particularly as no one knows what will be dictated by the examination of the Indians' requirements of water for irrigation.

I have requested Mr. Broken to give Dr. Powell as detailed a statement as he can, and Dr. Powell will write to you for information as to his exact position in reference to the expenditure for surveys.

If I have rightly interpreted your wishes, I would suggest that Dr. Powell be informed that he is expected to act as banker, and that it will be in order for him to disburse as may be required from time to time by the surveys being guided by the ^{best} ~~best~~ statement that Mr. Broken can furnish similar to that which he will enclose.

I understood from Dr. Powell to day in conversation that this would please him - He only wishes to know his responsibility -

In the meantime, he will pay what is necessary to prevent any delay with this pressing work at the best time of the year.

I am sorry to have addressed you on this subject at such length, but things work better when each person knows what is expected of him, and I respectfully submit my own coin for what they may be worth.

I am, Sir, &c. &c.
Sd. G. M. Spruce
Jno. B. Com. m.

The Hon.

The Supt General
of Indian Affairs

Indian Res. CommissionerB.C. Victoria 29th April 1878

Sir

I request you to proceed to Kamloops and assist Capt Skemmett in starting the surveys of the Indian Reserves in such order as you may deem convenient and particularly in respect to the water requirements of the Indians.

I have advised the Sup^r General that it is advisable that you should be employed in this work pending my requiring you as Attendant Surveyor. I have not yet decided on my route, and am not at present able to start, and you cannot be better employed during the interval between the present time and when I shall require your assistance, than in this important irrigation work.

Please let me know at intervals from time to time what you are doing and I will advise you of my movements and when I am likely to require you.

You may say to any Indians who may inquire that I have been in poor health lately and could not leave Victoria.

You have authority to direct Capt. Skemmett what to do as regards laying off a piece of woodland on Kistakineeth Reserve for Mr. Mc Bryan and other settlers, taking care to consult with Kistakineeth, and that no timber not likely to be wanted for the farm purposes of these settlers is given to them. They are not to have timber to sell.

My movements towards
Kistakineeth

Copy Telegram Victoria 28th April 1878.

The late telegraphic arrangements between the two Governments appearing to involve practically a change of policy towards the Indians who are becoming impatient I have obtained an Order in Council from Provincial Government to day largely extending my powers and am ready to start for mainland on receiving money say Four thousand dollars.

Sd Sprout

Supt. General of
Indian Affairs
Ottawa Canada

Nicola depend upon what Mr Vernon may do and communicate to me respecting Mr Douglas at Nicola etc

Kindly consult with Mr Essker, and write to me fully as to the Nicola question (address to Gale) as soon as you get up, and ask Mr Essker to urge upon Mr Vernon (who personally has not much knowledge of Nicola, how important it is in the interest of the Province for many reasons that a decisive settlement should be made of all Indian Nicola questions

I am Sir &c &c
Sd G. M. Sprout
Asst Sec Com

E. Indian Esq. C.E.
Victoria

Indian Reserve CommissionW. L. Victoria 29th April 1878

Sir,

Referring to your telegram 4th April to me as follows - "Governor Richards asked by telegram whether allotment you make could be regarded final also respecting expenses"

I have been engaged in discussing the question with the Prov. Govt. under the disadvantage of its members being actually employed in attending to their interests in the general election now taking place.

I have conversed also with His Honor The Lieut. Governor.

Mr Attorney General Elliott has shown me your telegram to the Governor, and the Order in Council, and I have expressed great satisfaction that the Canadian Govt. appreciate the necessity for avoiding any appearance of a change of policy towards the Indians in this important land adjustment.

As regards the general question it is admittedly difficult to reconcile the necessities of a Prov. Govt. dependent upon Parliamentary support, and the requirements of a single Com^{on} undertaking this land adjustment; but after considering the whole question fully, I made up my mind that the occasion required that my decisions should be final in all cases with the exception of those which the Govt Agents in the Districts might, on examination, request me to lay over for the opinion of the Prov. Govt.

I stated this view to the Prov Govt and after tedious negotiations, thought

that they would agree to it, but it appears that without notifying me they sent a telegram to you stating that they would not interfere with my actions except in extreme cases. I have since been told by Mr. Elliott that your Gov^{ts} have approved this arrangement, but I have not seen your telegram.

Knowing from the Order in Council of your Gov^{ts} that you did not wish the policy of Canada towards these Indians to be changed, and knowing that, ^{practically} ~~practically~~, the above telegraphic arrangement would change that policy I told the Pres. Gov^t that in my first conversations on this subject I had gone to the extreme length that you would be likely to go to, and that I would not undertake the work, unless my powers were extended to the extent I first proposed.

After some delay I have to day obtained the following copy of a Report of a Committee of the Hon: The Executive Council approved by His Excellency the Lieut Governor on the 26th April 1878.

"On a Memorandum from the Hon: The Chief Com^r Lands & Works dated the 23rd Apr 1878 recommending that all Hon^{rs} Spots' decisions regarding Indian Land questions in the electoral district of Yale be regarded as final, excepting those of which he shall have received notice from either Mr. Jagger or Mr. Hooker Com^r Agents to lay over."

"The Committee advise that the recommendation be approved"

"Sd, A. C. Elliott

"President Executive Council

The electoral District of Gule is nearly the whole southern interior of the mainland.

When I go to other districts my powers must be similarly extended.

The Hon. Governor

~~Richard~~ Richards in conversation expressed an opinion that I should not press the Provincial Govt too much in this matter seeing that they were so dependent on the House of Assembly, and would probably be criticised if they gave away their power of control, and to what His Honor said I listened with due respect, but at the same time the Prov. Govt it seemed to me had by their proposal to abolish the three-composed Commission relinquished the opportunity of being fully represented in the field on the Indian work, and they did so to save money. It was not reasonable that they should do nothing and pay nothing and yet retain their powers.

At the same time, of course, the facts of the position of this Government might fairly be considered, but subject to the necessity that there should be no change of policy towards the Indians and this latter I could judge of.

The whole question is largely one of procedure and detail, and in this case, it comes down to a Commissioner setting on a bog with a hundred or more of eager, suspicious acute Indians before him.

It is evident that for the credit and even safety of the Government, the Commissioners must deal frankly with the Indians.

He must tell them that he has come to seal with them, or he must tell them that he has come to report, and that the Governor at Victoria has to approve and when he will do

this in 6 months or 12 cannot be promised.

Now a Commissioner knowing there was a vague reserved power of veto behind him could not honestly conceal that fact from the Indians,

They would ask why they were to be treated differently from the other tribes of their nation; they would suspect they were going to be treated and probably would refuse to treat at all about their lands.

The limitation of the Prov. Gov't interference to "extreme cases" would mean nothing.

These matters have to be looked at practically. A letter to the Land Officer from a settler would, with any Prov. Gov't transform any case into an "extreme case".

The present Prov. Gov't has not interfered, and they are believed to be better disposed than their predecessors (who may again be in power after the present election, to a fair statement of Indian questions, but it is uphill work to get them to look into any Indian questions requiring their examination.

Half a dozen questions are where I left them a year ago.

The unfortunate speech put into the mouth of the Lieut. Governor some months ago; the local outcry of several settlers, the articles in newspapers; the long delay of the Com^{rs} in Victoria have had a bad effect on the minds of the Indians and it is probable that much of the good work done last year has already lost its effect.

I will do my best, but I feel that the circumstances are very different from what they might have been had the work of last year been promptly followed up.

The Hon
The Supt. General

Jane Fortson
Secy to the Sp. Comm^r S. R. Com^r

Indian Reserve Commission

B. C. Victoria 29 April 1878

Sir,

The Commissioners Minutes of Decision for the Kamloops Indians will record the promise made by them to Louis, the Kamloops Chief, to give them the factory at B. Newman and a strip of woodland on the land Thompson and also to look at the hay meadow behind Edwards to see if the latter could be given to them.

Mr Vernon was asked to authorize me to try to induce Louis for \$5000 to abandon the factory at Newman, but he has not left any written authority, so the place will have to be surveyed, but as it is desirable to induce the Indians to relinquish it, the survey should be delayed as long as possible, but not so as to cause any suspicion of bad faith in the mind of the Chief. Perhaps Mr. Vernon would give written authority at Kamloops when there.

Consult with Mr. Ascher as to the best place for the wood land, and visit and report as to the hay meadow -

Yours &c

J. M. Sprout

E. M. Rogers

Victoria 29 April 1878

Dear Sir,

Enclosed is a copy of a letter written by me to-day, at Mr. Rogers request to the Deputy General on the subject of future money requirements for surveys.

Yours &c

J. M. Sprout

Col. Powell

Ind. Encl. 5

Indian Reserve Commission.

D. C. Victoria 29 April 1878

Sir,

Mr. Graham begs me to remind you that the estimate of expenditure on surveys required by the two parties now at work was \$2000 up to 30th June next. Thereafter, money at the rate of \$500 per month for each party or \$1000 per month will have to be available in the hands of Dr. Powell as required for above purpose.

I am Sir &c &c

The Hon

Sd. G. M. Sprunt Ind. Res. Com.

The Sup^d GeneralIndian Reserve Commission.

D. C. Victoria 29 April 1878

Sir

I beg leave respectfully to annex copy of a telegram which I sent to you today.

I am Sir &c &c

The Hon;

Sd. G. M. Sprunt Ind. Res. Com.

The Sup^d General.Indian Reserve Commission.

Victoria D. C.

30th April 1878

Dear Sir,

In a day or two I will send you a telegram containing the words 'all right'. I request you on receipt of the telegram to get the stores and effects as per annexed list, &c., from Mr. Cox at Kamloops who will deliver them to you or to your order and having done so come to

Gale as soon as you can bringing a pack train No 2, as per annexed list in addition to the Horses you get from Kamloops.

I will leave Victoria for Gale on Tuesday the 7th May and either wait for you at Gale or pitch camp at the first Indian village above Gale. Telegraph to me at Gale from Cache Creek when you leave there.

I am &c &c

Geo Blenkinsop

Secy to J.R. Cameron

Mr Walter Fearn

Victoria 30th April 1878

Dear Sir,

I hereby authorize you to dispose of 'Charlie' - the Horse that Mr Anderson rode - by exchanging him for 2 or 3 pack animals equal to him in value - you to be the judge of this, and what you do I will confirm, on the part of the Hon. Secy, to which the Horse belongs. Bring the pack animals you get in exchange with you.

If you cannot effect an exchange bring Charlie with you. Do not act upon this letter until you get the telegram - all rights mentioned in Mr Blenkinsop's letter of this date.

Charlie's saddle (black leather) is a good one but I do not think we shall want it, if you can't get a fair price for it you might use it yourself during the season, waiting an opportunity of disposing of it to advantage on account of the Dominion Government.

The Bridle can be left in charge of Mr Fearn if you can't sell it.

Yours &c

Mr Walter Fearn

G. M. Stewart J.R. Cameron

List No 1.

Of things to be brought to Gale by W. Fearn

The whole of the effects and horses of the Indian Reserve Commission left in charge of Mr Ross at Kamloops - except what Mr Ross may have taken.

Sd J.B.

List No 2.

I cannot quite estimate what number of animals we shall require - you had better bring about a dozen pack animals to Gale and we will see what will be actually needed.

Sd J.B.

Vancouver 30th April 1878.

Dear Fearn.

Supposing that we work up the wagon road from Gale spending several weeks between Gale and Lytton - How about feed? I suppose grass can't be found - you will have to arrange for your trip down as you think best. The trip up will be slower and if oats must be carried you will want an extra animal or two. My impression is that oats will be much cheaper at Kamloops than at Gale, if so, you had better bring some to Gale on account of the Commission from Kamloops or your neighbourhood.

Yours &c,

J. B. Fearn

Secty. to Ind. Res. Com.

Victoria B.C.

30^d. April 1878

Dear Sir,

Be kind enough on receiving a telegram from Mr. Sprout Ind. Res. Commissioner containing the words "all right", addressed to Walter Fearn, to forward it immediately at our expense to that gentleman. Hope to see you in a short time.

Mr J. B. Deighton.
Crest Creek.

Yours
Geo. Plunkinsh
Secy to I.R. Comm.

Indian Reserve Commission
British Columbia

Victoria

4th May 1878

Sir

I beg leave respectfully to enclose, for your information Copy of a letter which I have written today to the Chief Commissioner of Lands & Works on the subject of Kanaka Bill's alleged pre-emption at Goldstream Beach Inlet

Your obedt. Servant

Gilbert Malcolm Sprout,
Ind. Res. Comm.

Mr Powell

Indian Superintendent
Victoria

Indian Reserve Commission
British Columbia
Victoria

4th May 1878

Sir

A settler named "Kanaka Bill" has a pre-emption at the mouth of Goldstream, Saanich Inlet, which has come into the possession of Mr James Felt of Victoria.

I beg leave respectfully to express the opinion that this pre-emption is invalid, as the place is an old Indian settlement, and the pre-emptor must have made a wrong declaration to obtain a record.

It is the only Salmon stream in the Inlet.

The place is not only secured against purchase or pre-emption by the Land laws, but as a "fishery" was made the subject of an express written agreement between the Saanich Indians (Feb 7. 1852) and the agent of the Hudsons Bay Co. acting on behalf of the crown.

The Indian Reserve Commission visited the place in March 1877 but not wishing to push rights unnecessarily they marked off a small portion of the land for the Indians, as follows (see the formal minutes of decision) and did not assign the whole pre-emption to the Indians as might have been done.

"From a point on right bank of Goldstream true East through a large fir marked Ind. Res. 1500 thence true North 1500 thence true west to shore thence upright bank of river to initial point

The Dominion Government are now surveying the reserves on the Island, and in a short time will require the Provincial Government to convey the above piece of land to them for the Saanich Indians. I mention the matter to you, now, for your information and for such action as you may see fit to take in reference to it, so that there may be no delay in making the conveyance when asked for. I have mentioned the matter also to Mr Felt.

I am Sir

Your obedient Servant

"Gilbert Malcolm Sproat"

Ind. Res. Commr.

The Honble The

Chief Commissioner of Land & Works
Victoria

Victoria B.C.

1st May 1878

J. B. Lughton

Cache Creek

Send following message to Fearn -
All right. Letter from Commissioner to Fearn will
reach Cache Creek by stage on Saturday.
Get Horses shod

Sd. G. M. Sproat

Indian Reserve Commission

British Columbia

Victoria

2nd May 1878

Sir

*This letter
cancelled*

I have the honor to acknowledge receipt of your Telegram
as per annexed Copy.

I enclose a statement of what will probably be
due on account of the Commission at the end of the financial
year 30th June. Upon this my estimate of \$4,000 was based
and I thought you would wish everything closed to that
date. My route is not yet fixed, but if as was proposed
originally I resume work at Osoyoos on the frontier I
shall be there in a few weeks nearly 200 miles from a
Telegraphic office and 40 or 50 from a Post Office.

The men, however, may not require to be paid at
the end of the month, and if necessary I can get my
provisions &c. on credit here, so that unless for office
reasons all accounts have to be absolutely paid at the end

I can proceed upon the \$2000 credit, and send a statement of what will be due and unpaid at 30th June and keep you advised, as I best can hereafter of requirements.

I understand that in accordance with my correspondence with the Lieut Govt which doubtless the Honor has communicated to you for approval, I have to do the work of the Com^o proper, in the upper country consisting of myself, Cook and Interpreter for \$30 per day (see enclosed copy of estimate as handed to the Lieut Govt for a basis) and additionally there will be the expenses of Mr. Blenkinsop and Mr. Brown.

As soon as I am able to give practically the expenditure on account of these officers, I will inform you, and you will then perceive at a glance what the work is costing in the upper country.

The expenditure on the Coast, when work has to be resumed there, will be different according to the arrangements that may be made for transport there. It is unnecessary for me, at present, to go into this question.

The Hon: Sup^t General

I have & & &
Sd. G. M. Sprunt Lieut Govt

Copy.
Telegram

Ottawa May 1st 1878.

Sprunt LHC

\$2000 placed to your credit in Bank of B. F. Columbia. If more required state why.

Sd. D. Mills.

Indian Reserve Commission
British Columbia
Victoria
4th May 1878

Sir

I beg leave respectfully to enclose for your information copy of a letter which I have today written to the Chief Commissioner of Lands & Works on the subject of an alleged pre-emption at Goldstream Saanich Inlet, in which you have I believe an interest.

I am Sir

Your obedient servant

"Gilbert Malcolm Sproat"

Ind. Res. Commr.

James Fell Esq
Victoria

Indian Reserve Commission
Victoria B. C.
May 4th 1878

Survey Branch - Accts

Sir

Enclosed are copies of letters dep. Min. Interior to Mr Powell 13 April and mine of this date to the latter

Your obedient servant

"Gilbert Malcolm Sproat"

Ind. Res. Commr.

E. Moham Esq C. E.
I. R. C.

Hamloops

Indian Reserve Commissioner
Victoria B.C.

4th May 1878

Sir

I have rec^d your letter of Yesterday enclosing copy of unsigned letter purporting to be from the Deputy of the Minister of the Interior to you 13 April last as to money and accounts for the expenditure of the Survey parties now surveying Indian Reserves.

I note, and have informed Mr Mohun that the accounts for these parties have to be sent to him by the Surveyors, and that he is to certify them and send them to you for transmission to Ottawa instead of giving them to me for that purpose.

which latter as stated in mine to you of 24th April was the interpretation I put upon Mr Meredith's letter to me of 11th April conceiving that as "accounts" were not mentioned the words "plans" and "returns" might include "accounts".

The wish of the Minister however, is now clear, and the only open point is as to the Kind of requisitions which it is possible for you to have before paying out money on Survey account.

Your obedient Servant

Gilbert Malcolm Sproat

Ind. Res Comm^r

W. Powell

Indian Superintendent
Victoria

Indian Reserve Commission
British Columbia
Victoria
4th May 1878

Sir

A conversation took place in the House of Assembly, during last Session, on the subject of an alleged waste of Fish roe by the Esquimalt Indians. If such waste occurs it is of course to be regretted, but having looked lately into Esquimalt Indian matters, I respectfully beg leave to submit for your consideration whether the subject is one with which it is in the power of either the Provincial or Dominion Government to interfere.

One of the express conditions on which the Esquimalt Indians surrendered their lands was that ^{they} should be at liberty "to carry on their fisheries as formerly" (see agreement between them and the agent of the Hudsons Bay Co acting on behalf of the Crown 30th April 1850)

The agreements made with the Indians of Becher Bay, Sooke, Victoria, Saanich, Nanaimo, and Fort Rupert contain the above condition, and I need not say it is one which the Crown is under a solemn obligation to respect.

I am Sir

Your obedient Servant

"Gilbert Malcolm Sprat"

Ind. Res. Comm^r

Mr. Powell
Indian Supt^d
Victoria

Indian Reserve Commission
British Columbia
Victoria 4th May 1878

Sir

I have been too much engaged to be able to consider fully the reasonableness of the objections urged by the Victoria and Esquimalt Indians to proposals for removing them from their present homes, but I have written to day to Mr Towell as per enclosed copy of my letter suggesting a line of enquiry which ~~seems to me to be part~~ ^{I hope that this gentleman} of the question, and ~~perhaps Mr Towell~~ ^{perhaps Mr Towell} with the ~~advantages of an official and professional position~~ ^{advantages of an official and professional position}, will be able, before my return to Victoria, to collect definite evidence on the subject.

I am Sir

Your obedient servant

Albert Malcolm Sproat

Ind. Res. Comm^r.

The Hon^{ble} The

Superintendent General of Indian Affairs
Ottawa

Indian Reserve Commission
British Columbia

Victoria 4th May 1878

Sir

I have had in my mind for some time the intention of following out a line of enquiry with respect to the Indians at Esquimalt and Victoria, which I respectfully and with some diffidence, mention now to you who have better opportunities of judging on the matter than I have, as yet had.

That a certain amount of damage to the physical and moral wellbeing of these Indians is caused by their proximity to the towns of Victoria and Esquimalt, is probably true, but has not this been somewhat exaggerated by public opinion?

Might it not be found, now that the Northern Indians have largely ceased to frequent Victoria, that the Victoria Indians behave tolerably well for an uncivilized people, and are maintaining a fair average level of conduct with some hope of improvement.

I do not know how it is with the Victoria Indians, but I have been told that the Esquimaux Indians as a rule, are fully occupied either in labor for the whites, or in supplying the markets with fish and other articles, or in tribal industries of their own.

These people have grown up with the progress of Esquimaux and Victoria. They of course do not work like white people, but has not their industrial action generally settled into certain grooves, and so become part and parcel of their humble lives, as to make the experiment of removing them, to begin life, so to speak, under new conditions in a new place, rather a hazardous experiment?

If you break up their acquired habits and occupations what would you put in their place? Their industry may be intermittent, still it is good so far as it goes and is at all events some sort of foundation for a hoped-for improvement on their part.

would not the men who love whiskey, love it as well, and get it as easily, ten or fifteen miles off as they now do here, and would a distance of ten or fifteen miles have much effect on the moral character of those women who might be willing to defile their blood by prostitution?

In short, now that the Northern Indians have largely ceased to come here, is there not some sentimentality in the objections popularly urged to the residence of these Indians in their own old homes?

Your obedient servant

Albert Malcolm Spratt

Ind. Res. Comm.

Dr Powell
Indian Agent

Victoria

Indian Reserve Commission

British Columbia

Victoria 2nd May 1898

Sir,

Mr Lamington's telegraphic credit for \$2000 - to Bank of B. Columbia mentions that the money is for surveys. This is not so. The \$2000 sent the other day to Dr Powell is for surveys. The present \$2000 is for the Indian Reserve Commission. Knowing this to be so, I have taken it to the account of the last named, but did not think it worthwhile to trouble you with a telegram on the subject.

I am Sir &c &c

Sd. G. M. Powell for Res. Com.

The Hon. Supt General

Copy

Indent Stationery, 12 Nos, for use of Survey Board

4 pcs Tracing cloth - 3 ft wide.

4 doz Sheets D'ble Elephant Paper

6 Imperial W

2 - Plotting Pencils H. H. H.

Sd E. Probert

Indian Reserve Commission
British Columbia
Victoria

May 6th 1878

Dear Sir

I shall be glad if you will give me your opinion, at your earliest convenience -

whether persons in search of gold can prospect for or work gold diggings, upon Indian Reserves without a licence from the Indian Department?

Such a licence, I may remark, would not be given except with consent of the Indians, and a case in Similkameen has arisen in which prospectors have been refused permission by the Indians to prospect in a stream flowing through a reserve

I am Dear Sir

Yours Truly

W M Spoot

Answered in Commission
B.C.

J. F. McCreight Esq 2, C.
Victoria

Ind. Res. Comm^r

Indian Reserve Commission
British Columbia

Sir

Victoria 6th May 1878

I have not thought it necessary to trouble you with detailed statements respecting the action of the Commission in disputes between white men and Indians, but one case, that of Mr Okeefe at the head of Okanagan Lake, has become sufficiently important to cause me to bring it to your notice.

Its importance consists in the effect which the delay of the Provincial Government in dealing with it is having upon the minds of the Indians in the Southern Interior of the Province as is shown in the enclosed copy of my letter of the 4th inst. to the Chief Commissioner of Lands & Works upon the subject.

You will find a description of this case from the Commissioners point of view, in the enclosed copy of my report

~~upon~~ ^{the} which was sent to the Attorney General several months ago. I was told a few days ago by the Chief Commissioner that the Attorney General had not then stated his opinion on the question.

It would be presumptuous on my part to assume to say what the law is, but I do not think that when the law says that a man shall live on his pre-emption, it can be meant that the man may live off it.

Under any circumstances the Provincial Government were morally bound to act promptly in the matter, and to support the act of the Commissioners, as the land was reserved for the Indians and no one should have been allowed to acquire a title to it.

The land was given to the Indians on the spot and the Surveyor has been instructed to survey it as part of the Okanagan reserve.

I am Sir

Your obedient Servant

"Gilbert Malcolm Sproat"

Ind: Res: Commr.

The Hon: The

Superintendent General
of Indian Affairs
Ottawa

Indian Reserve Commission
British Columbia

Sir

Victoria 4th May 1878

Understanding that Mr Lushan has not yet formally applied to you to cancel the record of Mr Okeefe for 320 acres (29th April 1878) at the head of Okanagan Lake which has been the subject of correspondence and reports. In thinking that this formal request should come from me - I have now as the agent of the Provincial Government in this matter to request that the Provincial Government will cause the above record to be cancelled for the reasons stated in my report on this subject sent to the Honorable the Attorney General in January last.

I respectfully beg leave to express my regret that you have not sooner cancelled this record. The Provincial Government as you are ~~are~~ aware was fully represented on the Commission whose decision was unanimous on the matter. The legal adviser of the Commission whose decision has since given his opinion on the facts placed before him, that Mr Okeefe had no claim in law to the piece of land in question and that, in fact, it was vacant Crown land. The evidence of the assistant Land Commissioner and other persons in the district, which has been submitted to the Provincial Government, shows that Mr Okeefe did not conform to the law. The delay has weakened the authority of the Commission in the minds of the Indians, and as the Indian Chief acts both at Okanagan and at Nicola, the effect of the delay will now embarrass any attempt to settle satisfactorily the long pending land controversies between the Indians and whites at Nicola.

Not only is Mr Okeefe's record invalid from non-compliance with the law, but there is a flaw in it from the fact that a portion of the land is an old Indian settlement, as is stated in the case submitted to the Attorney General, through the Commission have been averse from raising this point, and would only do so in case of necessity.

The delay of the Provincial Government in taking action in this matter, on the ample evidence placed before them, is not only unfortunate as regards its effect on the minds of the Indians, but I respectfully submit that it has also to be considered

that, even if the Provincial Government came to the conclusion that Mr. Okeefe had a legal right to the land by provincial law, the Indians would still require low lying arable land, and there is no such suitable land in the vicinity of the reserve to be had; consequently the Provincial Government, upon which rests primarily the duty of providing land for the Indians, would have to buy Mr. Okeefe's pre-emption for the Indians or the Dominion Government according to the view they take of the equitable rights of these people, would have to raise in Oshauagan, the question of their prior title to the soil.

The policy of the Dominion Government while maintaining this claim, has been as you are aware not to raise it unnecessarily, hoping that the efforts of the Indian Reserve Commission to adjust land matters among the Indians would prevent the necessity of its being raised.

One of the happiest results of the past labors of the Commissioners has been in the districts visited by them to effect this object by a judicious compromise. Late advice however from the southern interior of the province show that the Indians are freely and broadly raising in their councils the question of the Queen's authority to dispose of their lands without having extinguished their title to the soil, and it is therefore to be feared that some of the good effects of the work of the Commission in 1877 have already passed away.

If the Indians distinctly raise the question the Dominion Government must entertain it.

The probable causes of the above mentioned change of feeling on the part of the Indians in the southern interior of the province are, so far as I can judge, attributable to the delay of the Indian Reserve Commission in resuming work among them, to the omission, in the Chief Governor's speech at the opening of the late session of the House of Assembly, to state that though the Indian Reserve Commission was to be dissolved, the land question of the Indians would still have attention, and also, in no small degree, so far as the southern interior of the province is concerned, to the weakening of the authority of the Commissioners.

acts by the delay in adjusting the question with Mr Okeefe.

The letters from white settlers to the newspapers on the subject of the reserves for the Indians, have by their general tenor, had also, an unfortunate effect on the Indian mind.

Sam Lii

Your obedient Servant

"Gilbert Malcolm Sproat"

Ind: Res: Commr.

The Hon: Mr.

Chief Commissioner

of Lands & Works

Victoria

Indian Reserve Commission

British Columbia

Victoria

Sir

May 6th 1848

I beg leave to remark that, though the general "Indian title" question may ~~not~~ perhaps not be raised in this province practically unless absolutely necessary, there are old written agreements between tribes in Vancouver Island and Mr Douglas Governor of the Hudsons Bay Co. acting on behalf of the Crown, by which the title was recognized and extinguished on certain conditions, and that one of these conditions was that the Indians should be at liberty to carry on their fisheries as formerly.

These agreements, made in 1850, 1851, & 1852, created rights which I presume cannot be affected by any subsequent Colonial, Provincial or Dominion ~~Government~~ Legislation, as regards fishery or other matters mentioned in the agreements.

The agreements do not include the tribes of Cowichan and Chemainus probably for the reasons suggested in my memo on the history of the Governmental dealings with the Cowichan Indians enclosed in my letter to you of the 26th ult: but these tribes have never ceased to complain that agreements were made with their neighbours and not with them.

In equity there are rather special reasons why these Cowichan Indians should have much consideration

shown to them as tribes omitted, but not on any ground of principle; from agreements made with other neighbouring tribes of the same nation.

I do not seem to have quite appreciated this, in stating in my letter to Mr Powell of 22nd last. (enclosed to you in mine of 26th last) that the Canadian fishery acts prevented Indian weirs on small rivers &c.

The actual Canadian fishery law, perhaps, would not govern the question, at least as regards these Indians of Cowichan and Chemainus.

I enclose a further letter (copy) dated the 4th inst which I wrote to Mr Powell as to the effect of these agreements on the fishery rights of the Indians who were parties to them.

It is too much the fashion to neglect these old agreements, but they are of a solemn character.

The practical point of this letter is the applicability of these remarks to the orders from the public works Department to clear out the weir at Cowichan which may damage the Indian weirs and also to the bringing of logs down the river, as is proposed by a Cowichan Sawmill owner, which may have the same effect.

I am Sir

Your obedient Servant

Gilbert Malcolm Sproat

Ind. Res. Commr.

The Hon. The

Superintendent General
of Indian Affairs
Ottawa

Victoria B.C.
6th May 1878

Dear Sir

Mr Sproat requests me to call your attention to his letter of the 25th April 1878 and respectfully urges a reply thereto at your earliest convenience.

A. C. Anderson Esq

I am &c &c

"Geo. Blukemoor"

Smilge letter sent
Leave to Mr McNeilay

Indian Reserve Commission
British Columbia, Victoria.
May 6th 1878

Sir

I wrote to you on 29th April, under the heading of
"Expenditure on Surveys", and I have since received
from Dr Powell a copy of Mr Meredith's letter
to him on the same subject dated 13th April,
and to this latter I have replied, as per enclosed
copy, dated 4th May

I am Sir

Your obedient Servant
Gilbert Malcolm Sproat
Ind. Res. Commr.

The Hon.
The Superintendent General
of Indian Affairs.
Ottawa

Indian Reserve Commission
British Columbia
Victoria
9th May 1878

Sir *Cancelled*

In reference to your account for copying documents
for the Commission, I am instructed by the Deputy
Supt. General of Indian Affairs to pay for this work at
\$3⁰⁰/₁₀₀ a day.

I have accordingly left a cheque for the
amount due, namely \$37⁰⁰/₁₀₀ in the hands of Mr
Moffatt of the Indian Department to be paid to you
on signing the three vouchers also left with him.

yours truly

G M Sproat
Ind. Res. Commr.

J. R. Anderson Esq
Victoria

Indian Reserve Commission
British Columbia
Victoria

May 6th 1878

Sir

Under the agreement between the two Governments for three Indian Land Commissioners, the Provincial Government might have been bound to furnish the Commission with all the information necessary to show the position of the land claims of white settlers in the different districts, but in practice it was not found possible to get this information without considerable delay. I intended however to have insisted upon its being done, had the three Commission system been continued.

The obligation to obtain this information will be now, I presume, upon the Dominion Government under the single Commissioner arrangement, as the Dominion Government have undertaken to bear all expenses.

You may perhaps ask yourself what we have been doing during our long stay in Victoria. The answer is that some of us have been doing nothing, and others have been incessantly occupied, and have been obliged to employ copyists for part of the work.

While keeping records for our Commission proceeds, we have had to supply full information to two Governments, and also to two Superintendents, and the research the labour, ~~the~~ ^{and} study which the complaints of white settlers involve are excessive, though for the Credit of the Commission, the matters in question have to be gone into fully, so that in case of a crimious dispute between the Governments, the points at issue may be understood.

In the case of the Dominion Government, it has not so far seemed to be necessary to mention questions that might be settled here. I mention ^{only} cases involving principle or assuming a character which might lead to correspondence between the two Governments.

To illustrate the amount of clerical work, which unfortunately is necessary, I may mention that before going to

a district, it is necessary that I should have a copy from the Land Office of every Record of pre-emption made by white settlers for about 20 years past, and information as to the particular Land acts under which the land is held, and whether held by Pre-emption, Certificate of improvement, or Crown Grant, and this mass of information has to be gone over again with the Local Government Agents in the districts, to find as far as possible what pre-emptions have been abandoned, and in special cases, to find whether the law has been complied with. The slightest slip on the part of the Commission will be severely criticised, and perhaps rightly, because the legal rights of all men must be respected, but on the other hand, it is fair that the turn of the law should be in favor of the Indians, when reasonable ground exists.

The real work of the Commission however, after all these requirements, is in the field among the Indians who of course, do not know all the labor that has to be gone through on their behalf, before a Commissioner can mark out their lands.

They think that a Commissioner is hard and unyielding, when he is racking his brain to find ways of helping them. I think nevertheless that some means must be found of getting on more quickly with work in the field.

Doubtful as clerical work is, the field work is the real work, and I should be left free to pursue it, and rather pay an outsider \$3. or \$4. a day to investigate records &c. now that experience has shown me the proper line of enquiry. I shall not of course be able to act with such confidence on the results of other men's investigations as on my own, but the field work must be got on with, as that alone is what the Indians appreciate, and if some mistakes are made they cannot be helped.

The evil effect of delay on the minds of that portion of the Shuswap and Okanagan natives not yet dealt with, has lately

been stated to you.

It will be impossible to get on quickly with these people, for possibly at first they may be disinclined to treat at all with a Commissioner about their lands and the New Westminster district which I propose taking later in the season, will also be a tedious district, as there are many Indians there, and it is one of the most populous districts in the province. - I mean as regards rural settlers.

But when these places are done, the other necessary places must be visited at once, and the work in the field pushed through, whether on the Coast or Mainland.

The history of the work so far has been singular, arising in part no doubt from the circumstances, and from two Governments being concerned.

The two last winters seem to have been made for the work. They were rather summers than winters. We may now have a succession of hard winters.

Had we got away last year from Victoria sooner than the end of June, and been permitted to work ^{during} the winter, by this time the whole southern interior of the province and also the New Westminster district would have been finished, and the Indians would have been as happy as Crickets.

It will again be well towards June this year before I get really to effective work and if we have a early severe winter, it is obvious that 1848 will have been muddled away to some extent, so far as work in the field is concerned.

The Commission was organised 24th August 1846

It got into the field 3rd November 1848

It came back to Victoria 9th March 1844

It left Victoria 12th June 1844

It came back to Victoria 19th December 1844

It will leave ^{Victoria} tomorrow the 7th May 1848

That is to say the Commission has been 303 days in Victoria and 329 days in the field.

How can the Indians look upon this, otherwise than as a grudging attention to their demands? This of course is not

true but they have that opinion

Between 24th August 1846 and 3rd November 1846, the Government were, I believe, exchanging views in reference to decision of Expenditure, and chiefly in regard to transport no doubt necessary under the circumstances: I am not criticising action; but stating facts, that you may judge how they are likely to appear to the Indians.

About Nov^r we got a despatch suggesting no work until spring, but the winter was very fine, and to say the truth, I put the Telescope to my blind eye and went ahead, and we got through an excellent winters work on the Coast without losing a day from weather.

After being out three and four months, the Provincial Government not knowing what the Cost of the Commission was, and having no reports of our action before them, proposed 27 Feb^y 1847 to dissolve the Commission and to substitute an arrangement, which though approved by Dr Powell, every body now knows, as we at once knew, was ungenerously unworkable.

The ensuing negotiations were unknown to the Commissioners who occupied themselves in Victoria and the neighbourhood; waiting for orders, until one day in June, the Provincial Government requested them to go to Namloops where they should have been in April.

They made the best portion ^{of the} of the year that remained, and the Commissioners respectfully express their appreciation of the generous approval of their work by the Provincial Government; and when winter approached I asked the Provincial Government to communicate with you and permit us to winter at Namloops so that if the winter should be an open one we could go on with our good work and by our presence alone would prevent those jealousies and suspicions so likely to burst forth from the Indian mind. We had however to "report as usual to Victoria" and I found that being in Victoria meant incessant labour in dealing with questions arising from the past work of the Commission, and delay again.

Some work of this kind is I daresay necessary, and perhaps the time between our arrival in Victoria 19th Dec^r and the dissolution of the Commission 15th March was tolerably well spent (if we had

to leave the field at all /, but after all, it practically has come on nearly to June again before I move.

At any time since your appointment of me as single Commissioner 15th March, last I could in half an hour have told the Provincial Government what was necessary, and what, if I had to undertake the work, they must do, but from not appreciating the question they delayed and hesitated, and finally made a telegraphic arrangement with your Government (probably agreed to by you in the belief that it was approved by me) which would have had the effect of sending me to the Southern Interior on an errand such as Dr Powell went on and would have made me the instrument of lowering the Canadian Government in the minds of the Indians - a position which I could not occupy.

The office of an Indian Reserve Commissioner should be in his tent, and if the Provincial Government wish for information about Indian matters that concern them they should be content with such information as they can get from a Commissioner in the field without keeping him here as a record-raabacker at a great cost. The Indians do not understand these alternate advances and retreats.

They can understand that a Commissioner cannot judge of land in the snow, but they do not understand his being in Victoria during months of fine, open weather, and are prone to indulge in suspicions as to the real intention of the Governments, under these circumstances.

I am Sir

Your obedient Servant
 Gilbert Malcolm Sproat
 Ind. Res. Commr.

The Hon: The
 Superintendent General
 of Indian Affairs
 Ottawa

Indian Reserve Commission
British Columbia
Victoria 6th May 1878

Sir

I have to acknowledge receipt of your letter of the 29th ult. with Copy of a letter to you from Father Mc-Guckin of Williams Lake, dated 15th April, stating that the Indians in that locality were becoming very discontented owing to the delay in settling their reserves. I have written a letter to Mr Mc-Guckin, as per enclosed copy and have also sent a Copy of his letter to you, to the Provincial Government

I am Sir

Your obedient servant

Gilbert Malcolm Sproat
Ind. Res. Commr.

James Dunham Esq

Ind. Supt.

New Westminster

Indian Reserve Commission
British Columbia

Victoria 6th May 1878

Rev^d Sir

Mr James Dunham, the Indian Superintendent for the Mainland Division of the Province, has sent to me a copy of your letter to him of the 15th April in which you state that the Indians about Williams Lake are very discontented and that it is thought they may soon take possession of the land and crops of white settlers in that locality, under a feeling of irritation at the delay in settling the question of their land reserves.

I have sent a copy of your letter to the Provincial Government, who will be principally concerned, should the incidents which you apprehend take place.

I regret that I can hold out no hope of being able to visit Williams Lake during the present year, first because during the few months of 1878 that will remain after I again get into the field, I have to finish, if possible, the work already begun among the Indians in the Southern

Interior of the province, and in the New Westminster district, and secondly, because I am not, as yet, authorised by the Provincial Government to act effectively in the Cariboo Electoral District.

The Indians of Williams Lake may be assured, however, that in due course, their land question will be considered. The country is extensive and it is impossible to get over it in a limited time.

I deeply sympathise with the Indians, and can understand that your advice to them is good, and I think they will gain their end more satisfactorily by still exercising patience, however painful the effort may be, than by the masterful proceedings to which you allude.

I am Res^d Sir

Your obedient servant

Gilbert Malcolm Sproat

Ind. Res. Commr.

The Res^d

Father McGuckin

Williams Lake: B.C. O.M.S.

Indian Reserve Commission.

British Columbia

Victoria 6th May 1848

Sir

I respectfully beg leave to mention to you, for the information of His Honor The Lieut Governor in Council, that my advices from the Southern interior of the mainland show that the Indians in that part of the country are again becoming discontented.

Several of the tribes, whose land questions were adjusted last year, and whom the Commissioners left in good humour, have refused presents from the Dominion Government, and freely discuss the right of the Queen to give away land to white settlers without having extinguished the Indian title.

The causes of this change of feeling, so far as I can judge, are
 (1) The delay of the Indian Reserve Commission in resuming work among these Indians. This is resented both by those who were not settled with, and those who were settled with. The former now say that the latter have sold themselves to the Queen, as slaves, by accepting a settlement of their land questions.

(2) The omission, in the speech of His Honor the Lieut. Governor at the opening of the late session, to state that the land questions of the Indians would still have attention, through the Indian Reserve Commission was to be dissolved.

(3) The weakening of the authority of the Commissioners, and through them, of the Governments which they represented, by the delay of the Provincial Government in dealing with the question of Mr O'Keefe at Okanagan.

The Nicola Chief is the acting Chief at Okanagan in all land matters, and disputes at Okanagan directly affect the chances of settling the questions between Indians and whites at Nicola.

My programme of work is to begin at Yale and work up the Wagon Road via Lytton and Spence's Bridge towards Nicola. The object being (see enclosure in my letter to you of 12th April) to give the Provincial Government time to enquire into and arrange, so far as they are concerned, the Douglas and other Nicola questions, without which being done, I should probably be embarrassing both Governments by going to Nicola at all - however important a visit to that place is.

The Chief Commissioner of Lands & Works being now in the Kamloops-Nicola Country, it is hoped that what is necessary in the above matter will be done at once so that my progress may not be interrupted.

Without attaching credence to all reports that reach me, I may mention that it is said that during this month there is to be a meeting of the Indians at the head of Okanagan Lake, at which the Chief Joseph of Idaho notoriety has promised to be present, with what object is not known. Immediately afterwards there is to be a meeting at Kamloops, to which all the Shuswap tribes, from Shuswap Lake to Canoe Creek and upwards are to be invited.

It is, therefore, possible that even greater difficulties will have to be encountered this year than last year - difficulties which should not have been allowed to have arisen.

I mention these matters to show the ^{pressing} necessity for everything being done, with promptness and decision, on the part of the Provincial Government, to facilitate the progress of the work of adjusting the reserves. It is the worst policy, from a simply provincial point of

over, not to take hold of and settle at once such questions as those of Okeefe and Douglas.

To show the feeling of the Indians at Williams Lake, as it appears to a clergyman who lives among them. I beg to enclose copy of a letter from the Rev^d Father McGuckin to Mr Dunbar dated 15th April last. I enclose also copy of my reply of this date, from which you will see that there is no hope of my getting to Williams Lake this year, as I have work to do elsewhere and much of the year is now gone and as I have no authority from the Provincial Government to act effectively in the Cariboo district.

In anticipation of my going to that district, by and by, I hope the Provincial Government will take steps to inform themselves of the nature of the complaints of the Indians, so that joint action in dealing with them may be taken at the proper time. I do not know what they complain of, but Mr McMinlay tells me he thinks their grievance is that they have no reserve at all.

If the Indians of Williams Lake took possession, as is apprehended, of the lands and crops of white settlers, an embarrassing situation would be created, not only there, but in every part of the province.

I am Sir
Your obedient servant
Gilbert Malcolm Sproat
Ind. Res. Commr.

The Hon.
The Provincial Secretary
Victoria

The following was added to the above.

It does not appear to be necessary that such danger should be incurred, because if they fit, the Provincial Government in cases where justice and expediency require that steps should be taken to satisfy the Indians, may give them lands in anticipation of the visit of the Res. Commissioner, but of course subject to his review.

I am Sir
Your obedient servant
Gilbert Malcolm Sproat
Ind. Res. Commr.

Indian Reserve Commission

British Columbia

Victoria 4th May 1878

Sir

I have consulted with my colleagues on the Indian Reserve Commⁿ as to the situation created by the inadvertency of your Government in having given to Mr William Sutton a Crown Grant for portion of the Indian Reserve at Cowichan, on which that gentleman has encroached by beginning to erect a sawmill, thus rendering himself liable to the penalties of the Indian act for trespass according to notification which the Indian Superintendent informs me he has given to Mr Sutton.

Our opinion is that as this Crown grant has been issued ~~for~~ inadvertently, but with a good intention to promote an industrial enterprise which it may be reasonably expected will benefit the Indians as well as the settlers in Cowichan, some compromise of the question raised may be fairly sought for.

The land is only useful to the Indians for grazing and this would not be injuriously affected by the presence of the mill on a portion of the land.

The Mill would benefit the Indians, by affording them employment, an increased market for their supplies, and lumber for their requirements at cheaper rates, provided the bringing of logs down the river did not interfere with their salmon weirs.

I should not therefore anticipate that the Honorable the Superintendent General would object to a compromise of the question, provided he were assured that the intelligent Consent of the Indians of Cowichan had been obtained to the arrangement, in the presence of the Indian Superintendent ~~without~~. Without this consent, nothing can be done, and I would suggest that you communicate with Dr Powell and ask him to visit Cowichan soon to explain matters to the Indians and obtain their consent. I suggest, further, that your government should offer to pay the expenses of the Superintendent, his interpreter and party, and should give him authority to expend on account of the Provincial Government, what money may be necessary to be paid to the Indians for the land which they may be willing to give for the use of the

sawmill and for the trees which have been cut.

I presume a small portion of the land would suffice for the actual requirements of the sawmill.

The probability of a sawmill being built at Cowichan was mentioned ~~by~~ ^{to} the Indians in Feb 7 1847 by the Commissioner, and I consider the present a suitable time for endeavouring to effect a settlement of a question, which, otherwise, if time is allowed to pass, may become increasingly difficult of settlement, as far as the Provincial Government and the Grantee Mr. Sutton are concerned.

The Dominion Surveyor of Indian Reserves is now working rapidly towards Cowichan, and after he has put in posts, negotiations with the Indians may be more difficult, and besides that, the Dominion Government will immediately require a conveyance of the whole reserve, and the Indian Act will then be put in force against trespassers.

Whatever is done will of course, have to be subject to the approval of the Hon: The Superintendent General of Indian Affairs. He probably will consider the salmon-weir question in Cowichan river as part of the Case, and I have therefore suggested to the Indian Superintendent, and the Inspector of Fisheries, that the Salmon-weir question should be examined simultaneously with that of the sawmill.

I am Sir

Your obedient servant

(Signed) Gilbert Malcolm Serrat

Sad. Res. Commr.

The Hon:

The Provincial Secretary

Victoria

Indians: Concern

Indefinite: Victoria
6 Aug 1871

Sir.

The Ashnola band of the Indians of Similkameen valley near the frontier, to which I am bound, among other places, the season. Some for several years prevented white men prospecting for gold, from examining streams in what they consider their country.

All the Provincial Land laws give what are called "Free Mines Rights" on Crown Land (see Sect 80 1875 Land Act), and as the streams are beyond the present reserves of the Indians the miners will probably maintain that they are acting legally in seeking for gold. I

presume that, after I have laid off the reserves, and after the Provincial Govt has conveyed them to the Dominion & after the Indian Act is revised here gold seekers will not be permitted (see Clause 16 Indian Act) without leave from you, to search for gold on Indian reserves, notwithstanding the Free Mines Rights clause in the Provincial Land Act.

I do not think there is likely to be any rush of gold mines to Similkameen but the Indians are very firm in preventing them from entering their country & I will have to deal with the question which presents itself to my mind as when

The Hon.
The Proo Secretary
Victoria

Yours truly
J. H. Ross

Ind No: Coma B C Oct 6 May 701

Sir

I show the same portion of Indian Affairs
here and particularly at Williams Lake, where the
Indians, apparently, propose taking active steps during
this season. I beg to endorse copies of

Memorandum to Prov Govt of this date

Father McTear to Mr Leachman 15 apr

If a difficulty should take place at Williams Lake, it will be
entirely a Provincial matter.

The Provincial Government, in reference
to their need of the necessities of a fort dependent on
parliamentary support have given me full powers by Order
in Council 26 apr 1870 for the Electoral District of Yale
only.

I send you a map showing the
present electoral districts in this province.

Williams Lake is not in
the Yale District.

I do not understand that I am
a general mediator between the Indians and the
Provincial Government. I have special duties which I undertake
to perform on certain conditions.

The Provincial Government can
give land, if they like, today to the Williams
Lake or any other Indians subject to their reserves
being received by me, as representing the Dominion
where I am able to visit the place I have full
authority from the Provincial Government to act.

I can act at present only within the electoral
district of Yale & there only with reference to what the
agents of the Provincial Government do not ask me to
lay over. As regards even these latter.

I have notified the Earl of Gort that they must let me know in time about them, while I am working up the wagon road from Yale to Lytton, as I will not visit Nicola & other places, but will leave the Indians & the Provost face to face, the result of which would be that the Indians would take possession of the district.

I think it important that duties & responsibilities should be clearly defined as regards a situation of affairs, which so far as I can judge, may produce a deadlock any day or perhaps have worse effects.

The Hon.

The Supr. Gen. }
(Ottawa)

I am Sir

J. S. McShane
(R) JNC

Indian Reserve Commission

British Columbia, Victoria.

7th May 1878

Sir

The Provincial Government have asked me what can be done about the encroachment of Mr. Sutton on the Indian Reserve at Cowichan under the authority of a Crown Grant issued in error subsequently to the determining of the Cowichan Reserve by the Indian Reserve Commission.

I have consulted with my late colleagues on this matter, and we think that it would be for the interest of both the Indian and white settlers that some compromise should be effected with the consent of the Indians, and the sooner the better - before the surveyor reaches Cowichan.

I enclose copy of my letter of this date to the Provincial Secretary in answer to his oral request that the Commissioners would take the matter into their consideration.

I am Sir

The
Indian Superintendent
Victoria

Yours obedient servant
Gilbert Malcolm Sproat
Ind. Res. Commr.

Indian Reserve Commission
British Columbia
Victoria 5th May 1878

The Indian Reserve Commissioners, who acted for the Province, beg to enclose the Commissioners Minute of Decision as to Indian reserves in a portion of the districts of Yale & at Victoria and Esquimalt.

The sketches are unfinished owing to open questions, but will be finished and sent to the Land Office, as soon as these questions are settled.

The Hon.
The Chief Commissioner
of Lands & Works
Victoria

Indian Reserve Commission
British Columbia

Sir

Victoria 5th May 1878

In reference to the Commissioners Minute of Decision sent to you today, we beg to mention that Mr F. Walker has represented to us that his farm on the South Thompson is inconspicuously placed between the reserves of the Tussockahulth and Adams Lake Indians.

The land is surrounded by the reserves except on the river frontage, and it would probably be well if an exchange of his farm for unoccupied Crown lands could be made, and his farm added to the Adams Lake reserve.

It was impossible for the Commissioners to do otherwise than ~~what~~ they did at the place ~~the~~. They have not examined the documents under which Mr Walker claims the farm.

We are Sir

Your obedient Servants
A. W. Hinkey
Pres^t. Comm^r.

The Hon

The Ch^l Com^r Lands & Works
Victoria

G. M. Sprunt
Acting joint Comm^r.

British Columbia

Victoria May 7. 1848

Sir

Though not strictly within our duty as Indian Land Commr. we wish to mention to you that Mr John McDonnell, at the Mission, Okanagan, complains that his sons have not been permitted to pre-empt land. Several of his sons asked the Indian Reserve Commissioners to give them land as Indians, but this could not be done. Mr McDonnell's father was Canadian, born in Scotland. Mr McDonnell himself was born at Red River. His mother was a halfbreed. He has married a Shuswap woman and has 9 sons.

These sons as far as we can judge, are persons entitled to pre-empt land. Mr McDonnell formerly had a farm at Cedar Hill near Victoria and was recommended by Geo. Douglas to go to Okanagan as a district where he probably could get land more easily for his numerous family.

We beg to recommend that Mr Lagare Norwest of the Mission, who is a British subject should have permission to own land there. He has an excellent character and has worked for Mr Dequins for 13 years. His father was a halfbreed and his mother an Indian.

We are Sir

Your obedient Servants

A. M. H. C. Lay
Pres. Commr.

The Hon. Mr

Chief Commissioner of Lands & Works

Victoria

J. G. McPherson
Acting Commr.
A. C. Anderson
Secy. Commr.Memorandum

Letter from Mr Sproat to the Superintendent General 10th May 1848
enclosing copy of letter from Res^d J. B. Good to Mr Sproat 9th May 1848
asking him to begin at Yale and work up towards Nicola

The Hon:


The Superintendent General
Ottawa

Vut: 8 May 70

The Indian Reserve Commissioners beg to
enclose herewith for Dr. Powell's information their
Minutes of Decision relative to the Esquimaux
and Victoria Reserve.

They do not send plans
as these reserves have been surveyed except
Duncan Island &c, & Dr. Powell has already
had a sketch of the latter.

Dr. Powell Indian Superintendent
Victoria


Victoria B. May 1870.

The Indian Reserve Commissioners beg to
enclose herewith for Mr. Leitch's information their
Minutes of Decision for work done during the latter
part of 1877 in the Fraser Superintendency.

Jas Leitch Esq
Ind. Frs. Superintendent
New Westminster

Indian Reserve Commission Vict: BC
8 May 70

Sir
Enclosed are the Commission's
Minutes of Decisions in Fraser Superintendency
last year for use in the Sunny Branch
Tribunal.
Y. M. Sproat
P.C.

J. Mohun E. L. E.
Kamloops.

Indian Reserve Commission
British Columbia
Victoria 9th May 1878

Sir

We have now to enclose herewith, the Commission's
Minutes of Decision as to Indian Reserves allotted to
several tribes in the latter part of 1877, together with
sketches of the same.

The sketches do not include certain matters,
which the Minutes will show are left open.

We are Sir

Your obedient Servants

Alex. C. Anderson

(Signed)

Commission Commission

Y. M. Sproat

The Hon.

The Superintendent General
of Indian Affairs

Ind. Comm.

Ottawa

B C

Indian Reserve Commission
Fraser Superintendency

1877-1878

Minutes of Decision

In virtue of ^{powers} ~~Commissions~~ and instructions ^{from} ~~issued~~ by the Government of Canada and British Columbia ^{authorizing me} ~~empowering me~~ to fix and determine the number, extent, and locality of the Reserve or Reserves to be allowed to the Indians of British Columbia. ~~For~~ ^I the undersigned having in each case made full enquiry on the spot into all matters affecting the question Herby declare the following to be the Reserves for the undesignated Indian tribes respectively.

The date of ^{my} ~~the~~ decision in each case is stated in the following pages.

North Thompson River
and Canoe Lake

North Thompson and Canoe Lake

Indians, who tribes agreed to have reserves in common

A Reserve situated upon the North Thompson River, bounded as follows, viz. on the south by a true east and west line from the left bank of the North Thompson River, through and twenty chains beyond a marked pine tree (near the trail about forty three miles from Kamloops) thence in a northerly direction (so as to make the steep rocky masses on the face of the mountain, the eastern boundary of this portion of the Reserve) to the spot about twenty chains north of the church where the trail strikes the hill side so as to include all the low land thence along trail to the ~~Newby~~ ^{by} Kamulston Creek, to include the whole of the low land bounded on the north by the Chuck-chuck-wat ^{choo} Creek, on the east by the mountains and on the west by the North Thompson River as far south as the initial point.

A piece of land forty chains square adjoining the above reserve and at the Newby Kamulston Creek having its centre at the Coal outcrop on the bank of the Creek, where a small tree is marked with a broad arrow.

The following following stations for the above Indians

Received May 1877

and in so far as the Barriere River and Lewis Creek fisheries are concerned also for the Hamloops Indians, vizt. Five acres on the left bank of the North Thompson River, near the little Fort and nearly opposite the mouth of the McCalliston Creek, also five acres on the left bank of the Barriere River and about four hundred yards from its mouth, also five acres on the left bank and at the mouth of Lewis Creek.

A Reserve is also made of the old Indian settlement at Canoe Lake, but the precise boundaries must be hereafter defined, as the Commissioners have not been able this season to visit Canoe Lake.

Hamloops

Hamloops Indians

decision 29th July 1874

a Reserve as follows vizt. From the southeast corner of township 109 true north, seven miles, thence true west about six and a half miles to the left bank of the North Thompson River, thence down its left bank to its junction with the South Thompson River, thence up the right bank of the latter river to the South west post of Lot 243, thence up the west boundary of said lot to its north west corner, thence true north to the Southern boundary of township 109, thence true east to initial point. The Reserve to include all the land within the above boundaries with the exception of a piece on St. Paul's Creek, one hundred and fifty chains by twenty known as the Skeddum Ranch.

A fishing station at Bartlett Newman's pre-emption on the Hamloops Nicola Road, also a tract of wood land on the North Thompson River as may be hereafter marked out by the Indian Reserve Commission, as the undersigned were this season unable to visit the place. NOTE - These Indians desired a small hay meadow to the north east of their reserve but as the Commissioners were unable to visit the place this season they promised ~~they proposed~~ that the Indian Reserve Commission would on the first opportunity examine and decide upon their request.

The ~~right~~ ^{prior} right of the Indians as the oldest owners or occupants of the soil to all the water which they require or may require for irrigation and other purposes from St. Paul's Creek and its sources and northern tributary, is, so far as the Commissioners have authority in the matter, declared and confirmed to them.

Deadman's Creek

Deadman's Creek Indians

 Decision 20th July 1894

The boundaries of the Reserve are as follows, vizt. Commencing at the right bank of the Thompson River at the mouth of a gully which passes a little to the westward of the ruins of an old house at Bates' Flat, thence up the gully about three miles and a half, thence in a north-westerly direction parallel to the general course of the Deadman's Creek Valley to the right bank of the western branch of Deadman's Creek, thence down the right bank of said branch to its intersection with the western boundary of Mr Pumpmaker's pre-emption claim, thence southerly to south west post of said claim, thence along the southern line of claim and its continuation for a distance of forty chains easterly from the main Creek, thence south easterly parallel to the general course of the Deadman's Creek Valley to the right bank of the Thompson River thence down right bank of river to initial point.

The prior right of these Indians to all water they require or may require for irrigation and other purposes from Deadman's Creek and its tributaries, and from such adjacent sources of water supply as may be decided by the Indian Reserve Commission on a further examination is, so far as the Commissioners have authority in the matter, declared and confirmed to them.

South Thompson River and Salmon Arm

Great Shuswap Lake

South Thompson or Niskahmilth Indians

 Decision 13th August 1894

Old Reserve on right bank of South Thompson at Niskahmilth Creek, confirmed as follows. Commencing at the South east corner stake, marked S. I. R. No 1 situated at the junction of the north branch of Niskahmilth Creek with Thompson River follow the meanderings of the stream to four large Cottonwood trees, one of which is broken off halfway up, blazed and marked S. I. R. No 1, cross to south branch of Niskahmilth Creek N 81° W, taking in the Indian potatoe patches to two large Cottonwood trees, one of which is marked S. I. R. No 1 follow the meanderings of the Creek to its outlet from a large lake, at which point two large fir trees are blazed, and one marked S. I. R. No 1, for S. W. corner continue along the meanderings of the east shore

of Lake to a small creek which feeds it at its northern end follow along creek to a tree blazed on its bank for N.W. corner. From this point the northern boundary runs S 30° E to bank of Thompson River, two hundred and nineteen chains, where a stake is placed and marked S. J. R. No 1 for N.E. corner, on the edge of the river immediately below this stake a large boulder fifteen feet square, stands immovable from this point follow the meanderings of the stream to S.E. corner stake at the mouth of Niskahnilth Creek. In addition a strip of land separated by the South Thompson River from the old Reserve and on the left bank parallel to the general course of the river, commencing at a rocky bluff immediately opposite Mr. Graham's dwelling house, and running north easterly to the southern boundary of Mr. Mc'Bryan's claim, with a width of about a mile, from the bank of the river. This addition to be subject to such provision as the Indian Reserve Commission on further examination may make to enable neighboring white settlers to obtain timber free of cost for use on their farms for farm buildings fences, and fuel, and for these purposes only.

In addition a Reserve on Salmon Arm, Great Shuswap Lake, hereafter described in this minute is given to the Niskahnilth Indians in common with the little Shuswap Indians and the Adams Lake Indians.

7 The prior right of the Niskahnilth Indians as the oldest owners or occupants of the soil to all the water which they require, or may require for irrigation and other purposes from Niskahnilth Lake and Creek, is, so far as the Commissioners have authority in the matter, declared and confirmed to them, subject only to the water requirements of the Adams Lake Indians on their adjacent reserve and as regards the above mentioned addition to the old reserve, the Niskahnilth Indians are to have what they require of the water from the creek which flows into the South Thompson River near the house of Mr. Chase, subject to the water requirements of white settlers who have recorded water from said Creek.

— Adams Lake and South Thompson River —
— and Salmon Arm Great Shuswap Lake —
Adams Lake Indians

Old Reserve confirmed and to be bounded as follows. Commencing at the North West Corner stake marked A. L. J. R. situated on the East shore of Adams Lake, ninety seven chains from the outlet

Division
13th August
1894

of Adams Lake River, follow the meanderings of lake and Adams River to mouth of small creek at which point a large cottonwood tree is blazed and marked A. C. I. R. follow the meanderings of creek one mile and a quarter to where it forks. The east boundary runs along the west fork of stream to its rise and across face of mountain until it cuts the north boundary line. From this point the boundary runs to initial point on the lake. Besides the above the Adams Lake tribe have fifteen chains square of land, situated on the west shore of lake, about twelve miles from the outlet of Adams River.

An addition of fifteen acres for a fishing station as shown on sketch is given, to include the point formed by the lake and Adams River at the commencement of the right bank of the latter.

In addition a tract of land bounded on the east by the South Thompson River, on the south by the Niskahmiltz Reserve, on the west by the creek falling into Niskahmiltz Lake, and on the north by Little Shuswap Lake, and a straight line from the south western corner of lake to the above creek.

To include the whole of the land bounded as above, with the exception of a piece of land containing three hundred and twenty acres, said to be owned by Mr. F. Walker.

Also a strip of timber land commencing at the north east corner of the Little Shuswap Lake, and extending from the portion of Little Shuswap Lake Indian Reserve (now occupied by Am) southerly, along the eastern shore of lake, a distance of two miles with an average width of a quarter of a mile.

In addition a Reserve on Salmon Arm, Great Shuswap Lake, hereafter discussed in this Minute, is given to the Adams Lake Indians in common with the Niskahmiltz Indians and the Little Shuswap Lake Indians.

* The right of the Adams Lake Indians to all the water which they require or may require for irrigation and other purposes from the creek forming the western boundary of their Reserve lying adjacent to the Niskahmiltz Reserve and from the Niskahmiltz Lake is, so far as the Commissioners have authority in the matter, declared and given to them, subject to the water rights possessed by the Niskahmiltz

tube, and subject to the water requirements of white settlers, who have recorded ^{water} from these sources of supply. +

— Little Shuswap Lake, Great Shuswap Lake and —
 — Salmon Arm, Little Shuswap Lake Indians —

A Reserve bounded as follows. From the mouth of Adams Creek, southward along the shores of the Great Shuswap Lake, down the right bank of the South Thompson River to the Little Lake along the northern and western shores of Little Lake to a rocky point about half a mile beyond the south east post of the old Reserve, then westerly about a mile to include the points of two grassy ridges, thence northerly to the northwest post of the old Reserve, thence following base of hill (to include bench) to Adams Creek, thence down the right bank of Creek to initial point.

A small reserve at the north eastern corner of Little Lake, and bounded on the west by the left bank of the South Thompson River on the south by the shore of Little Lake and a straight line running from the northeast corner of Lake through a rocky bluff and on the north east side by a straight line across the valley of a small creek (Jim's Creek) and by the base of the mountains to include a small prairie and all the flat land at the mouth of the creek.

Also a tract of about twenty acres about three and a half miles up the last mentioned creek where there is a meadow.

A tract ^{or} of Scotch Creek, bounded as follows. from the mouth of Scotch Creek easterly one mile along shore of Lake, thence northerly to a rocky bluff, near which the stream leaves the mountains, thence westerly across the valley of the creek, a sufficient distance up and across the creek to include the horse ford and potatoe patches, thence southerly along the hill side to a point in a line with the mouth of creek and bend in shore of Lake, thence easterly to mouth of creek.

A reserve on Salmon Arm, Great Shuswap Lake, hereinafter described in this Minute, is given to Little Shuswap Lake Indians, in common with the Niskahmilt and Adams Lake Indians.

The prior right of these Indians (the Little Shuswap Lake Indians) as the oldest owners or occupiers of the soil to all the water which they require or may require for irrigation and other purposes

Reserve 1410 August 1894

from Adams Creek, Scotch Creek, Sims Creek, and also from a lake on the high land at the south-west portion of the reserve on west side of Little Shuswap Lake is, as far as the Commissioners have authority in the matter, confirmed and given to them.

*Salmon Arm of the Great Shuswap Lake
South Thompson or Niskahmilt
Indians, Adams Lake Indians and
Little Shuswap Lake Indians
in common*

A Reserve at the mouth of the Salmon River, commencing at a bluff on the right bank of the river, thence easterly across the valley of the river to base of mountains, thence southerly along base of mountains to lake, so as to include a flat point, thence westerly and northerly along shore of the lake to a point half a mile beyond the mouth of Salmon River, thence northerly to the above mentioned bluff should, however the mouth of the Chickahltcheen Creek not be within half a mile of the mouth of Salmon River a separate additional reserve, not to exceed twenty acres is assigned to them at the mouth of the Chickahltcheen Creek as a fishing station.

A Reserve distant by the shore line about seven miles from the mouth of Salmon River in the bay on the Eastern side of Salmon Arm, consisting of a strip, one mile deep, across the head of the bay, and its entire width, to be extended southward, so as to include a strip on the southern shore of the bay, twenty chains wide, and reaching to a ~~conspicuous~~ conspicuous rocky bluff on shore.

The right of the Niskahmilt Adams Lake, and Little Shuswap Lake Indians, in common, to all the water which they require, or may require for irrigation and other purposes from Salmon River and from the two creeks, as shown on sketch, flowing through the Reserve into the bay on the eastern side of Salmon River Arm, is, as far as the Commissioners have authority in the matter, declared and given to them.

Reserve 16th August 1874.

Spillumcheen and Nelson Valley

Spillumcheen Indians

Decision 3rd September 1844

The following lands viz: T 34, west half S 16 S 14, portion of S 19 east of Salmon River S 20 west half and southeast quarter S 21 south half S 22, S 29, portion of S 30 east of Salmon River.

T 35, west half S 24 S 28, east half S 29 S 34, except that portion occupied by Mr. ^{Junby} Gumbly's claim, east half S 32, S 33, S 35, west of creek as far south as the north east corner of Mr. ^{Junby} Gumbly's land.

T 38, S 2, west of the Creek and Mr. Fortune's claim, and North of the Spillumcheen River S 3, S 4, east half S 5, S 10, east of Spillumcheen River, including peninsula and Island S 11 north of the River and a narrow strip along the right bank of the river, running through S 13, and extending about two miles above a point opposite Mr. Fortune's house to include hay meadows.

Also a burial ground containing about $\frac{3}{4}$ acre in Mr. Fortune's field and Seventy five acres on the Great Shuswap Lake at Eagle Pass to include at the latter place, the fishery, house, and improvements.

Okanagan Lake, Northern Point

Indians head of Okanagan Lake

Decision 15th October 1849

Rivers as follows. From a point on the right bank of Salmon River intersected by the southern boundary S 19, T 34, true east to north east corner S 18, T 34, thence true south three miles, thence, true east half a mile, thence true south two miles and a half, thence true east half a mile, thence true south two miles and a half, thence true east, three quarters of a mile, thence true south, three quarters of a mile, thence true east a quarter of a mile, thence true south a quarter of a mile, thence true east to Meadow Creek, thence following down the Creek to post, the south west corner of Mr. O'Keefe's purchase claim of four hundred and Eighty acres, thence true East twenty six chains, thence true south about a mile and three quarters to small lake, thence along western shore ^{of lake} to its southern extremity, thence true south to post T 8, S 15, 16, 21 & 22 thence S 45° W (true) to shore of Okanagan Lake, thence following round the shore of the northern arm of that Lake, and part of the west side of that lake, so as to include

the flat near the mouth of Pack River to a point on the western shore of the lake intersected by the southern boundary of T 13, thence true west to the south east corner of S 6 T 13, thence true north six miles, thence N 45° E (true) about seven miles to the south east corner of S 36, T 12, thence true north six miles, thence N 45° W true, about two miles + a half, thence down the right bank of Salmon River to initial point.

T 7, ~~all~~, all that portion of the south west quarter of S 23, lying east and south of Meadow Creek, and Spillumackeen River Lake, also the south west quarter of S 13.

T 8, a small piece of land bounded as follows, From the north west corner of S 26 true east, thirty five chains, thence true north twenty chains, thence true east, ten chains, thence true south to lake, thence along shore of lake westerly and southerly, to the southern boundary of the northern half of the north west quarter of S 26, thence true west to section line, thence true north, twenty chains to initial point.

T 9, a portion of S 23 on the shore of Long Lake and on the right bank of the Goldstream, to include all the Indian houses, fences, and groves, together with a contiguous portion of S 23.

T 9, a portion of S 30 from the shore of the south arm of Okanagan Lake at the mouth of the stream which runs through Priests Valley up the right bank of said stream to its intersection by the northern boundary of Lot 62, thence east along such boundary thence true north towards the hills and true west to the lake so as to include the Indian fisheries and about fifty acres of land including the old cultivated patch.

T 20, western halves of the north west and south west quarters of S 2 and eastern halves of the north east and south east quarters of S 3.

T 23, eastern half of the north east quarter S 34, the north west quarter S 35 and a strip extending northerly as shown on sketch.

T 26, all that portion from the south east corner of Lot 133, true south five chains, thence true east about thirty two chains, thence true north to north east corner of Lot 133 thence south westerly along eastern boundary of said lot to initial point.

A perpetual right of pasturage so far as the Commissioners have authority in the matter is given to those Indians upon the unoccupied tract of land lying between, on one side Okanagan Lake, and on the

other side Long Lake and the unnamed lake from which Long Lake is separated by the natural causeway, known locally as the "Railway", the said tract to have its southern boundary at the narrowest part of it between the lakes and to have its northern boundary adjacent to the lands at Priest's Valley and head of Long Lake occupied by white settlers as may be determined by the Indian Reserve Commission on further information but the above pasturage right of the Indians on the said tract is to be enjoyed by them in common with those white settlers owning not less than three hundred and twenty acres, actually resident on their farms or represented by actually resident agents, not Indians nor Chinamen, carrying on as such agents the business of farming bona fide on the farms of their employers whose lands to the extent of not less than fifty acres, are, or may be within a radius of thirty miles from the post at the north west boundary of the Priest's Valley Indian Fishery Reserve which is a portion of S 30 T 9. If the Provincial Government can take the steps necessary to carry out this arrangement or a similar arrangement with the consent of the Indian Department and if further it can be arranged between the Provincial Government and the Indian Department that this tract of common land is to be grazed in winter only, the Commissioners believe that the arrangement will benefit both the white settlers and the Indians. If the arrangement is not within the power of the Commissioners or cannot be carried out, the said tract of land to be Indian Reserve.

* The prior right of these Indians as the oldest owners or occupiers of the soil, to all the water which they require or may require for irrigation and other purposes from Meadow Creek, Pack River, Priest Valley River, Mission River and the other streams flowing through, or partly through the Okanagan Indian Reserve or Reserves into Okanagan Lake, or Spellumcheen Lake, Swan Lake, Long Lake, and from the two streams flowing respectively into and out of the unnamed lake in the northern part of Township 33, is, so far as the Commissioners have authority in the matter, declared and confirmed to them, but so that no use shall be made of the water of Meadow Creek that shall have the effect of flooding the meadows said to ^{be} owned by J. Greenhow and C. O'Keefe, and so that in respect of the water flowing through Rivers in Township 20, sections two and three, and in Township 33, sections

34 + 35, the water right of the Indians except as connected with the Indian fisheries there, and cultivation of seventy five acres of the land, shall rank in priority, next after the water requirements of white settlers who have recorded water at these places and so that at the small reserve at the mouth of the Coldstream which flows past and through the Reserve, the water right of the Indians, shall, except as connected with their fishing, extend only to agricultural and residential purposes.

Note Mr Cornelius O'Keefe at the head of Okanagan Lake has, since the decision of the Commissioners as to the above lands made a claim to 320 acres of them under a pre-emption record of his dated 29th April 1873. The Commission is of opinion that the land is an old Indian settlement, which could not be legally pre-empted or purchased and moreover that Mr. O'Keefe has not complied with the pre-emption law as to this land.

If he has a title to it, the Provincial Government will be under an obligation of obtaining the land for the Indians, as they require it to make up a reasonable area of arable land for their use, and there is no other such suitable land adjoining their reserve.

Okanagan Lake, Okanagan River and Dog Lake Penticton Indians

From a point on the western shore of Dog Lake, marked by Mr. Ellis' cattle fence westward and southerly along the base of precipitous bluff about one mile and a half thence in a south westerly direction to Maron River to a point a little above the crossing, thence up Maron River to a small prairie about a mile above the crossing of the brigade trail, so as to include the prairie, thence north across the shoulder of the mountain to the brigade trail, thence northerly up the brigade trail to Front River, thence down the right bank of Front River to Okanagan Lake, thence southerly down the western shore of Okanagan Lake to Okanagan River thence down the right bank of Okanagan River to Dog Lake, thence down the western shore of Dog Lake to initial point.

Also three hundred and twenty acres at Nicola Prairie near the crossing of the creek, a portion of which has already been enclosed and cultivated by the Indians.

Decision 24th November 1874

A strip about one mile wide and two miles long running from the north east corner of Dog Lake about N 10° E. there is a cairn of stones at the north west corner. From the cairn, the northern boundary bears ^{about} S 80° W to a solitary tree on a bare hill. This last named piece of land is given as a timber reserve. The wood now growing or to grow is to belong to the Indians. The soil is not to belong to them. The object of this arrangement is to afford them a supply of wood without ^{them} having an inducement to locate on the spot. If the arrangement is not within the power of the Commissioners, or cannot be carried out, then the piece of land to be Indian Reserve.

A perpetual right of pasturage so far as the Commissioners have authority in the matter is given to these Indians upon the unoccupied tract of land lying between Sepanvier River and Front River which flow into the west side of Okanagan Lake and extending from the shore of Okanagan Lake to the old "Brigade" "Trail" and for two miles beyond it following its sinuosities but the above pasturage right of the Indians on the said tract is to be enjoyed by them in common with those white settlers owning not less than three hundred and twenty acres, actually resident on their farms, or represented by actually resident agents, not Indians nor Chinamen carrying on, as such agents, the business of farming bona fide on the farms of their employers, whose lands to the extent of not less than fifty acres, are, or may be within the district extending twenty miles westward from the general direction of the west shores of Okanagan and Dog Lakes, and of the right bank of Okanagan River and bounded on the north by Bear River, and on the south by a line drawn westward as a prolongation of the northern boundary of Township 50, or whose lands to the above extent are, or may be on the eastern side of Okanagan and Dog Lakes, and Okanagan River, not more than four miles from the mouth of Snake River which flows through the Indian Reserve into the Okanagan River. If this arrangement which in the opinion of the Commissioners would benefit the whole settlers and Indians alike, is beyond the power of the Commissioners or cannot be carried out, the said tract of common land to be Indian Reserve. The prior right of these Indians as

the oldest owners or occupants of the soil to all the water which they require or may require for irrigation or other purposes from the stream at Nicola Prairie, Trout, Snake & Marion Rivers, or other water courses within or flowing through or touching their reserves, is, so far as the Commissioners have authority in the matter, declared and confirmed to them.

— Osooyos —

* all the vacant land in Townships 50⁵⁰ & 51⁵¹ lying east of the Okanagan River and Osooyos Lake, also a strip bounded on the southwest by Osooyos Lake, on the north east by the mountain, on the north west by the southern boundary of Township 51⁵¹ and on the south east by Mr. Stanger's pre-emption

Also a fishing station at the foot of Dog Lake, about twenty chains wide, extending from the foot of the lake so as to include both sides of the Okanagan River as far south as the Creek, the northern boundary of Mr. Stanger's pre-emption claim.

The prior right of these Indians as the oldest owners or occupants of the soil, to all the water which they require or may require for irrigation or other purposes, from all the water courses or streams, within or flowing through, or touching their reserves, is, so far as the Commissioners have authority in the matter, declared and confirmed to them.

Note. It is understood that as the Indians expressed a strong desire to have a more extended frontage on the Okanagan River, the Indian Reserve Commission on returning next season to Osooyos from Victoria may alter the above decision, if they find it possible to effect this object, but such alteration must be made with the full consent of the Indians.

X
Victoria Superintendency
Victoria District
Songish Indians

The land reserve of these Indians in the harbour of Victoria appears to be the private property of the tribe by a written agreement made on 30th April 1850 between the Chiefs and people and the agent of the Hudson Bay Co. acting on

Decision the 16th & 21st November 1857

Decision 22 May 1858.

***AT THIS POINT IN THE ORIGINAL THESE THREE
ERRATUM PAGES WERE INSERTED ON AN OLD
BUILDEM-UP PIN. EACH PAGE WHILE DEALING WITH
THE ISSUE OF THE OSOYOOS ALLOTMENT ARE ALL
SLIGHTLY DIFFERENT IN FORMAT, IF NOT CONTENT.***

Erratum

In the Minutes of Decision of the Commissioners for the Settlement of the Indian Reserves in British Columbia, signed by them on The 8th May 1878, the following error has since been discovered, applying to the Osoyoos Reserve.

The figures I + I, I in the original copy have been misread V + VI, and copied as 5 + 6, at the Commencement; and again further on as township 6, instead of 51 - the correct reading being shown in the Surveyor's plans.

We, the said Commissioners, therefore make the necessary correction as under, in triplicate, to be appended to the several copies, and in accordance with the plan already certified by us.

— Osoyoos —

For Townships 5 + 6, read Townships 50 + 51; and again, for Township 6, read Township 51.

Chas. J. Anderson
Wm. M. Stanley

Erratum

In the Minutes of Session of the Commissioners for the Settlement of the Indian Reserves in British Columbia, signed by them on the 8th May 1878, the following error has since been discovered, applying to the Osoyoos Reserve.

The figures I, & II in the original copy, have been misread V & VI, and copied as 5 & 6, and again further on as township 6, instead of 51 - the correct reading being shown in the Surveyor's plans.

We, the said Commis-
sioners, therefore make the
necessary correction as under,
in triplicate, to be appended
to the several copies, and in
accordance with the plans
already certified by us.

- Osoyoos -

For Townships 5 & 6, read
Townships 50 & 51; and
again, for Township 6, read
Township 51.

Chas. J. Anderson
Wm. W. Barclay.

Erratum

In the Minutes of Decision of the Commissioners for the Settlement of the Indian Reserve in British Columbia, signed by them on the 8th May 1878, the following error has since been discovered, applying to the Osoyoos Reserve.

The figures I. & LI have the original Copy have been misread V & VI, and copied as 5 & 6, at the Commencement; and again further on as township 6, instead of 51 - the correct reading being shown in the Surveyor's plans.

We, the said Commissioners, therefore make the necessary correction as under, in triplicate, to be appended to the several Copies, and in accordance with the plans already certified by us.

- Osoyoos -

For Townships 5 & 6, read Townships 50 & 51; and again, for Township 6, read Township 51.

Chas. J. Anderson
Wm. A. McKay

behalf of the Crown and by the land having been formally set apart for their perpetual use and benefit, but the Commissioners so far as they have authority in the matter confirm this reserve as surveyed to the Songish Indians, together with Deadman's Island in Victoria Harbour and also the northern part of Discovery Island, and the whole of Chatham Island and of the Island immediately west of same, which three latter were reserved for these Indians by Governor Douglas on the 10th June 1863

It was part of the above agreement that these Indians should be permitted to carry on their fisheries as formerly

Esquimalt District

Esquimalt Indians

The land reserve of these Indians in the harbour of Esquimalt appears to be the private property of the tribe by a written agreement made on 30th April 1850 between the Chiefs and people and the agent of the Hudson's Bay Co. acting on behalf of the Crown and by the land having been formally set apart for their perpetual use and benefit, but the Commissioners so far as they have any authority in the matter, confirm this reserve as surveyed, to the Esquimalt Indians.

It was part of the above agreement that these Indians should be permitted to carry on their fisheries as formerly.

The reserves mentioned in this minute are shown on the accompanying sketches, except the Victoria and Esquimalt Reserves which not having been changed and having already been surveyed do not require to be delineated, and except the common pasture land intended for the Okanagan and Penticton Indians, and portions of the reserves for the Kamloops Indians the boundaries of which have not yet been finally decided upon.

With respect to the water rights confirmed or assigned to the Indians by the foregoing decisions the Commissioner respectfully expresses an opinion that the Dominion Government should inform the Provincial Government as soon as practicable, what quantity of water the Indians will require at the reserves, so that the surplus of water available for record by settlers

Decision 14th May 1878

may be known

(signed) Alex. C. Anderson
Commissioner

Arch^d McMillan
Prov^t Commr.

Victoria May 8th 1878.

G. M. Sproat
Commr.

Indian Affairs Commission

Port of Columbia

May 15th 1878

Sir

I beg leave respectfully to enclose copy of a letter received by me this morning from Father Mc Guckin on the subject of dissatisfaction among the Indians of Soda Creek and Williams Lake.

In my letter to you of 6th May I called attention to this subject.

I am Sir

Your obedient servant

Gilbert Malcolm Sproat

Ind: Res: Commr.

The Hon:

The Provincial Secretary
Victoria

Private

Victoria

May 13th 1878

My dear Elliott

I shall have to leave in the morning and I hope you will in consultation with Mr Smith arrange for payment of my account - a considerable ^{how long} of which is a year overdue.

It is not right, I feel, in reference to human nature, that I should go into the field with a galling sense of not having money that is due to me paid while having to do work of such importance to the Province

Yours very truly
signed G. M. Stewart.

P.S. See mine to you on the subject 15th April last
G. M. S.

Wm. A. C. Elliott.

Indian Museum ~~conclude~~

Oct 186 13 May 1878

Dear Sir

I have the honor to acknowledge
the recd of your letter of 6th inst on the subject
of disaffection amongst the Soda Creek and
Williams Lake Indians

I have sent a copy
of your letter to the Prov Govt.

The letter which I wrote
to you on the 5 May (in reply to yours
of 15 April sent to me through Mr.
Lemmon) will ^{have} shown how matters
stand - so far as the Dower Gate is
concerned.

I am &c

J. S. M. Sproat
JRC

Resd Father M. Guerin

Williams Lake

Ind: Res: Comm^m

Victoria B.C.

13 May 1870

Sir,

I leave for Yale to-morrow where
I hope my pack train will meet me.

I enclose

the following copies of letters

Further Mr. Gunkin to me 6 May

My reply of this date

- being further correspondence in the direction
of the Williams Lake and Lode Creek Indians.

I am Sir

Yours devotedly
J. M. Throats
J. R. C.

The Hon: The Sup: Genl
of Indian Affairs
Ottawa

Mr. Sproat
 Indian Reserve Commission

Victoria B.C. 13 May 1878

Sir.

The Provincial Government has not published the Report of the Commissioners for last year, and the public being ignorant of the Indian Land question, get their information from silly Newspaper Comments.

I have therefore thought it desirable to print an extract from the Report, which is more minute than that sent to the Dominion Government and I propose to distribute this information, and to challenge comment thereon in the places which I visit.

It is essential to have this question placed on a basis of fact and reason, and knowing the importance of carrying the public with me in the work which I am doing, without yielding anything to clamour or prejudice, I hope that you will sanction the expenditure of \$48⁰⁰ which will be incurred.

I am Sir

Your obedient servant
 Gilbert Malcolm Sproat
 Ind. Res. Commr.

The Hon.

The Superintendent General
 of Indian Affairs
 Ottawa

Indian Reserve Commission

In Camp Spessyem
May 18th 1878

Dear Sir,

I beg to enclose copy of letter which I have written to day to the C. Com^r James & Wicks and beg further to ask your kind attention to its contents.

Yours truly

G. M. Spauld & Co. Com

Mr League Esq. Esq. Agent
Gale.

Indian Reserve Commission

In Camp Spessyem
18th May 1878

Sir

I do not find, after conversation with Mr League, that he knows of any questions between Indians and white men which he would wish me to lay over for ^{your} consideration.

In reference to my letter of 12th April last on the subject of the Lower Sargen Reserves, I think it will save trouble and expense if you act on the request therein made to reserve from pre-emption all lands near Reserves in the New Westminster District until I have examined it.

I will return from the Interior as soon as possible with this object.

I beg particularly to ask you to reserve the lands as per annexed list from pre-emption or purchase, but it would, as above said, be well to reserve ^{temporarily} all lands near Indian Reserves in the New Westminster District.

I have given a copy of this letter to Mr. League who promises to act upon it in due time, so far as the lands in the annexed list are concerned.

I am Sir &c &c
The Hon. The C. Com^{rs} of the
Lands & Works
G. M. Sprunt Esq. Secy. Gen.

lands adjoining or near to the Cheam
Indian Reserve.

The land on the left bank of the Fraser from the point or bluff opposite Maniwille island (about 3 miles below Hope), down to the Scowley Reservation with a width of two miles back from the River.

The land on the right bank of the Fraser River from Gordons Ranch (1 1/2 miles below Yale) to American bar with a width of 2 miles back from the River.

The land on both sides of the River Fraser from the first little Canyon about 1 mile beyond the toll house (above Yale), up to the 4 mile post with a width of 100 yards on the left bank and the whole space between the wagon road and the River on the right bank.

Int. G. M. S

Indian Reserve Commission

In Camp Shusquam
 , 10 miles above Yale,
 20th May 1878

Sir

I had the honor on the 2nd inst. to receive
 a Telegram from you as follows -

Ottawa May 1st 1878

To

Gilbert Malcolm Stuart

Indian Reserve Commissioner

Two Thousand dollars placed
 to your credit in Bank of British Columbia, if
 more required state why.

Sgd. D. Mills.

I deferred replying to the above Telegram until
 I should be in the field. I am now engaged
 with the Indians at this place who are part of
 the nation of Indians the most important tribes of
 whom live at Newla.

I saw most of the Lower
 Fraser Chief on my way up to Yale. Some of them
 came fifty miles in Canoes to meet me at New
 Westminster. The others were waiting at the different
 places at which the Steam boat touched. They
 all were very anxious about their lands, but
 I was able to satisfy them it was but reasonable
 I should finish the work already begun in the
 southern interior of the Province, after which I
 promised to come back to the New Westminster
 District, and that I would let them know of
 my movements through Mr. Brian, so that they
 might continue their ordinary work occupations and
 have trustworthy information as to when I should
 reappear in their District.

The Indians at Gale are composed of Upper Troger and Lower Troger Indians. I had an interview with them two days ago and asked them to wait for an adjustment of their lands until I returned to Gale. They agreed to do so.

I have however requested the Chief Commissioner of Lands & Works to reserve temporarily until I return to Gale certain lands and fishing places which I should wish to have available when I examine the land question of the Gale, Hope and Cheam Indians.

I have now to say as regards my estimate of four thousand dollars that it was based on what I calculated would be required up to 30th June - the end of your financial year - when I supposed that you would close everything closed.

At the date of my Estimate I had not fixed my route and it was possible I might have gone direct to the frontier, where I should have been nearly two hundred miles from a telegraphic office and seventy or eighty from a Post-Office.

I enclose a statement of what will probably be due on account of the Commission at 30th June. I am at present in funds only for a very short time and should be glad of a telegraphic credit at your early convenience.

You will have the goodness to advise that at the beginning of the season, I have had to lay in a considerable stock of provisions and necessaries at Victoria - I have also had to buy two new coats to replace those entirely worn out.

I understand that in accordance with my correspondence with the Lieut. Governor which His Honor has now double-committed to you, I have to do the work of the Commission proper

in the upper country, above Gale, consisting of myself, cook and Interpreter for 30 dollars per day (see Estimate as handed to the Genl. Governor for a basis), which Estimate was revised by the Prov. Govt at a time when they thought they might have to share the expense, and additionally there will be the expenses of the indispensable Officers Mess Blenkinsop & Mohun.

You will thus see, at a glance what the work is costing in the upper country, so far as the Commission proper is concerned.

As soon as I am able to prove practically the expenditure on account of the above officers, I will let you know, and the total expenditure, under all heads, will then be within your appreciation, so far as the work in the upper country above Gale is concerned. The expenditure on the lower Trazer, that is below Gale, and on the coast when work is to be resumed there, will be different according to the arrangements that may be made for water transport there. It is unnecessary for me at present to go into this question.

I may remark that at starting from Victoria, I can get two or three months credit for supplies, and, possibly, all the persons employed may not demand their monthly pay at the end of each month.

I submit to you, however, whether it would not be as well to pay off all these items of indebtedness as they accrue.

I am Sir your
Obedt. Servant in the Com

The Hon

The Secy to the General

Yours

Indian Affairs Com^{rs}

In Camp Spuzzum
19th May, in evening,
1878.

John Clapperton Esq. L^t.
Nicola

Dear Sir

I am ~~am~~ just in receipt of your letter of 19th. It is not possible for me to go to Nicola on the 24th, or the 25th and probably my presence would not assist in arranging matters between the Pass. Com^{rs} and Mr Douglas.

When I reach Nicola I shall have to deal with the Indian question there generally. I talked two days ago with Mr Douglas's uncle who admitted there had been an Indian cultivated patch on the land - so at least I understood him to say. If this was so how could Mr Douglas have declared on pre-empting that no part of the land was an Indian settlement? I know as yet nothing of the case but this view would invalidate the pre-emption and oblige the Chief Com^{rs} to cancel it. Mr Douglas is a useful settler and thus suffer disappointment, as I am afraid the above is the law. It is a view however which I am very averse from taking. What I wish Mr Fernon could do, after his election is to see Mr Douglas and say that "supposing it is found that the pre-emption is invalid, he might have to cancel the record. But inasmuch as nobody, unless pushed, would wish to put Mr Douglas in that position Mr Sproule should not be forced to take a rigid view, or report the pre-emption as invalid. He should be in the position that should enable him to report the matter as one for compromise and if he should do so the Pass. Com^{rs} would be prepared

'to give Mr Douglas land as a so called compensation.'

If Mr Douglas chooses to stand upon any legal right he may have and the law is against him he will get nothing, and it is said (though I speak without personal knowledge) that there is further to be considered that even if he got the land the Indians would probably not permit him to use it. A Government of course is supposed to protect the legal rights of citizens, but we all know that in the upper country a practical view has at present to be taken of this Govt obligation, so far as Indians are concerned, in some places at any rate.

Mr Vernon, it seems to me, should quite understand with Mr Douglas whether the latter chooses to take the chance of the legality of his pre-emption, and with the possible cancelling of his record, thus Mr Vernon cannot possibly be blamed afterwards by Mr Douglas when the Dominion requests Mr Vernon to cancel the record if found invalid.

On the other hand, if it is to be settled by compromise then Mr Vernon should, I think, arrange definitely with Mr Douglas what acreage he should get for the land as to which he will have been disappointed, and I should be authorized by Mr Vernon to carry out what may be arranged between him and Mr Douglas.

The Province, I do not suppose, has any money to give, it must be land.

This letter I hope will do for Mr Vernon as well as for yourself, kindly show it to him. I do not write to him as I am in a way from Newcastle. I am working up the road and will go in towards Riverview from Cowpa Ferry. - I thank you for your letter.

Yours very truly
Wm S M Stewart M.P.

x
Indian Reserve Commission.

In Camp Shusquam
21st May 1878

Sir

I asked the Hon: The Chief Com: Lands and Works by letter dated 12th April last to reserve from pre-emption and purchase all lands near Indian Reserves in your District. I did so fearing that the influx of settlers might make it difficult to find lands for the Indians, should it be necessary to increase their Reserve as to which I cannot express an opinion until I have examined the District. I intend returning from the interior as quickly as possible in order to do this. The Indians in your District have this year, as well as last year, strongly protested against the action of the Commissioners in having gone past them to adjust the lands of the interior Indians. They sent a numerous deputation at their own expense to see me on this subject lately at Victoria. It is fortunate that the District is settling up so quickly, but it must be expected that this circumstance is calculated to make the Indians uneasy who conceive that they have certain grievances connected with their lands, as they have waited so long with commendable patience, and as the Commissioners were sent last year, and as I go this year to the upper country for reasons of policy interesting to the Province I think the Indians in your District are in the meantime entitled to every consideration pending my return.

The Hon: The Chief Com^r of Lands & Works will doubtless appreciate this and give such instructions relative to your District as he may.

consider the circumstances, and the desirableness of saving possibly expense, to the Province may require.

I omitted at New Westminster to ask you specially to do what you could to keep open, until my return, a piece of land having its northern boundary at Sam Postman or Posman's claim (I am not clear as to name) and extending southerly two miles along the right bank of the Fraser with a width of a mile back from the River.

I am told that below the Mission the first claim is MacDonald's, then Motts, then Posman's (the latter has 2 claims.)

This information may enable you to identify the place.

I am working up the wagon road via Lytton and Cooke's Ferry, towards Nicola.

I leave here for Boston Bar to-morrow

E. Rickenson Esq.
Govt. Agent
New Westminster

I am Sir
S. G. & Spruce & Co. Com.

Ind. Res. Commission.

B. C. Spuzzum 21st May 1878

Sir,

I request that you will make copies of all records of pre-emption by white settlers in the New Westminster District - not including Burrards Inlet nor northwards along the coast from Burrards Inlet and not going higher up the River Fraser than Harrison River.

When finished making the copies up in a parcel addressed to me as Indian Reserve Commissioner and leave the parcel at the Land Office from which I can get it when wanted.

Arrange your work so as to give as little trouble at the Land Office as possible. If in doubt as to the locality of any preemptions, include them in the copies.

You will be paid at the rate of three dollars per day in full for the work. As you necessarily will be under no supervision I trust to your honour to do the work promptly and faithfully.

Send me your account when you have finished the work.

Mr Jarrell was good enough to say that he would at the beginning show you what was to be done. I do not write to him, but you can show him this letter.

Yours very

C. G. Cogan Esq
Victoria

W. G. M. Sprout Esq. Secy.

Ind. Res. Commission.

B.C. In Camp Spuzzum
22nd May 1878.

Sir,

Mr A Bista formerly of Yale and then of Spuzzum (10 miles above Yale), preempted and got a certificate of improvement 1865 for the land at Spuzzum described in the enclosed copy of his Record of Preemption (31st Oct 1865).

He lived there, it is said, for a year or two and then left the country. Mr Seague the Ins^r agent at Yale tells me, he supposes Mr Bista abandoned the place 10 or 12 years ago.

The preemption and the certificate are in my judgment certainly invalid as a large portion of the place preempted was an old Indian

settlement of the Spuzzum tribe and such settlements are protected against preemption by the Act of 1865 under which Mr Pieta took up his land.

Will you say whether I am right in this, supposing the place it can be proved the place was an Indian settlement?

Will you also oblige me with your opinion collected (leaving out of view altogether the Indian settlement question) Mr Pieta, or the heirs of Mr Pieta, could reappear now, or by and by, and claim this land under his certificate of improvement?

I wish to give the land to the Indians who have houses and crops on it. There are no signs of Mr Pieta's improvements.

He may be dead or have forgotten his short residence in British Columbia, or he may not be far away and return, attracted by the Railway construction rumours.

The 1865 Land Act does not seem to be very clear, but it might be inferred from the use of the words "continuous occupation" (in clause 32 second line), that the Govt could not convey the land by Crown Grant (I suppose) to the holder of the Certificate unless he had continually occupied. This Mr Pieta of course has not done. He has long ago left the country.

Clause 68 of the 1865 Land Act seems to validate all certificates of Improvement notwithstanding any defect in the evidence on which the same was issued. Would this have the effect of validating a certificate of Improvement such as Mr Pieta's, issued on ^{an} erroneous statement that the place was not an Indian settlement?

Kindly reply if you can by the first steamer addressing me as G. M. Sprunt Esq. Rev. Commissioner Victoria.

Yours Alter will

be put in the bag of the Commission at Victoria

I am Sir &c &c

St. G. M. Sprunt. Ind. Res. Comm.

It would be strange if a man could visit B. Columbian and get a Certificate of Improvement for a piece of land and then leave and thus the land be locked up for all time. Is it perfectly clear by the 1865 act that the holder of a Certificate is not bound to occupy in some sense.

Yours G. M. S.

J. F. McCreight Esq 2C
Victoria

Indian Res. Commission

, La Camp, Booton Bar
25th May 1898

Dear Sir,

I have to acknowledge receipt of your letter of yesterday in reply to my pencilled note (left at your house) on the subject of your alleged claim to land on the wagon road near the 19 mile post.

You state that the houses belong to the Provincial Govt for the use of their workmen on the road, and that, as a section man you have lived there for 12 years. You further state that the Indians, Booton Bar, use the place only as a summer fishery, and that you do not interfere with them, and that you have had to clear and fence the place.

I understand from this that you have not any legal right to enter the land or the houses, and that you mention the above facts to show that you have a moral claim not to be unnecessarily disturbed.

in a residence that is convenient for your occupation.

I beg to assure you that, as far as I am concerned, due weight will be given to this consideration but I may mention that what has now to be done is to define the boundaries of lands that have to be handed over by the Provincial Govt to the Dominion Govt for the Indians, and if as appears not to be disputed, the Boston Bar Indians have had a fishery at the spot in question from time immemorial, it seems reasonable that they should have a camping place and access to the fishery secured to them, and if possible a potatoe patch.

I do not propose to mark off Indian fishing places on the Fongor except at a few frequented spots such as the fishery in question is described to me to have been.

It appears to me that you could not acquire a title to the land on which you live, for it has been the subject of a pre-emption (11 July 1862, and a certificate of improvement (Aug^r 21 1865) issued to Charles Emerson - at least the following description in the Pre-emption Record appears likely to include the place -

"A piece of land now called Austin's flat" "situated on the east bank of Fongor River opposite" "what is called Kells gate and about one mile above" "Nicaragua Slide and bounded as follows -

"By stake marked A on the northeast corner running west 180 yds to the Bank of Fongor River" "in a nearly south direction 150 yds from thence due" "east 120 yds to a stake marked B from thence to the" "point of starting or stake A 100 yds enclosing about" "1 3/4 acres"

The rights of the Indians according to the view of the Dominion Govt, come first, and cannot be affected by the above Record and certificate, which so far as they purport to include the old Indian fishery

and what naturally and reasonably belongs to it must be held to have been wrongly issued. But, after the Indian portion of the land has been defined what remains would I think properly belong to Mr Emerson or his representatives, and as to that portion, it would be from him or them that you could get a title - unless indeed the land has got back into the hands of the Pros: Gov: from default in payment of taxes.

These seem to be the facts, so far as they are before me at present.

As you are working down the road and I am working up it (leaving here probably about Tuesday or Wednesday) I think I will not define the boundaries of the Indian fishing station at the 19 mile post until I come down the road again (reserving the whole, however, in the meantime) and we may meet at the place, when I shall be pleased if some way can be found to determine the rights of all parties concerned without inconvenience.

Mr Jas. J. Mansell
Section Man
19 mile Post.

I am Sir &c &c
G. M. Sprunt Indian Com.

Indian Reserve Commission
M. Camp Boston Jan
May 20th 1898

E. Howard Sanders Esq
Lillooet

Dear Sir

The alleged representatives of the woman mentioned in the annexed Copy of a Resumption Record wish me to include

the piece of land in the Spuzzum Reserve. The woman it is said lived for sometime at the place and then died.

The Prescription Ordinance 31st March 1866 which restricted Indians from preempting except by special permission is of later date than the record, and I almost think the record may be taken as evidence of the intention of the Gov^t to make the land Indian land. Do you remember any of the circumstances connected with this record.

I am inclined to include the land within the Reserves at Spuzzum.

Might I also ask you what you think could have been the reason for the neglect of the Old Colonial Gov^t to provide Reserves at Spuzzum during the 12 years from 1856 to 1870?

I do not propose to make any ^{official} use of your Official reply. The neglect, if it was neglect, seems so plain that I wish to say all that I can in mitigation when I report on these Spuzzum Reserves to the Dominion Government.

If you have time to send me a few lines in reply kindly address to me at Lytton towards which I am working.

Some distant Indians came to the Camp to day to ask when I could be at L^ohart. As I have to go to Nicola, Similkameen, Bonaparte, and am under a promise to do something this year in New Westminster District, I could not say much to them as to a L^ohart visit.

They said that lands which they have been expecting to get have been taken up by white men, owing to the delay in settling their Reserves.

Do you think from the point of view of the public interest as well as that of the Indians, that I should ask the Chief Commissioner?

to reserve temporarily any lands about Lillock and if so what would be the description of such lands. It may not be possible for me to be at Lillock till next summer.

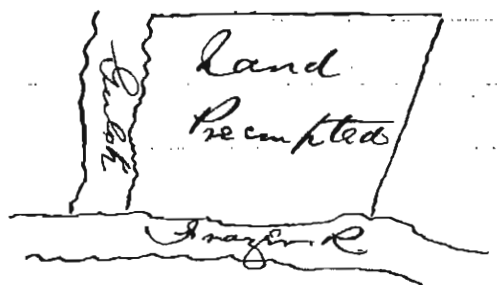
I am &c &c
J. M. Sprunt

Copy of Record
No 86.

Indian woman - Cow Knife

Alexandra Bridge March 19th 1866.

A portion of land containing perhaps 2 or 3 acres adjoining a small gulch about 1/2 a mile below the bridge on the east side of the River



P.S. I find a Record and Certificate of Imp't 31st Oct 1865 issued by you to Frederick Biester at Springtown which seems to include a large part of the old Indian settlement there - I am told Biester has abandoned the place and that he left the Country 10 or 12 years ago. Do you know if it has been judicially determined that "continuous occupation is or is not required under the 1865 Land Ordinance after the issue of a Certificate of Imp't? I am asking you quite unofficially.

Yours J. M. S.

Explanation of Estimate of \$4000⁰⁰ in Mr Spence's telegram of 28th April 1878 to the Hon: The Supdt General of Indian Affairs showing concisely in gross what would be required for Expenditure up to 30th June 1878.

Comm Salary fr 17 March to 5 May	50 d/6 @ 10 ⁰⁰	500 00
D ^o Allowance	50 d/6 @ 2 ⁵⁰	125 00
<i>See Letter 25 May from Mr Spence</i> Fr 6 May to 30 June in full	56 d/6 @ 30 p/ndi	1680 00

E. Moken Surveyor

Salary fr 1 st to 10 April	10 d/6 @ 150 p/ndi	50 00
(Sur ^o in charge Surveys) 11 April to 30 June	81 d/6 @ 180 -	480 00
All ^o in Victoria 1 st to 27 th April	29 d/6 @ 150	43 50

Mr Blenkinsop, Genl Ass^t &c

Salary 3 mos, 1 st April to 30 June, @ 120 ⁰⁰	360 00
All ^o in Victoria 1 April to 6 May 36 d/6 @ 150	54 00
	<u>\$329 2 50</u>

Field Allowance

Mr Blenkinsop & E Moken 7 May to 30 June
55 d/6 each @ 110 d/6

Transport in Field

Moken & Blenkinsop 55 d/6 each @ 110 d/6

Steamboat & Stage-hire

Fr Victoria to where work commences
in the field

Sundry Items - for Copying Records
at Land Office, &c &c &c
Legal Consultations
Boarding Kitchen Furniture
New Tools

\$

Indian Reserve Commission

In Camp Boston Bar
27th May 1878

Sir,

You will me by informing me (to the address of Cooks Ferry) whether there are any, and if so what land questions between Indians and whites which you would wish laid over for consideration of the Prov. Govt.

If there are any such I shall be glad if you will let me know on what grounds you would wish them laid over, and further, I have to request that you will take immediate steps to submit the case or cases to the Prov. Govt. so that the expense to the Home Govt. of my being delayed may not be incurred and so that in case of disagreement between the Prov. Govt. and myself as to the merits of the case, the promptest action may be taken to insure an authoritative adjustment -

I am Sir &c &c
W. G. M. Sproule Esq. Sec. Com.

John Dwyer Esq.
Govt. Agent - Kamloops

In Camp Boston Bar
27th May 1878

Dear Sir,

I have the pleasure to receive your letter of 3rd May this morning.

Owing to my illness and other causes our reports &c were not sent in to the Prov. Govt. for a considerable time after our arrival in Victoria indeed not until after the Commission was dissolved, but both Mr McKeinley and I joined in an official

letter to the Chief Com.^r of Lands & Works dated 8th May 1898 mentioning the situation in which you were placed relatively to the Reserves on the South Thompson, and suggesting that your farm there should be exchanged for unoccupied Crown Lands.

The Commissioners however, as you are aware, had no power to give land to white men without specific authority from the Prov. Gov^t in each case and this the Com.^r did not receive as regards Moore's Ranch or any other piece of ground in your case. The Com.^r had only power to give unoccupied lands for the use of the Indians. For instance, in adjusting Mr Greenhow's question with the Indians they got specific authority from the Prov. Gov^t, on which they acted.

I beg to offer my compliments to your neighbours at Okanagan, and remain,

J. Walter Esq. Okanagan.

Dear Sir, Yours truly,
J. M. Sprout

P.S. You must have been misinformed as to my arrival at Kamloops.

Indian Reserve Commission

Booth Bar 27 May 1898

Madam,

In answer to the question which you have requested the Interpreter to put to me as to whether a white person with whom you have been cohabiting but to whom you are not married and whom you wish to leave can compel you to live with him, it is no part of my duty to interfere in such matters, but I have no hesitation in saying that the person referred to cannot compel you to live with him and if he annoys you you can have the protection of the law by applying to a magistrate.

Yours truly

J. M. Sprout Esq.

Mrs. L. John
Indian woman

Indian Reserve Comm^{rs}

Atle In Camp near
Boston Bar Ferry, Ariz.
May 30th 1898.

Sir,

Since leaving Yale I have dealt with the land questions of between 500 and 600 Indian who have saved much trouble by stating their wishes fully, and then leaving the adjustment fully in my hands.

There are several questions connected with the Springhorn and Boston Bar people left necessarily open until my return down the wagon road. I am very sorry to have to state that I am unable to approve the action of the former Colonial Government as regards the interests of these Indians.

So far as I can learn 12 years after the incoming of white men 1888, were allowed to pass before any Reserves were assigned to them. It was only on the approach of Confederation in 1890 that this was done, and even then, land was not given to all of them, and in some cases, land was given without any provision for water for irrigation.

The details will appear in my field minutes.

I have heard that the elections have gone against the Elliotts Gov^{ts}, and that Mr. Walker's party, strongly supported, will probably take office immediately.

Any correspondence with Mr. Walker's Gov^{ts} on Indian matters should be carefully scanned, unless some of his colleagues have divested themselves of prejudices which influence

their Indian policy when last in power

The delay of the Prov. Gov^t in dealing with the case of O'Keefe at Okanagan (see mine to you of 6th May) is having the worst effects on the minds of the Indians in that quarter. They cannot understand that land given to them by the Commissioners should be immediately trespassed on by white men - O'Keefe I am told has two men in possession and has put in crop. Even the Kainloope Indians, Mr. Broken writes to me want their Reserve changed and are holding secret meetings. Chief Joseph is going from one tribe to another on what business is not known.

If the Comm^{rs} were wrong from one point of view, in their decision in O'Keefe's case (which I do not admit nor does my legal adviser) the Prov. Gov^t should nevertheless have acted at once, for the question is entirely for them to decide.

If they find that O'Keefe had a right they must extinguish it, for they, in respect of prior Indian rights, permitted O'Keefe to get (as he says) the piece of land. If they think the Comm^{rs} were wrong, why not act at once, and get a Judge, or take some means of settling the question, and bringing matters to an issue between the two Governments as regards the question? Nothing can be more impolitic, more damaging to both Gov^{ts} in the eyes of the Indians; or more embarrassing to all efforts to adjust land questions than this inaction in so serious a case. I am on my way toward Nicola where I may be in several weeks, and where perhaps the greatest difficulties will be met with. The chief there is the chief with whom the Okanagan settlement was made - His first remark to me will naturally be - "Your Okanagan settlement is no settlement; white men act as usual; what is the use of your coming to Nicola?"

I do not see

what good can come from the efforts of the Dominion to settle the Indian business of the Prov. Gov^t, even when relieved from all the expense, are too indifferent or too feeble to take necessary steps to promote an adjustment, bearing in mind that the Gov^t are dealing with uncivilized men.

If quasi legal or the narrow legal rights derived by white settlers from Colonial or Prov^t laws made in disregard of the Indian claims, are to bar the equitable rights of the Indians, or to be set up as excuses for delays in dealing with questions that arise, the sooner the two Gov^t understand each other on this point the better.

Between these conflicting rights the only mode of adjustment is by compromise, doing substantial justice with as little friction as possible, but this cannot be effected in any way intelligible to the Indians if the Prov. Gov^t stand aloof and do not promptly and considerately aid in making the compromise.

I will request His Honor the Lieut. Gov^t to bring this view strongly before the new Prov. Gov^t.

It might be well if the Dom. Gov^t made their views again quite clear to the Prov. Gov^t as regards the Indian title, and its bearing on such cases as O'Keefe and several other similar ones that will arise.

The Prov. Gov^t were fully represented on the 3 man Commission and their Com^{rs} joined entirely in all that was done in O'Keefe's case, though since getting to Victoria the Prov. Com^{rs} Mr McKimley tells me he has told the Prov. Gov^t that he regretted what he did.

Take a case

that was before me yesterday. A number of Indians on their old homesteads, not reserved for them at all, and the only available water held for seven or eight years by a gold miner, a Chinaman. Ask the Prov. Govt to cancel the Record. Suppose they delay or refuse - What next? Promptness is everything in such matters. It is the long heart-wearying delays in time past of which the people complain, and surely the Commr was not appointed merely to show them afresh the futility of all Governmental action regarding their interests.

Kindly say whether the Supdt. or the Indian Res. Commr is the proper person to apply to the Prov. Govt. for cancelling Records or other such action? The Supdt. is more directly the agent of the Govt. but he should be told to do what I ask him to do.

Your obedt. Servt.

Sr. J. M. Sprunt Ind. Res. Comr.

The Hon.

The Supdt. General

Ind. Res. Comr.

In Camp. Fort. Ross

30th May 1878.

Sir,

The survey of the Indian Reserve at Kamloops having now been made. I respectfully beg leave to request that you will cause your fence to be moved off the Reserve -

I am Sir, &c.

J. M. Sprunt
Ind. Res. Comr.

J. Harper Esq.
Clinton

Ind. Res. Commission.

Antioch Columbus near Boston Pa
In Camp 30th May 1878

Sir,

Mr Vernon writes to me under date of 23 May from Coldstream to make the suggestion contained in the enclosed copy as to delaying survey of the Okanagan Reserve.

The Reserves which he suggests should first be surveyed will be first surveyed under existing arrangements. The surveys must be pushed forward rapidly and in the order of instructions already given which cannot be departed from. Every effort should be made to make an excellent seasons work.

The piece of land wrongly held by Mr O'Keefe must be included within the survey. A decision of the Supreme Court against the view of the Commissioners would I imagine merely have the effect of declaring that the Province should compensate Mr O'Keefe, or pay what was necessary to adjust the matter.

I don't see that you can be spared long to Okanagan, but after doing Keulemans Creek I should be glad if, informally, you could find out what you could do Donaparte, advising me to Lytton or Cook's Ferry of your movements.

I do not propose at present to go towards Lilloet, though perhaps if we get quickly through at Nicola &c it might be possible by and by to visit Lilloet en route for New Westminster. It is not at present necessary, beg to Clinton for information as to Lilloet.

I have notified Mr Harper to remove his fences from the Kamloops Reserve, though I do not know if it is Mr Leguiban's business or mine to give such notices.

You would require Vernon's written authorization as Chief Commr before paying \$500 to Louis in the matter of B. Newman's fishery. If not carried through by the time the surveyors are leaving Kamloops, the survey must be made, unless Louis gives the place up on the chance of getting \$500. I shall much regret to see a fishery there, but I have given the Prov. Gov. every chance of protecting Mr Newman - I leave here in 3 days.

E. M. H. Esq.
(under charge of J. Wren Esq.)
Darius Perry,

Yours truly
S. W. M. Spruce Ins. Co. Com.

Ins. Co. Commission

In Camp near Boston Pass
30th May 1898.

Sir,

It has been indirectly mentioned to me that the decision of the Commissioners, last year, in Mr O'Keefe's case at Okanagan may be shortly the subject of an examination by the Supreme Court.

I do not know whether this rumour is true, nor what form such an examination may take, nor, if a suit, what parties would be concerned, but under any circumstances I should desire to have an opportunity of stating, either personally in my official capacity, or by counsel on behalf of whom it might concern, the opposite side of the case from that of Mr. O'Keefe.

I do not at present see the bearing of a suit, except to adjust possible questions of compensation between the Prov. Gov. and Mr O'Keefe - a question which a suit is an expensive method of settling.

If the compromise effected with

the Indians by the Commissioner is not to hold good, the question of the extinguishment of the Indian title to the soil of Okanagan will come up, according to the views of already stated by the Hon. Sec. to the Prov. Government.

The raising of the question there may practically mean the raising of its every problem, and the ruin of the attempt at compromise now being laboriously undertaken.

The effect of the delay in dealing with this question of O'Keefe has been very bad upon the Indian mind from Kamloops to the frontier, and seriously embarrasses my work the year.

The Indians cannot understand that white men should trespass upon and cultivate land given to them by the Commissioner.

I respectfully think that, upon the certificate of the assistant Land Commissioner as to Mr O'Keefe's non-occupation and upon the other evidence placed before the Hon. The Attorney General you should have exercised your judicial powers and cancelled Mr O'Keefe's record long ago, and, if you thought fit, have compensated him.

It is unfortunate that the Indians should be alarmed and that a suit should be forced which will inevitably raise questions of the gravest character to the Province.

There will be an end to difficulties if the principle of compromise in these Indian matters is once abandoned.

I am Sir
R. G. M. Sproule Esq. Sec. Com.

The Hon.

The Chief Com.

Land & Works. Victoria.

Inds. Res. Commission.

In camp - Boston Bar
31st May 1878.

Sir,

I have to acknowledge receipt of your letter of 25th as to the wood requirements of white settlers near the Kiskadee Reserve (left bank South Thompson) and also as to water for irrigation of that portion of the Reserve -

Capt. Semmets should be instructed to lay off, as you suggest, a certain portion of the Reserve from which in a manner, and on conditions to be hereafter determined (when I have had the advantage of conversing with you on the subject) the settlers on adjacent lands may be enabled to get logs for building purposes the said portion to be laid off so as to interfere as little as possible with the use of the Reserve by the Indians.

Your suggestion that the privilege should be terminable by lapse of time, and at any time capable of being rescinded is worthy of consideration -

Your obed^t Serv^t
S^d. G. M. Sprout & Co. Boston

There will be some nice
water questions along the
Fraser gorge here and elsewhere -
Push on the surveys rapidly -

E. M. E. E. E.
Savannah Ferry.

Inds. Res. Commission

B.C. near Boston Bar
In Camp 31st May 1878

Sir,

You tell me in yours of 25th that you may

be able to inspect the promised hay meadows for the Kamloops Indians. You know the views of the Commission on the matter. I will confirm what you do, and if you think the Commⁿ would have given it you may instruct Capt. Semmets to survey it, as part of the Kamloops Reserve, if you have to leave him before having had an opportunity of submitting your report on the hay meadow to me. I have brought with me visits the plans of the Commⁿ meant for the Pres. Gov^t. The hay meadows and the Kiskadiem timber patch &c can be put on them, and they can then be sent to the Provincial Gov^t.

E. John Eggs C.E.
Savona Ferry

Your obed^t serv^t
Sd. G. M. Sproule Commⁿ

Indian Res. Commission.

Boston Bar.

27th May 1878.

Memorandum for
the Interpreter.

In the matter of the Indian woman who wishes to be included by the Census. Later in the Census of the Boston Bar Indians you may inform her that if she is not married to a white man I see no reason why ^{she} should not be included, in fact she must be if she expresses a wish to that effect.

If not married (as she states ^{she} is not but of the facts I know nothing) she is of course a perfectly free agent, subject to the general guardianship of the Dominion Gov^t and no white man or Indian can legally interfere with her locomotion or residence.

Sd. G. M. Sproule
Interpreter, Commⁿ

At Camp 2nd June 1878

Sir,

You can open any letters addressed to me at Kamloops during June.

I say so because Vernon tells me he left a letter (probably with Mosley) authorizing me in his capacity of Chief Com^d to offer \$500. to the Indians in lieu of B. Newman's pike. If you can carry the thing through after seeing that the letter is definite, good and well.

Vernon called here today. He says he also has authorized me by letter to do what I choose in the matter of Mr. Livingston.

I leave here for Beechey's to-morrow -

L. M. Egan C.E.
Savona's Secy G.O.

Yours truly
S^t G. M. Sproule D.P. Com

Boat Bar In camp
3rd June 1878.

Dear Sir,

I believe you laid off the Kopah, etc. in Indian Reserve (Yankee Flat right bank of the Fraser about two and a half miles above Boat Bar) in 1870.

The Indians complain to me that two Chinamen have been mining for many years on the Reserve, and have used the water for mining purposes and have built a house and made a garden.

I have conversed with the Chinamen, and beg to enclose a rough statement of what they said, and a list of the papers which they showed to me.

It would appear that they or the alleged partners of one of them Mr. Ah Wing (the latter now in China) were working somewhere about Yankee Flat

and, possibly, within the present Reserve; before you defined it in 1870.

The Chinamen have a log house, a potatoe patch and a short flume.

The Indian story is that they understood, you to say, when you defined the Reserve, that the Chinamen would not be there long.

The Chinamen's story is that the worked up ground would not be of any use to the Indians, and that they might continue to work there.

Will you kindly say what your recollection of the facts of the case is?

I do not know whether under the Old Colonial Regime, persons holding free miners Certificates could work on Indian Reserves; they certainly cannot do so under the very stringent Canadian Indian Act of 1876. and these Chinamen under that Act would be liable to be summarily ejected and heavily fined. But on the other hand, if the Colonial Government led these Chinamen to believe that they might work on the Reserve, and, if so, as appears to be the fact, the Prov. Govt. since 1870, have made water Records of these Chinamen at the spot in question, it is possible that the Prov. Govt. might consider that these Chinamen had, in equity, some claim for compensation for the loss of their improvements and the disturbance of their business.

I have left the question open until my return down the canoe road from the interior.

Will you oblige me by returning the enclosed paper, as I have no copy of it, and by writing me a few lines in reply addressed "Indian Reserve Commⁿ Victoria".

P. O'Reilly Esq. S.M.
Victoria

I am Dear Sir &c.
S^r J. M. Stuart M.C. Com

Indian Res. Commission

O.C. In camp near Lytton
3rd June 1878.

Sir,

Coming to your necessary absence at Cowichan I had not the advantage of seeing you on the subject of the money due me from the Prov. Gov^t or Indian Res^{on} Comm^{rs} accounts, before I left Victoria, and Mr Elliott owing to your own and Mr Vernon's absence, was not able to pay me.

I can but ill afford to want the money, and its non-payment prevents my closing the accounts of the old Com^{rs} which the Dominion Gov^t have written me for.

I beg leave respectfully to express a hope that, as the money is due, and as the Domst Gov^t have paid their share of it, you or behalf of the Provst Gov^t will cause the amount to be paid to Mr H. B. McKenzie Victoria on my account.

I refer you for details to a letter of the 16th April which in your absence I wrote on this subject to Mr Elliott.

Yours, The Minister Finance

I am Sir &c &c
J. G. M. Spruce D. C. Com.

Indian Res. Comm^{rs}

In Camp near Lytton.
3rd June 1878.

Sir

I have to the report that I have, so far, found the Indians to be reasonable in their expectations, and willing generally to be guided by my advice with respect to their land questions.

I have reserved certain open questions along the wagon road for my further consideration.

The probable requirements of teamsters and others encamping at accustomed places on the road have not been lost sight of in defining the Routes, where any alteration has been necessary.

There seems now to be a possibility that my progress through the remainder of the Yale District will be rapid, after which I purpose immediately returning to deal with Indian questions in the populous and important district of New Westminster, where very difficult questions involving possibly expense to the Province, and the checking of white settlements are not unlikely to arise, if the adjustment of the Indian Land Question should be delayed. - X

The New Westminster District Indians strongly objected last year to the Com^r going past them to visit the Indians of the Interior and several chiefs visited Victoria to represent that they would be very sorry if I should again go past them this year. I promised to come back from the interior to work among them as soon as possible.

As it is a matter of great importance to the Province that the lands in the New Westminster District should, by a settlement of Indian questions, be freed from Indian claims which, practically hang over them, and as the change of my work from the Yale to the New Westminster District will involve the discharge of my pack train and attendants and other arrangements necessary to be considered before hand in view of the different means of transport required on the Lower Fraser, and as, further I have to look a good deal ahead to make my movements harmonize with what is necessary to get the best work out of the two Survey parties now employed by the Dominion Gov^t on Indian business, and am bound to do all that I can to prevent delays which would add to the heavy

expense now being incurred by the Hon^{ble} Gov^t, I respectfully
 beg leave to request that you will furnish me at your
 earliest convenience with an Order in Council of the
 Privy Coun^{cil}, giving me the same powers in the District
 of New Westminster which I now possess in the District
 of Yale in connection with the adjustment of Indian
 land questions. In what remains of this year I am extremely
 anxious to do good work -

The Hon^{ble},

The Chief Com^r Lands & Works

I am Sir &c &c
 W. E. M. Spruce Indian Com^r

Ind. Com^r

In Camp, Boston Bar
 1st June 1878.

Sir,

The Indians at Spuzzum and this
 place, in their formal interview, asked me to write
 you to convey their wish that you should not visit
 them until their land questions are settled, which
 I may remark cannot be entirely done until I again
 visit these Fraser River Reserves on my return from
 the Interior.

The Indians say they are thinking only of
 their land, and do not wish to talk about other
 matters till the proper time, in their judgment has come.

Some of them complain that some of the seeds
 sent are mixed, and some will grow. The seeds
 they get along the road are better. Michael tells
 me he thinks the seeds were got in Victoria. If the
 Indians speak correctly, white turnips, seeders
 and cabbage were mixed in one package.

I shall leave here in two days to work up the
 road towards and past Lytton & Coombs Ferry.

Yours faithfully
 James Leitch Esq^r

I am Sir &c &c
 W. E. M. Spruce Indian Com^r

Ind. Res. Comm.

In Camp. Boston Bar,
2nd June 1878

Sir,

It will be necessary for me to leave several questions open along the wagon road pending further examinations, and the obtaining of further information.

I suggest that when I leave Cook's Ferry for Nicola, I should send you a statement of what land I have found it necessary to make Indian Reserves, and what I have temporarily reserved.

Meanwhile perhaps you will be good enough to receive pre-emption or water mining records subject to anything that I may have done at these places from Spuzzum upwards. If required I can of course send you a statement from each place.

I find that the Indians have not had a sufficiency of water assigned to them for purposes of cultivation, and that some of the records of water for mining purposes interfere much with their fair requirements. I leave here to-morrow for somewhere about Pootung.

W. J. Egan & Co
YaleI am Sir &c &c
J. H. M. Sprague
Ind. Res. Comm.

Ind. Res. Commission

In Camp near Pootung
between Yale & Lytton
4th June 1878

Sir

I beg leave to enclose an open letter and enclosure addressed to the Chief Com. Land & Mts. which I shall be obliged by your perusing with the view of giving any information which you can to the Land Office on the subject of it, namely, Mr. A. Priest

record and certificate of land at Spuzzum which includes the old Indian settlement of Shwimp. You will observe that I request the Chief Com^r to take steps to cancel Mr Bieda's record and certificate as having been granted contrary to law.

I beg to notify you that the Hon^{ble} Gov^t on behalf of the Spuzzum Indians will oppose any attempt that may be made to substantiate Mr Bieda's claim.

W. League Esq^r
Yale

I am Sir &c
St. G. M. Spruce Ins^r Com^r

Ins^r Com^r

In camp near Boonville
between Yale & Lytton
4th June 1878

Sir,

I have the honor to submit for your consideration the enclosed memorandum on the subject of the record and certificate of improvement issued on 31st Oct 1865 to Mr Fred^r Bieda for land at Spuzzum which according to Mr Bieda's description and plan encloses the whole of the ancient homestead of the Spuzzum Indians known by the name of Shwimp.

The Indians have never been able to understand why a white man was permitted to settle upon this place, and ask me to get the matter put right.

The facts I think are so conclusive that I may request you to cancel the record and certificate or to take such immediate steps as you may think fit to effect that object. This I now do -

I have not yet told the Indians that I ~~would~~ do more than enquire into the matter, but it is most desirable that should be - no delay in adjusting it, and I therefore beg your early attention to my request.

If the Prov. Em^t do not agree with my views as stated in the Mem: on the case what procedure do they intend to adopt under their proposal for the intervention of a Judge of the Supreme Court? Who is to pay such an Arbitrator and how and when will he act in this case?

If these questions are left over the work of the Comm^{rs} is damaged, the satisfaction of the Indians is lessened and a heavy expense is caused to the Hon. Gov^t by my being delayed or having again to visit the same Indians.

The Hon. Em^t are now spending \$60 or \$70 a day on Indian Land business within the Province and will naturally look with some attention to whatever may have the effect of adding to that expenditure.

I send this letter open through the hands of Mr Deague Gov^t Agent at Yale, so that he may communicate with you upon the subject of it.

I am told that Mr Bisset has not been in the country or at least in the District since 1867 or thereabouts.

The Hon

The Chief Com^r

Land & Works

Victoria

I am Sir &c
Sd E. M. Sprunt - Indian Com.

In camp near Lytton
5th June 1878

Dear Sir

Will you oblige me by sending a blank form or two of the receipt you require from the Com^r when money is advanced to the credit of the Commission through the Bank so that on money being notified by telegram of the credit I may, if necessary, draw cheques against it at once, and send the receipts for the whole together with the first cheque that is drawn.

Please address me

"Indian Reserve Commission, Victoria"
as I have a bag made up at Victoria.

W. C. Ware Esq
Victoria.

Yours &c
S. G. M. Spruce

Ind. Res. Com^r

In camp near Lytton
5th June 1878

Dear Sir

If any telegram comes from the Commission Govt. for me will you oblige me by telegraphing it to Lytton and I will pay the extra charges on delivery.

The Manager of
The Telegraphic Dep^t Victoria

Yours truly
S. G. M. Spruce I.R.Com

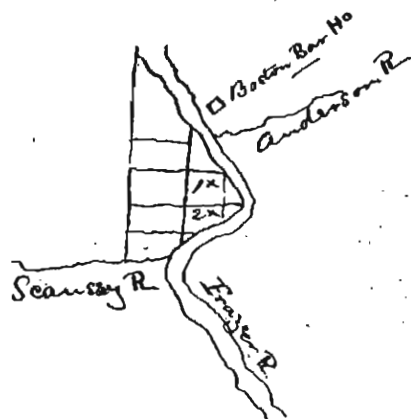
Ind. Res. Com^r

In Camp. Wagon Road near Lytton
5th June 1878.

Sir

Do you think that the land marked 1st and 2nd in the undesignated is unoccupied and not legally

held by white men. It is a very unlikely place
for white men and



I cannot find any papers connected with it among those
left for me by Mr Jackson

W. League Esq.
Gale.

Yours & c
J. G. M. Sprout Ind. Res. Com.

Ind. Res. Com.

In camp near Elyton.
5th June 1878.

Sir

Referring to conversation at my camp I enclose
herewith copy of the Com^{rs} Award in the case of Mr Jackson.

That gentleman has been informed of the extent and
boundaries of the Indian fishing Reserve at the Head of
Swan Lake.

The boundaries are described in the Com^{rs}
Minutes of Decisions - Township 8.

The Hon: The Chief Com^{rs}
Land Works

I am & c
J. G. M. Sprout Ind. Res. Com.

In camp Boothbyds
5th June 1878.

Dear Sir

Can you tell me if Mr Boothbyds or
any other white man owns the land known as Boothbyds
at his house, and what are the boundaries?

I find nothing about it in my papers. Is it held under record certificate, Crown Grant or how?

W. J. J. Esq.
Yale

Yours truly,
Sd. G. M. Sprout S. Res. Com.

Ind. Res. Com.

In camp near Lytton
5th June 1898.

Sir,

Enclosed is copy of letter from Mr J. Harker 10th Sept 1877 to the Sup^t General of Indian Affairs offering his farm on South Thompson for \$400⁰⁰.

The Sup^t General replied that the Province was primarily bound to provide land for the Indians.

I am Sir &c &c
Sd. G. M. Sprout S. Res. Com.

The Hon

The Chief Com^r
Lands & Works.

In camp near Lytton
7th June 1898.

Private

Dear Sir,

I am just in receipt of your note of the 3rd. It would be an excellent way of settling the question between Mr Nelson and the Indians if Mr. Graham could be spared to visit Nelson Valley, but I am sorry to say that for various reasons which I need not detail, it is not possible that he can make that visit.

The Commissioners pointed out the lines to the Indians and they have no right to interfere with Mr Nelson's land. Capt. Semmet I hope will not be long in reaching Spallumcheen, and he will then definitely mark the Indian lines -

I enclose a rough pencil tracing of the Indian Reserve in Nelson Valley, but I suppose you may already have seen this from the maps which Captⁿ Emmet has.

Yours or
The Warden Esq.
Kamloops

Yours or
Sd. E. M. Spruce

In Camp by the
12 June 1878

Sir

I have the honor to inform you that I find the Indians quite disposed, so far, to assist in the adjustment of their land questions.

In all cases they have left the matter in my hands after having stated fully their own views. I have in the last 3 weeks dealt with 1500 Indian and laid off 30 Reserves.

Yours
The Lieut^{Col} Victoria

I am Sir
Sd. E. M. Spruce Esq. Com.

In Camp by the

In Camp near Lytton B.C.
12 June 1878.

Sir,

Surveys -

A report on the progress of the surveys so far will be sent in a short time by Mr. McKen.

The present is respectfully to remind you that the \$2000 sent to Mr. Powell for surveys was on an estimate sent at your request of what sufficed to start the surveys, and such estimate was up to 30th June.

It will therefore be necessary that Mr. Powell should be placed and kept in funds for surveys.

from that date onwards

The Hon:

The Secy General
Indian Affairs

I am Sir &c

Your obedt Servant
S^d E. M. Sproule Ins. Res. Com

Ins. Res. Comⁿ

In Camp near Lytton.
12 June 1878.

Sir,

Will you oblige me by sending over your convenience addressed "Indian Res. Comⁿ Victoria" two or three maps of the Province one of them showing the Electoral Districts, in the same way as these were shown on the map you were good enough to give me in Victoria; also, a tracing of the boundaries of Mr. Bontroop's land (between 35 and 37 mile posts on the wagon road). I am told he has a Crown Grant.

I have in the last 3 weeks laid off 30 Reserves (some of them old ones), and adjusted the land questions of about 1500 Indians. This rapid progress arises from their leaving the matter in my hands after having stated their claims. I do not find the Indians extravagant in their demands.

I am Sir &c

S^d E. M. Sproule Ins. Res. Comⁿ

The Hon

The Chief Comm^r
Lands & Works

Ins. Res. Comⁿ

In Camp near Lytton C.B.
12 June 1878.

Sir,

I have worked up the banks of the River Fraser to this place, and when in a few days, I move my camp to proceed along the Thompson River

I shall have dealt with about 1500 Indians and examined and laid off 30 separate Reserves since beginning actual field work about 3 weeks ago.

This number is not far short of the number of Indians dealt with by the Com^{rs} between June and December last year. The work in this part has been difficult owing to the scarcity of good land, the roughness of the country, the detached situation of pieces of good land fit for cultivation, the necessity of crossing and recrossing the River Iroquois in canoes, the great heat of the weather (sometimes above 100 in the shade), the imperfectness of old records, the obliteration of lines and destruction of survey posts, and last but not least, the conflicting claims to water preferred by white settlers and miners (many of the latter Chinamen), and by Indians.

The rapidity of my progress so far is mainly owing to the disposition of the Indians to leave all matters in my hands, after having fully stated their own views and requirements. I have given them plenty of time, and visited every place they asked me to look at, without confusing them by hurry and fuss which they do not like nor understand.

As already mentioned, I sent Mr. Holm forward to Kamloops and several neighbouring Reserves to assist Cap Semma with his engineering knowledge in the vital irrigating questions connected with these Reserves. He is now I think on his way down the wagon road to report to me there.

He found these Indians alarmed at what they thought was to be a stoppage of the work of the Com^{rs}, and by rumours that last year's work was to be upset, but the arrival of the surveyors and my reappearance in the field

have reassured them in some degree.

I intend to proceed to Nicola as the Chief Com^r of Land & Work has told me that he has left for me with the En^t Agent there full written authority for me to settle all matters as I best can. I expect some detention there, but will make it as short as possible.

A careful census of the Indians continues to be kept by Mr. Plunkett.

My opinion that three a Commission of three was the best possible arrangement has undergone some modification. Politically, probably it was, or might have been so, but from what I hear, and from my limited experience as a single Commissioner so far I think that the Indians did not quite appreciate the constitution of the three man Commission. It was too complex for them to understand. They had, moreover an idea that some of the gentlemen of the Commission were officially placed there to see that they did not get their due. This made them angry among themselves, and prefer large demands and writtens confederates to some extent.

The Hon

The Sup^t General

Indian Affairs, Ottawa.

I am Sir
J. G. M. Spence Esq. R. Com

In Camp near Lytton 12th June 1878

Sir,

Herewith is my final Minute of Decision as to Kamloops Reserve to enable you to get all parts of it surveyed.

Please fill in the description of the wood land and fishery station and send me, for record, copies of sketches of the three parties referred to in this Minute.

Yours obed^{tly}

J. G. M. Spence Esq. R. Com

E. Moberg Esq. C. E.

Mr. R. Com. Cucke Ck

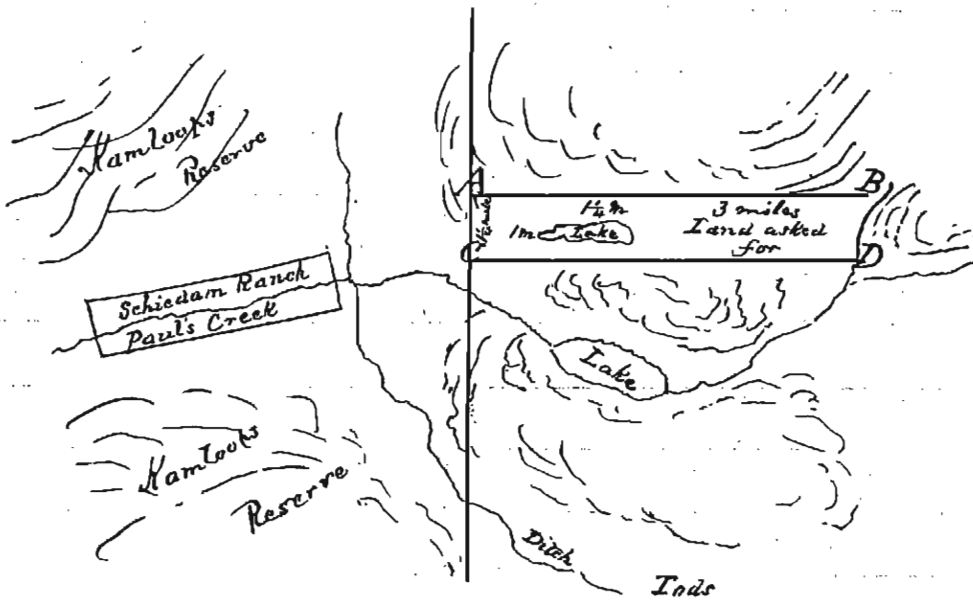
Hurry all Survey.

V

for Survey Branch

Minute of Decision 12th June 1878.

The following portions of land are to be included within the Reserve of the Kamloops Indians in fulfilment of promises made by the Indian Reserve Commission to these Indians last year - namely the land within the lines A, B, D, C, A in the following rough sketch



Also 320 acres of wood land on the north Thompson as per the following rough sketch

Sketch

THERE IS NO SKETCH IN THE ORIGINAL.

Also a fishing station at the foot of the lake shown on the following rough sketch, to include about 75 acres of land between the above lake and a small round lake quarter of a mile below the foot of the above lake

Sketch

Sd. Gilbert Malcolm Spooner
Ind. Res. Commr

Indian Reserve Commission.

In Camp near Lytton
12th June 1878

Sir,

I have urged the Provincial Govt to take any steps they think fit to settle the question between them and Mr O'Keefe without further delay, and I understood Mr Fernon to say that he would endeavour to carry this out immediately after reaching Victoria.

I regard the question as one between the Prov. Govt and Mr O'Keefe. If the Hon. Govt are involved in the question I presume they will take up the ground.

1. That the title to the soil at Okanagan has never been acquired from the Indians.

2. That the place in question was an Indian

settlement which could not be legally pre-empted.

3. That according to Provincial law Mr O'Keefe does not legally hold the land.

I told Mr Tamm that it might be inconvenient to the Province that these questions should be raised for anything like a judicial settlement as they involve principles of far reaching application.

With respect to surveying I think that all the lands given by the Com^{rs} must be surveyed. That is what you are appointed to do, and I think you should instruct Capt. Emmett to that effect as the Com^{rs} Gov^{ts} are not likely to send fresh surveying parties through Okanagan in consequence of delay caused by the inaction of the Prov^l Gov^t in regard to the question between them and O'Keefe.

A rumour reaches me that Mr O'Keefe proposes to prevent the survey by force.

It would have been easy to have instructed the Indians to have held by force the pieces of ground in question, and it would be easy to get them to protect the survey party against Mr O'Keefe's action, but I would recommend that none of the Indians whether belonging to or not belonging to Capt. Emmett's party should in any way be permitted to be concerned in any forcible proceedings. Capt. Emmett must do without them as he best can, and in case anybody should interfere with his work and so be guilty of conduct calculated to promote a breach of the peace, that would be a punishable offence, of which the nearest Magistrate would take cognisance, without delay.

But I would remark from what I recollect of the boundaries respectively of O'Keefe's land and the Reserve, there need be no occasion of any conflict because Capt. Emmett (in the quarter of the Reserve in question) will only have to run a line from the north end of the little pond (west from Swan Lake between it and

Okanagan Lake) so as to strike the southern boundary of O'Keefe's 480 acres.

The whole of this line will be on Crown Lands and Mr O'Keefe cannot have any right to interfere. For that portion of the Reserve touching Mr O'Keefe's 480 acres I suppose you can take the tests of the Provincial Surveyor. In conveying the land the Prov. Gov. will recognize these.

As the greater outside lines of the Reserve will include the less inside lines of the land claimed by O'Keefe no right of interference by him can arise on the east or west of his alleged claim.

Where he might interfere from his point of view, would be on that portion of his alleged pre-emption touching Okanagan Lake. Is it necessary to survey the borders of the Lake? I hardly think so except to find the acreage which is not important. The Province doubtless would convey the land without any exact survey of the shore of the lake seeing that it is Indian land all round the head of it.

Your obed^t Serv^t

E. Menden Esq. C.E.
L.R. Com. - Cache Creek.

Sr. G. M. Prov. & L.R. Com.

Indian Reserve Commission

In Camp near Lytton.
12th June 1898.

Sir,

I notice that the Kamloops Indians will not relinquish their old fishery at B. Roman. I have done my best in the matter, and cannot but think it could have been arranged had the Prov. Gov. given me Castigan the authority I asked for, and which I have only received officially last evening.

It must now be surveyed.

The question stands thus.

Unquestionably, if the matter were pressed the fishery (though it seems a hard thing to say of such a place) would appear to be an old settlement, and any pre-emption of lands including it would be invalid. But neither Gov. wishes to raise such a question. The fishery must be laid off with the least inconvenience to all parties.

From this point of view, an enclosure for the horses of the Indians when visiting the fishery is desirable, so that they can have no pretext for trespassing on the lands of the white settlers for grass for their animals. This enclosure generally speaking should be actually at the fishery, but in this case, it might do at a little distance and they should make their camps within the enclosure.

The question of reconciling the Indian claims to water in the stream necessary for preserving the life and activity of the fish, and the claims of white settlers to water from the same stream for irrigation is a question on which I do not at present express any opinion.

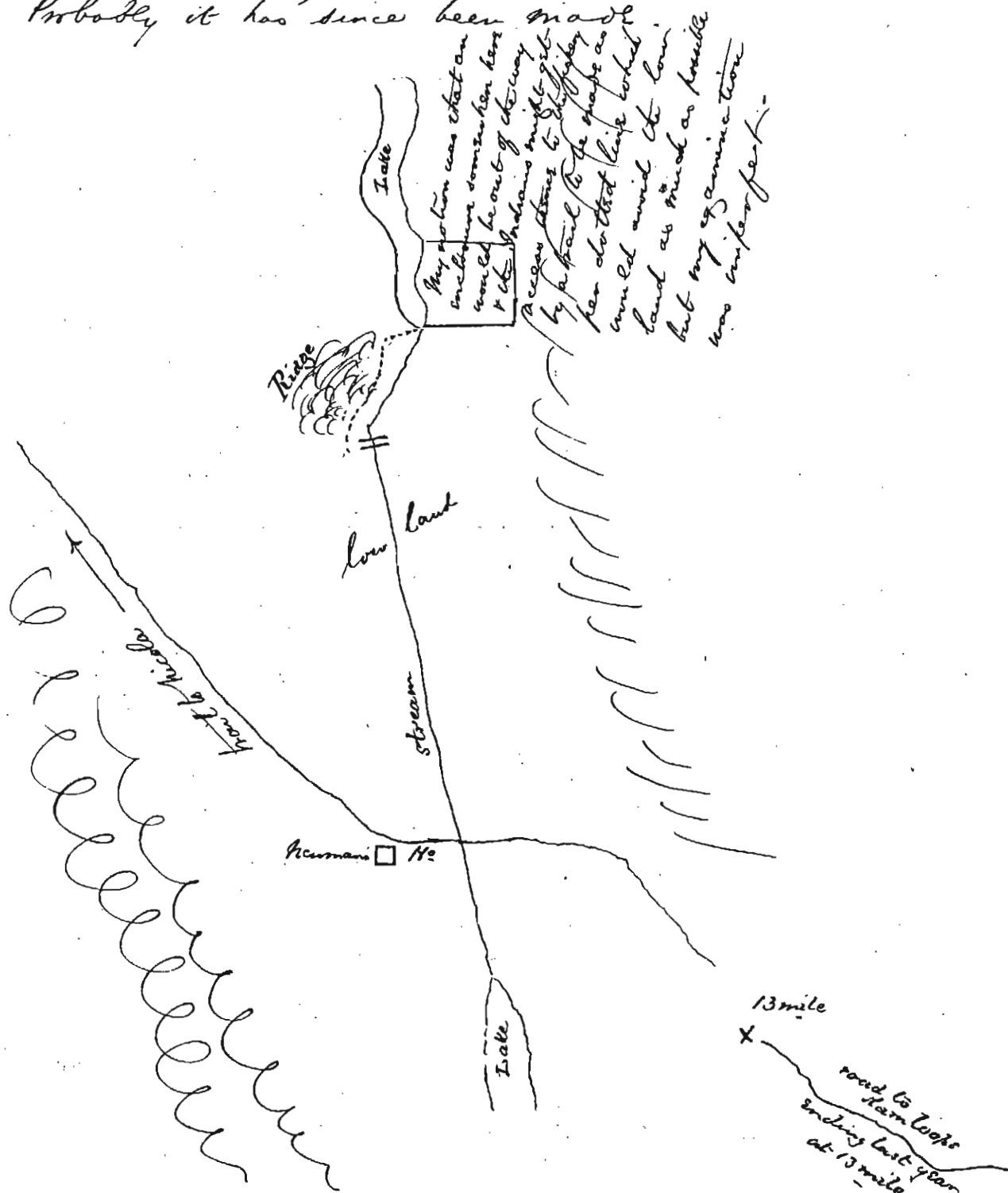
My examination of the ground was imperfect and much must be left to Capt. Bennett (unless anything happens to send you to Nicola via Kamloops by the Kamloop Nicola road) who will be guided by the above circumstances considerations.

Mr Campbell of Cache Creek is interested in some of the farms at these lakes, but I forgot whether it is in Keowman or Trapp and the Donalds (where I induced the Indians (do not forget) to abandon two fisheries leaving only Mr Bartlett Keowman). Mr Trapp's brother is at Cache Creek.

The Indians may work for some of the Gov ground immediately at the fishery, but the Mr Keowman requires for cultivation, and I have to give the Indians a fishery there, not available.

but only an enclosure as above states.

I cannot make out your sketch as I do not remember the compass points at the place and you do not show the position of Newman's house, and you show a wagon road where a wagon road was last year. Probably it has since been made.



I think I understand from Mr. Tropp or Mr. Campbell or Mr. Lecher that an enclosure somewhere as shown would be the best place, the trail or narrow road to the fishing should afterwards be marked off and at the fishing just what actual requirements demand.

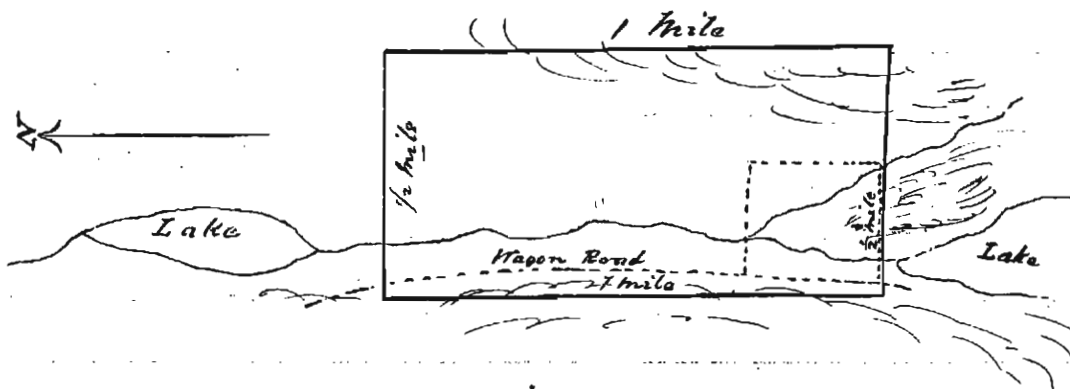
Some

of these small questions are practically more difficult than larger ones.

Yours obediently
S. G. M. Prosser Ins. Secy, Conn.

E. M. Egan Esq. C.E.
Coché Creek.

Nantlett's Indian



In Camp Lytton 12th June 1878.

Resd Sir,

In answer to your note I have to say that the Com. En. desire that as soon as possible all fences & not properly on Reserves should be removed.

A week or two may not matter, but no time should be lost.

J. Harper Esq.
Clinton

Yours truly
S. G. M. Prosser Ins. Secy, Conn.

Indian Reserve Commission

P.S. In Camp near Lytton
18th June 1878.

Resd Sir,

I cannot leave Lytton without expressing to you my sincere appreciation of the good effects of your missionary work among the Indians in this district.

It has been a pleasure to me to be among your Indians, and to notice their good behaviour, their self respecting yet peaceful bearing, and the

promptings. I might almost say - the aspirations of the awakened nature of many of them, towards a more civilized life.

Those only who know what uncivilized men are can appreciate what the change which is visible here, means.

Mr George Plunkett, the Secretary of the Commission, whose knowledge of the Indian people in this Province is intimate and extensive, drew my attention to the healthy appearance and good conduct of the Sisseton Indians as soon as we encamped among them, and in my daily intercourse with them since, I have found that what he said was perfectly true.

They have been reasonable and well judging in discussing the land question which have been the occasion of my visiting them.

I may be permitted to add that I have rarely spent a more privileged or memorable time than the few hours I spent in your Mission Church last Sunday.

I feel sure that those who have contributed to the support of St Pauls Mission would have been satisfied that their money had been well spent, if they had been with me in the Church, with any knowledge of what the Sisseton Indians were but recently, and had seen the numerous well clad Indian congregation joining in public worship not only with decency but with becoming attention and had heard you speak to them of the consoling truths of religion in their own language -

Sincerely hoping that the seed sown may produce more fruit every year

Yours

W. H. Wood

for St Pauls Mission

I am, Reverend Sir
Your most obt. Serv^t
Edw. G. M. Spruce M.D. & Co.
acting for the Gov^t of Canada & the

Commission of Canada

\$2000⁰⁰Victoria B.C. 19th June 1878

Received from the Receiver General of Canada
through the hands of the Bank of B.C. Columbia
at Victoria the sum of Two Thousand Dollars —
being a portion of the Expenditure of the Commission

Bank B. Columbia

Signature S. M. Spruce
Officer in Charge Com.

Lytle 19 June 1878

Dear Sir

I have paid \$350⁰⁰ to Bk. B. Columbia
Victoria for money you advanced to Mr. Graham.

Yours &c

S. M. Spruce
In Charge Com.

Messrs. Graham & Wilson

Kamloops

Lytle 19 June 1878

Sir

Be good enough to place to credit of
Messrs. Graham & Wilson the enclosed Cheque (by your order, for
\$350⁰⁰).

Yours &c

S. M. Spruce
In Charge Com.

The Manager

Bk. B. Columbia

Lytle 19 June 1878

Dear Sir,

I have sent a cheque \$89⁰⁰ with the
accounts for you to Mr. Moffatt. Please sign the
receipts for the full amounts \$239⁰⁰

Less paid for

150⁰⁰\$89⁰⁰

The time

is the full time you stated, but the rate is \$3 as I am not authorized to pay more. Mr A's work is at the same rate as we paid to Mr Chase.

J. R. Anderson Esq
Victoria

Yours
J. M. Sprout
J. R. Gordon

In Camp near Lytton
22 June 1878

Dear Sir,

Mr Sprout has enclosed all the papers which Ah Chee, Saw Mill Creek gave him to inspect.

He is sorry to find that Ah Chee does not appear to have any legal position either as a Miner or pre-emptor but he will do his best not to prejudice his interests unnecessarily.

I am Dear Sir

Mr Mc Intyre
Lytton

Yours truly
J. M. Sprout
Secy. Ins. Res. Com

In Camp Lytton
June 22. 1878

Mr Sprout begs respectfully to enclose for the information of the Provincial Govt copy of a letter written from the Superintendent General of Indian affairs dated 22 May last about Mr Ah Chee's encroachment on the Cowichan Reserve.

The Prov. Secy
Victoria

In camp near Lytton
22 June 1878

John Clapperton Esq. L.P.
Nicola Lake.

Dear Sir,

Your note of 20th was sent to my camp this morning. I have been getting on very quickly and have dealt with more than 1000 Indians. According to my programme I will visit Nicomen after leaving Lytton (which I will probably do before a week from now), and then Cooke Ferry which latter probably may include Ashcroft &c, after which I will go up the Nicola, via Cooke Ferry.

The tribes of Chilly, Keets, &c will be taken in their turn. The other Indians would not like me to go past them to attend to Chilly, Keets &c's tribes. My progress, then is no harm in your saying to Chilly Keets &c depends much upon whether the Indian orators talk much or not before coming to business.

I have this year found the Indians reasonable, and, so far, they have not talked, as some of the Indians did last year, to no useful purpose, and with no other effect than delaying the Commission.

It was lucky I did not act upon Mr Vernon's suggestion, or rather undertake to visit Nicola personally. The Dominion are spending £60 to £70 a day on this Indian business, and my time is therefore valuable. I suppose he was busy with his election.

Yours very truly
Sd. G. H. Sproule

Indian Reserve Commission

In camp beyond Lytton
23 June 1878

Sir,

A general wish has been expressed that before going from Cooke Ferry into Kiowa I should settle the question of the Ponape Indians. Every one admits that this question should be settled, and as I could not return from Osoyoos to deal with it I do not know when I shall be able to give it my attention if I do not do so now.

The difficulty is that the country in which, if anywhere, grass land can in the opinion of the neighbours, be found, is not in the Yale District, but in the Lillooet District to which my powers from the Prov. Govt. do not extend. I cannot therefore undertake the most necessary work unless the Govt. authorize me by Order in Council, and immediately inform me of the granting of such authority by Telegram to Cooke Ferry.

There is a strong feeling among the Shuswap Indians that their friends at Ponape have been too long neglected in the matter of their land questions, and as above said, the white settlers with whom I have conversed think that the Ponape Indians have a fair claim to consideration from the smallness of their Reserve, and their patience and good behaviour.

I am Sir, your

J. G. M. Spruce - I. R. Com.

The Hon;

The Chief Com^r Lands & Works.

Copy Telegram

To Mr. Squire, Yak.

Please forward by Monday to E. M. Hume
 Lytton copies mining and water records say within ten miles around
 Lytton from October 1872 - Employ copyist at my expense -
 Lytton 27 June 1878

S^r E. M. Sproat

Copy - Telegram -

To Sup^t General Indian Affairs - Ottawa -

Great confusion irrigation questions around Lytton,
 water monopolised by whites and Chinamen - please sanction
 special survey expenditure here - not exceeding \$250⁰⁰
 Lytton 27 June 1878

S^r Sproat

Indian Reserve Commission

In Camp

Lytton 29 June 1878.

Sir,

Ah Tye, a Chinaman, presented to me for inspection
 today certain receipts for water record, water rent,
 and free miners certificates issued 17th June 1878, but he
 did not show me any for the previous year.

As I had previously
 reserved all the land & water, not legally held, for 10 miles
 up and down the Fraser from Lytton and for 5 miles up the
 Thompson with a width of 5 miles back from the banks,
 pending an enquiry into, and the settlement of the
 Indian land and water questions in this locality, I
 submit to you that these papers should be cancelled
 as they cannot confer any rights on lands so reserved,
 and Ah Tye is mining at a place where important Indian
 questions await settlement.

He has mentioned to me

the names of Mr. Squire and Mr. Gaskin only, as Govt Agents
 in Gold District, and I presumed that all necessary steps

had been taken to prevent any clashing between my work and that of the District Land Officers, but in case this has not been done, I mention the above matter to you now -

Your obed^t Serv^t

Edw. M. Sprout, Secy. R. Com.

Geo. Cozen Esq.
Lytton

Indian Reserve Commission

In camp, above Lytton 29 June 1878

Sir,

I enclose a letter, Mr. Greenhow to me 15 June 1878, sending me a rough sketch of the land he wants under the Award of Mr. Anderson for Mr. Kialay and myself made last year in adjusting land disputes between Mr. Greenhow and the Okanagan Indians.

I enclose his sketch, and also a sketch of the Indian fishing ground at the head of Swan Lake. The last named comes before my grant to Mr. Greenhow.

in this case

Referring you to the Award

I am &c &c &c

Edw. M. Sprout Secy. R. Com.

The Hon
The Chief Commissioner
Lands & Works

Indian Reserve Commission

In Camp near Lytton
1st July 1878

Gentlemen,

The Indian Res. Commission last year, assigned "a piece of land for the Indians near Mr. W. Bryan's farm" subject "to such provision as the Indian Reserve Commission, or"

"on further examination, may make to enable neighbouring settlers
"to obtain timber, free of cost for use on their farms, for farm
"buildings fences and fuel, and for these purposes only."

Such further examination having been made, with the result of ascertaining that the wood on the reserve is not of much value to any of the neighbouring settlers for fencing and fuel, but that a portion of it might be useful to several settlers in the construction of buildings, I have the honour to inform you that during two years from this date the Indian Department will not charge anything for such logs to be used in buildings on your farms, as the Indian Superintendent may on your application, sanction being removed from the Indian Reserve on the south side of the River.

This arrangement appears to meet the circumstances of the case, as far as they are known to me, but I shall be glad to hear from you, if any more convenient arrangement can be proposed.

Messrs. Wm. Bryan, Thos.
and Williams
South Thompson.

I am Gentlemen &c &c &c
Sd. G. M. Spruit Esq. Secy. Com.

Indian Reserve Commission

In camp near Lytton
1st July 1878

Sir

I have the honour to acknowledge receipt of your letter of the 25 June stating that the late Indian Reserve Commissioners were in error in setting apart certain lands for Indian at Cowichan (at present occupied by Mr. Sutton), as these lands had been alienated from the Crown.

I will thank you to let me know, when, and by whom, and in what manner the lands in question were alienated from the Crown, and whether the alienation was conditional,

and if so, whether the conditions had been fulfilled up to the date of the Commissioners visit to Corvickan.

Writing, as I do without the records of the late Commission being before me, and speaking as an individual, from memory only, I think the lands in question had been for several years within what is called the "railway belt," and I have an indistinct recollection that there had at one time been a squatter in that locality, or a pre-emptor who had abandoned the place, or had not fulfilled the conditions of his pre-emption and consequently that the lands were vacant Crown lands.

It is unfortunate that the Government should have given a Crown grant to Mr Sutton for this land, without any communication with the Commissioners, whose decisions and plans, showing the inclusion of the lands within the Corvickan Reserve, had been for nine months previously in the hands of the Government, and I do not quite understand how, subsequently to the decision of the Commissioners, Mr Sutton should have been able to place himself in a position entitling him to receive a Crown Grant direct.

I respectfully decline to comment on those portions of your letter which are irrelevant to the issue raised.

I have the honour to be Sir

Your obed^t Serv^t

J^d. G. M. Spratt Esq. Secy. Com^r

The Hon.

The Provincial Secy.

Victoria

Indian Reserve Commission

British Columbia
(in Camp beyond Lytton),
1st July 1878.

Sir,

Having noticed in the newspapers that certain lands immediately above and below Yale, on the river Fraser,

have been reserved, lately by the Prov^t Gov^t-, as I suppose at the request of the Dominion Gov^t for some purpose connected with the deposits of steel rails in the neighbourhood of Gale-. I think it well to ask whether I may proceed with the allotment of Indian Reserves at that place without any reference to the above (presumed) railway reservation, or whether, upon consultation with the Public Works Department, you have any instructions to give to me upon the subject.

The Indians have important fisheries beginning about one mile above the toll house at Gale which is near the northern boundary of the town, and though without examination, I cannot say what it will be desirable to give them, I know they expect a considerable portion of the land on the right bank of the River beginning about 1½ miles below Gale and extending towards Emory's Bar.

The Indians generally along the River Fraser ask many questions about railway matters, and express a hope that if any of their land should be taken at any time for railway purposes they will be paid for their lands and in this respect treated like white men.

I enclose for your information copy of my letter of 18th May to the Chief Com^r of Lands about reserving lands at Gale and on the Lower Fraser pending my examination of Indian Land questions in that district.

The Honourable:

The Supd^t General
of Ind. Affairs - Ottawa.

I am Sir &c &c &c
J. G. M. Spratt Esq. Secy, Com^r

In Camp near Lytton
1st July 1878

Dear Sir,

I enclose a letter to The Superintendent General, open, which please read and send on, and afterwards please let me know if, in your opinion, the allotment of Reserves near Yale is likely to clash with the work of the Railway Dept.

I do not suppose it will, but I have to mention the matter to the Supt. General, though they can probably come to no conclusion on the subject at Ottawa without hearing from you.

I shall not be at Yale for two months -

Yours &c

W. G. M. Sprunt.

Mr Robson Esq
Victoria

Indian Res. Commission

B. C. In camp. Kootenai
10 July 1878.

L. Hunter Esq
Lytton,

Sir,

Referring to conversation about water required by the Indians at Kanaka Flat, I beg to state that it is considered by the Gov. of Canada that a reasonable supply of water necessarily attaches to the lands of the Indians in this and part of the country, and that their claims come first.

I understand that you and the Indians are the only persons interested in land at the above place, and that you have the land formerly owned by Mr Combe or Messrs Combe and Sadow. These gentlemen

recorded on 8th Oct 1884 the water of two streams between Kanaka Bar and Siwash Bar and an irrigation ditch.

This water and ditch you have been using but I do not find that you have re-recorded the water as probably should have been done when you acquired Mr. Combe's land. But the place was an old Indian settlement, and the Indians of Kanaka Flat were there, I need not say, long before Mr Combe or his predecessor Mr Sartory besides which the place was marked out as an Indian place by the Royal Engineers before Mr Combe recorded the water. It might be a question if Mr Sartory or Mr Combe's title to the land was legal, considering the order which Govr. Douglas sent about these Indian lands to the magistrates at Lytton, but that would be a question between the two Governments. I certainly do not wish to raise difficult questions about either land or water, but to compromise such questions.

I would propose to declare that the Indians of Kanaka Flat have and always had the first right to water from these streams called by them Momey, luy, and neklyt. t. um and in my judgment (subject to the opinion of the Dominion Surveyor on examining the ground) about 15 inches might be assigned to the Indians, but not to waste any water.

They would have to make their own ditch, unless as a matter in your own discretion to economise the total available water, you have any proposal to make by which the Indians could be supplied from your ditch. I would then recommend you to record what water you want (subject to the Indian claim of water) from these streams, to cure any defect in Mr Combe's original record, or arising from your not having re-recorded the water on acquiring Mr. Combe's land.

I sha @ be

glad to hear from you on this matter addressed to me here or at Cooks Ferry (which latter place I shall probably be at in a week) and then I need not have occasion to name any Kanaka Flat questions in my reports to the Govt.

I should think by management, there must be enough of water for the Indians as well as you at Kanaka Flat.

Yours truly
S. G. M. Sprunt, Ind. Res. Comm.

Ind. Res. Commission

P.O. in camp. Bicomen.
10th July 1878.

Mr Wheeler

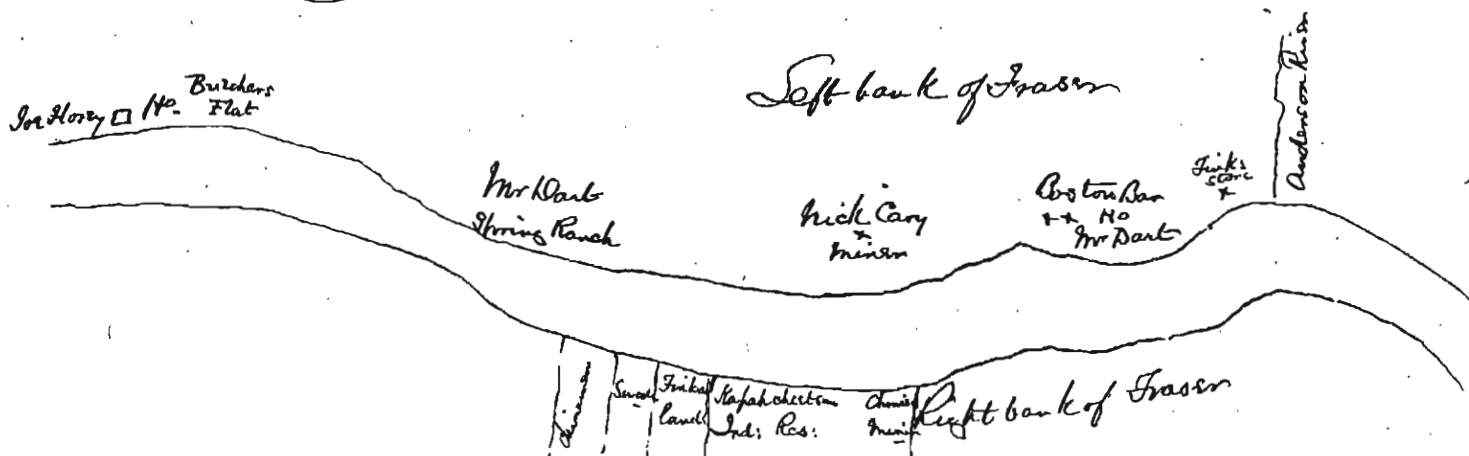
Sir,

I shall be glad to know from you where you are mining, where your proposed flume is to be, and from what stream the water is to come. Could you send me a rough sketch. I went to Butcher Flat to meet you, but did not find you. I wish to know the above for consideration in arranging the Indian Reserves and water rights.

I beg you to address as
Indian Reserve Commissioner
"Care of Post Master Gale"

Care of Mr Dant
Boston Bar

Yours truly
S. G. M. Sprunt, Ind. Res. Comm.



hole. I do not propose to give anything on right bank of Fraser to Indian between Napakachetum Res. and a stream called Nepok. ul. chin opposite about the 32 mile post and I fancy it must be somewhere between these places that you are working.

Indian Res. Com^{on}

In camp - McComen -

14 July 1878

Dear Sir,

I am in receipt of your letter of the 5th inst. and note what you state relative to the Indian fishery at head of Seven Lake.

It is always desirable, and is my constant endeavour to make an adjustment of these matters between the white settlers and the Indians such as shall be satisfactory to both, and not contain the germs of future difficulties, but I am sorry to say that the state of affairs produced by the inaction of the Prov. Gov^t in arranging the matters of which Mr O'Keefe complains puts it out of my power to attempt intervention in the directions you recommend.

I am unable to understand the above inaction from any point of view. It doubles the difficulties of my work, and I am afraid will much impede my efforts to settle matters at Nicols towards which I am about to proceed.

I am, Dear Sir,

Yrs Greenhow Esq^r

Head of Okanagan Lake

J. G. M. Sprout Esq^r Com^{on}Indian Res. Com^{on}

In Camp - Cooks Ferry

En route to Nicols 15 July 1878.

Sir,

(1) In collecting materials at Lytton for a report on Indian matters due to the Hon^{ble} Gov^t I find that Mr. Douglas on 1st Oct 1869 wrote to you from Yale as per annexed extract on the subject of assigning land reserves to the Lytton Indians.

His instructions do not appear to have been carried out, and I have not

been able to find that they were modified though I have made inquiry and research both at Victoria and Lytton.

(2) Many of the townspeople at Lytton express a belief that water was set apart for the use of the town, but no record or document can be found in proof of this alleged fact. They asked me to write to you on the subject.

(3) With respect to water for irrigating Indian lands, there are likely to be some questions at Lytton. It will, I think, be held by both Governments, and certainly by that of the Crown, that water for the above purpose was, in fact, assigned together with the land, though the land only was mentioned.

I mention this because in Oct 1862, you officially laid off a Reserve at In. Kluk. cheen (where Mr. Seward has a farm,) and two years afterwards recorded, as per annexed extracts from the record book, all the surplus water from the only available sources of supply, in your own name and that of Mr. Seward.

Will you oblige me by stating whether the said 'surplus' was meant to be subject to the requirements of the Indian Reserve at In. Kluk. cheen, though this was not expressed in the record?

The Crown, I should imagine, would not give land to the Indians, and withhold from them the first necessity in cultivating it.

I trouble you with this letter, as the subject is new to me, and of so much practical importance as to make me desire to have full information from all sources before concluding my report.

I am, Sir,

Yours obdt. Servt

Ed. G. M. Stuart

Asst. Res. Com.

Capt. Henry Maynard Ball

S. M.

Cariboo

Indian Reserve Commission

In Camp British Columbia

Near Coquit Ferry

July 16th 1878.

Dear Sir,

Notice in the 'Standard' newspaper of 6 July that "two Indians were fined \$10⁰⁰ in the Police Court at Victoria for exposing for sale some deer skins "in contravention of the game law."

The report does not state to what tribe these Indians belonged, but if, as is probable they belonged to one or other of the tribes with which the Crown made formal agreements as to surrendering their lands in 1850 and 1857 (see mine to you of 4th May) these Indians I should think, committed no offence, because it was expressly agreed that they should be "at liberty to hunt over the occupied lands - as formerly" and it probably was by hunting they obtained these skins.

The effect of the magistrates decision, as an act of authority, will be great in so far as the Indians are concerned, and it is undesirable that a petty court should thus take it upon itself to cancel a solemn agreement between the Crown and the Indians with respect to a part of the equivalent for the surrender of their lands.

It is highly important that full effect should be given to both the letter and spirit of all Sir James Douglas' agreements and dealings with the Indians in this Province - I see this more and more every day, and I therefore, from this distance, take leave to mention the above matter, though, I daresay, it, already has engaged your attention.

Col. J. W. Powell

Indian Sup^{ts}. Victoria.

Yours &c &c

St. G. M. Spensh

Indian Res. Comm^{rs}

Indian Reserve Commission.

B.C. In Camp

Nicola River - near Cooke's Ferry.

July 16th 1878.

Sir,

I beg to enclose a copy of mine of this date to Dr. Powell about a decision of the Victoria Police Court, which seems to me to require some explanation, in its possible bearing on agreements between the Crown and the Indians as to hunting rights.

The Hon.

The Sup^t Gen. of Ind. Affairs
Ottawa

Dear Sir

Wm. G. M. Sprout Esq. Com^r

Indian Reserve Commission

B.C. In Camp Nicola River

Near Cooke's Ferry

17 July 1878

Sir,

Several matters connected with the business I have in hand require immediate attention on the part of the Provincial Gov^t to enable me to make reasonable progress.

(1) That matter of Mr O'Keefe at Okanagan (see the Comm^r Memo: on the case sent on Feb^y 18 to the Attorney General and see my letters to you of 4th and 31st May last. I should immediately be informed by telegrams to Cooke's Ferry.

- A. Whether you have cancelled Mr O'Keefe's record?
- B. If not, what do you propose to do?
- C. What does the Prov. Gov^t desire me to say to the Nicola chief on the subject? (The Nicola chief and the Okanagan chief being the same man.)

It is unnecessary for me to say anything as to the effect of inaction in such a matter upon the minds of the Indians and upon the work which I am endeavouring to do.

12) For obvious public reasons, and not less in the interest of the province than the Dominion, I have this summer been desirous of closing all Indian questions along the possible railway route. The only gap of unsettled Indian questions from high up the North Thompson to Yale is between Cook's Ferry and Bonaparte. I wish to close this gap, but as it involves my dealing with lands in Hart Creek and Bonaparte valleys which are just outside the Yale District (to which at present my powers are limited) I cannot do so without an extension of my powers from the Prov. Gov. I asked your predecessor to enable me to undertake this work and to advise me by telegram to Cook's Ferry, but I do not find any communication waiting me here.

13, The Dominion Gov. is spending now about \$900 a day in the adjustment of the Indian Land Question in this province outside of their Departmental expenditures and as the Province is relieved under existing arrangements (which however are merely experimental) from all expenditure whatever, I feel sure that it will be admitted that my movements should be as free as possible and that I should be able to look ahead, and arrange my programme of work, for ^{months} beforehand; otherwise I cannot be responsible to the Dominion Gov. for the best outlay of the above large amount of money. I am pushing on in the hope of finishing the whole of the Yale District and New Westminster District during the present year.

Another season might finish the Liaboot Cariboo and part of the Coast District, and thus the apparently interminable Indian land question could be terminated in no very long time.

I beg to refer you to my letters

of 12 April - 18 May - 13 June 1878
as to New Westminster District matters, and to requests

made therein.

I also crave reference, by way of reminder, to the letter of the Indian Reserve Com^{rs} 27 April 1877, asking you to reserve temporarily certain lands in places unvisited by the Commissioners. The Klaboose Indians are very anxious about Harwood, Sarary and Cortez Islands, and came to New Westminster to meet me on my way up to express their anxiety. Of course it does not follow that they will get the whole even of any one of these islands, but in the absence of existing interests it is easier to make good arrangements for the future benefit and convenience of both whites and Indians.

I am Sir, &c &c &c
The Hon. The Chief Com^r S^r G. M. Stewart - Secy to the Com^r
Lands & Works - Victoria

Indian Res. Com^{rs}

Keweenaw River, near Cooke Ferry
In Camp 17 July 1878.

Sir:

I have now dealt with the land matters of more than 2000 Indians since leaving Spuzzum, and am glad to be able to report still that they do not place obstacles in my way but behave very well.

The Prov. Gov^t will be sorry to learn that it would be difficult to exaggerate the injustice and indifference shown to these Indians from Spuzzum to Lytton by the Colonial Gov^t, with respect to their land matters. I have used great efforts to effect a compromise that would prevent any necessity for going into old affairs, and in the case of about $\frac{2}{3}$ of these Indians I think I may say that I have succeeded, but I do not find it possible to settle matters around Lytton in the effectual manner desired by both Governments.

I will send you copy of the Field Minutes on the subject as soon as I have heard from

Mr Ball at Cariboo; in the meantime, until you see what the state of matters is, I beg to recommend that the Prov. Govt should not issue nor confirm any titles to land or water for irrigation in the neighbourhood of Lytton. This will not cause any public inconvenience as no settlement is taking place there, and it may prevent the Govt from incurring trouble and expense.

I am Sir &c &c

W. G. M. Stewart Esq. P. C. Comr.

The Hon.
The Chief Comr of
Lands & Works Victoria

Indian Res. Comr

British Columbia

Nicola River near

Cooke Ferry 17 July 1878

Sir,

The plan of laying off grazing Reserves to some extent, in common for both white settlers and Indians is in my judgment likely to be mutually beneficial and satisfactory in some parts of the country, but I am not clear if this is within my power though doubtless it is within the spirit of my instructions.

Will you oblige me by stating, as soon as you can, whether it is understood by the Prov. Govt that I have the power of making Common as well as absolute reserves, on terms varying with the circumstances of each case

I am Sir &c &c

W. G. M. Stewart

Indian Comr

The Hon.

The Chief Comr
Lands & Works Victoria

Indian Reserve Commission

B. C. in Camp Kiwila River
Near Cooks Ferry

17 July 1878

Sir,

I have now dealt with more than 2000 Indians and am glad to be able to say that they continue to behave in a very reasonable way and assist me in the work I have to do among them, and in cases of difficulty voluntarily agree to leave the decision in my hands. It would be impossible to find more respectable Indians than those along the wagon road from Spuzzum to this place, and I am deeply grieved to state that a close investigation of the history of their past treatment by the Colonel has shown much that is unsatisfactory. This around Lytton especially will appear in an elaborate Field Minutes which I have prepared for your information but withheld from the public until I receive replies to letters which I have written to persons concerned. The Minutes will suffice to give a general view of the "Colonial Indian policy" in this province as to what different opinions have been expressed.

Finding that some information was necessary from the Survey Branch in connection with water questions around Lytton I telegraphed beyond for Mr. Holmes, for an audit, to expend £250⁰⁰. The work has been done for under £100⁰⁰ for which accounts will be sent through Dr. Powell, and your authorisation for the balance of the £250⁰⁰ will be considered as cancelled.

I told the Indians at Lytton who number over 500 that various important questions had arisen which would not be lost sight of, but which could not be settled at present. They have agreed to wait feeling assured that the Govt. of the Dominion would see them righted with as little delay as possible.

On the Sunday before I left Lytton 15 chiefs and over a hundred representatives from all the tribes between Yale and Lytton appeared on horseback at my camp without notice and carrying their flags to say good by. They made 15 speeches and then suddenly raised their flags and gave three hearty cheers for the Queen.

They said they knew the Queen's mind now, and pointing to the flag said some were Catholics and others Protestants, but they wished me to mention to Lord Dufferin that they were all as one for the Queen.

I accordingly mention the circumstances, which also may serve to show the good feeling of the people notwithstanding the unfortunate state of affairs around Lytton especially which my Field Minute will reveal.

I have had so much to do that I have been quite unable to make up the accounts to 30 June but I must try to do so soon. The Thompson River Indians are here pulling at me on one side and the Kootenai Indians, pulling at me on the other side and my difficulty is to attend to both, and get back to N. West District so as to carry out my programme of completing the Yale and N. West Districts this year.

I have urged the P.C.'s to abandon their inaction and try to give questions that arise prompt consideration. If you would send me on acc't of the Com a few hundred dollars by Telegram as soon as possible before I get into my postal district towards the frontier it would suffice, until I get back to N. West District and long before that 30 June acc'ts would be sent.

When you see the nature of the question I have lately had to deal with and consider that I have to be in the saddle for eight or 9 hours every day you

will cause any little delay in clerical work -

~~Sam & Co~~

The Hon

S^d & M. Sprouat J.R. Com. &

The Sup^r Gen

of Indian Affairs Ottawa.

Memorandum

Indian Res. Commission

Camp in Lytton

14 July 1878

Having been asked at an interview with fifteen chiefs and a number of Indians from the Kettle, Kap. a. Nak tribes between Spuzzum and Lytton inclusive, as to their position in reference to hunting on Crown lands, I have said to them it is not the practice of the Crown to forbid or place any obstacles in the way of its subjects whether Indians or non-Indians in that matter, but this tacit permission of the Crown does not extend to lands which have been acquired by individuals or corporations or for Indian purposes nor to districts in which the Legislature may have made regulations in the common interest of Indians or non-Indians, to prevent the killing of game at improper seasons.

S^d & M. Sprouat

Ind. Res. Com.

In camp Cooke's Ferry

21 July 1878

Dear Sir,

Can you send me from Mr Jamieson's papers a description and sketch of his land past Bonetroyd. He said you had the papers - Address me Cooke's Ferry.

Yours truly

S^d & M. Sprouat

W. Jenkins Esq

42 Hill St

Cooks Ferry
21 July 1878

My dear Sir,

Please send me back the papers enclosed
in mine of 3 June and oblige

Yours &c
J. L. M. Sprout

P. O'Reilly Esq. Victoria.

Address care of
Postmaster Gale

In Camp Cooks Ferry
21 July 1878

Dear Sir,

Will you buy or acquire the Spring
Ranch from one W. R. Ditz deceased?

I do not find in his
name or yours any irrigation record for that farm.
Kindly ascertain how this is.

Yours truly
J. L. M. Sprout

H. B. West Esq.

Boston Mass

Address c/o Postmaster Gale.

A. R. Com on

B. C. Gale District
100 mile Pool
24 July 1878.

Sir,

I enclose copy of my field minute on
the land and irrigation affairs of the Lytton Subgroup
of the Kettle. Rep. a. M. R. Ditz.

The state of matters
disclosed by my examination, which has been carefully
and impartially made, causes me to request, in this instance,
the advice and co-operation of the Pres. Ex. before attempting
an adjustment by my decision.

If the Prov. Govt. could have the goodness, at their earliest convenience, to state the principles, on which in their opinion my decision in this matter should be based, particularly as regards water for irrigation, I will if I approve those principles submit a scheme of adjustment involving the minimum of expenditure and of disturbance to existing interests, and show at the same time, as far as may be, what the practical effect will be on all concerned.

I trust that this important matter will receive immediate attention.

The Hon.
The Chief Comr. Lands & Works
Victoria

I am Sir Yrs &c
J. G. A. Spooner
Secy. Res. Comr.

Indian Res. Commission

P. O. to Camp near Ashcroft.
28 July 1878

Sir

I am told that Mr. P. Parks, a settler near Cache Creek, has quite recently recorded water for irrigation from a stream which can be led into Mr. Cornwallis's stream or ditch, and thence upon land near the junction of the Thompson & Bonaparte.

The stream it is

said was found by an Indian of whose information Mr. Parks has made use, but that is a matter of little importance.

I had already reserved temporarily pending my examination and report to you as to Indian Affairs between Cook's Ferry and Cache Creek the land and water between these places not alienated from the Crown. If this record has been accepted, I beg that you will cancel it, as it is impossible for me to carry on my work or prevent unprofitable correspondence between the two Governments, ending perhaps in large expense to the Provincial Government if rights are permitted to be created under my nose to embarrass my steps.

in search of some means of adjusting these Indian affairs.

In order to give you some idea of these affairs, I may here state that there are 263 Indians between Cook's Ferry and Cache Creek (without counting the numerous Bonaparte tribe and only about 10 acres of cultivable land have been assigned to them since 1859 by the Government, and without any water right).

The whole question here is a question of water at least, though much of the good land is taken up, the supply of water is the main difficulty. It is natural to suppose that during the past 20 years the settlers have taken up the available water. The question is embarrassing enough already without any fresh complications and the longer an adjustment is delayed the more difficult will it become.

From what I hear, I think the Bonaparte Indian question as regards both land and water is likely to be one of the most difficult yet met with - not having visited their reserve I do not speak of their affairs. I expect a reply to mine of the 17 July in reference to Bonaparte affairs - I hope to be there in a few days.

Looking to the rapid progress of the work of the Commission, and the knowledge which the Provincial Gov^t have of my movements, and the expectation they may entertain of the completion of the whole work, with reasonable cooperation, within a time to be estimated, I beg to suggest that it would be well if all records of land and water for irrigation were accepted 'subject to Indian requirements' and legislative authority obtained to this effect.

The case of the Province, under the action of the old Col. Gov^t towards the Indians, becomes as the facts placed and to be placed before you show whatever the more it is examined; and though I use every effort to effect a settlement without any need of communicating with his Gov^t it will evidently in some parts of the country - and this is one - be impossible to avoid plain issues.

The Hon^{ble}
The Chief Comm^r
Lands & Works

I am
Ed. G. M. Sproule Esq. Sec. Com^r

Ind. Res. Com^{rs}B.C. In Camp near Ashcroft
28 July 1878.

Sir,

More than three months having passed since I wrote a letter to you on the subject of irrigation water for the Indians in the interior of the Mainland, I hope I shall not be considered unduly pressing if I ask whether my letter even reached your office, and when I may expect to be favoured with the views of the Provincial Gov^t on a matter of such practical interest with which every day I have had, and shall have to deal.

The Hon^{rs},The Hon^{rs} Secretary
Victoria

I am Sir &c &c

Jd. G. M. Stuart-L. R. Com^{rs}Ind. Res. Com^{rs}B.C. In Camp near Ashcroft
28 July 1878.

Sir

I beg to enclose an open letter to the Chief Com^{rs} of Lands & Works of this date respecting an alleged record of water by Mr. Park. Be so good as to read the letter and take what action you think fit thereon, and forward it to the Chief Commissioner.

H. Ingham Esq

Gov. Agent - Yale

I am, Sir, &c &c

Jd. G. M. Stuart-L. R. Com^{rs}

Ind. Res. Commission

B.C. In Camp near Ashcroft
30 July 1878.

Sir,

Since writing to you, 28 July, as to an alleged water record of Mr P. Park I have had several visits from Indian chiefs who live above Clinton to ask me if I could

visit their district this year and on my telling them that I could not, they expressed anxiety lest white settlers should take up lands and water before my arrival there next year, which wished to show me. They begged me to mention the matter to the Gov^t and I have so. One of the chiefs Stock, Keim who lives at a place called May, Cal. am. un, is old and paralysed and his long ride to my camp in that condition shows his anxiety. He says there is a piece of land at his village which he would like to get.

Mr. J. W. Foster J.P. Clinton writes to me that the Indians in that neighbourhood are well behaved and industrious. "the best Indians in the country" he says.

I have to report to you that the Indians generally are respectful and reasonable. I have no difficulty with the people; the difficulty is in the facts of the case, owing to the late period of the history of the Province at which this work has been undertaken.

The Hon

The Chief Comm^r

Lands & Works Victoria

Yours obediently

Sd. G. M. Spruce J.R. Com^r

Indian Reserve Commission.

B.C. In Camp near 100 mile post
between Cooks Ferry and
Coke Creek

July 30. 1878.

Sir,

I beg to enclose the Lytton Field Minute mentioned in mine to you of the 17 inst.

I sent a copy of this Minute to the Prov. Gov^t on the 24th inst and said if they would state the principles on which, in their opinion, my decision in this matter should be based, particularly as regards water for irrigation I would if I approved the principles submit a scheme of adjustment involving the minimum of expenditure and of disturbance to existing interests.

The Prov. Govt have not even acknowledged receipt of my letter to them as regards water for the irrigating requirements of the Indians though it was sent to them more than 3 months ago namely 22 April 1878.

I find land and water matters between Lytton and Cache Creek in an unsatisfactory state. I am now dealing with 263 Indians who since 1859 have not had more than 10 acres of cultivable land assigned to them. but I need not refer at present to what will in a short time be communicated by you in a formal minute, with details.

The Indians continue to behave in a respectful and reasonable manner. They place no difficulties in my way; the difficulties arise from the nature of the case, and they are very great.

The Hon.

The Supt. General
of Indian Affairs

I am &c

J. M. Sprout J. R. Com.

Indian Res Commission

B.C. In camp 100 m. E. Fort
29 July 1878.

Survey of Indian Reserves
Correspondence with Prov. Govt

Sir,

I enclose copies of letters E. Mohun C.E. to me dated 17 inst. covering copy of his to the Chief Commissioner of Lands 22 April 1878, again on 3 July, and the Chief Commissioner reply of 8 July.

I also enclose copy of Mr Mohun's reply of 17 July 1878 to the last above named letter.

The Chief Com^r letter of 8 July does not squarely answer the questions put, and it has therefore been necessary to say in advance that the Dominion Govt would not be put to any expense in amending surveys.

The Hon
The Supt. General
of Indian Affairs

I am &c

J. M. Sprout J. R. Com.

Indian Reserve Commission

B. Co. In camp near 100 mile post
29 July 1878.

Survey of Indian Reserves
Interior party

Sir

I enclose copy of Mr Edward Moken's letter to me of the 24 Inst. on the subject of the interior party of surveyors under the charge of Capt. Semmett.

Capt. Semmett is doing his work well and with great faith, but there has been a little tendency to expense, which has been checked, and Mr Moken you will observe, has suggested to him that he should dispense with the services of one of his men.

I think, towards the close of the season it will be necessary to employ this party for a short time in this neighbourhood, as it evidently will be impossible to adjust Reserves for the Indians here without the information as to land and water which can only be furnished by a regular survey. If the Prov. Govt. before the meeting of the Legislature, next spring should ask "what do you wish us to do to facilitate" "an adjustment especially as to water?" I must be prepared to reply in detail.

There is land to be had here still, but, as far as I have found at present, it can only be irrigated by one of three methods

- 1, By the Prov. Govt. buying out holders of water records, which would mean buying improved farms.
- 2, By lifting and conveying water by expensive machinery and long ditches or flumes from Bonaparte River.
- 3, By bringing water by ditches and natural channels from Hat Creek 17 miles distant.

Of the three methods the latter may be the cheapest, and it perhaps might be

adopted on the principle of a money contribution from the Province, and a proportion of Indian labor to be spent on the work -

The Hon. The Sup^r General
of Indian Affairs

I am Sir &c &c
Sd G. M. Spruce - J. R. Com

Indian Reserve Commission

P. O. Camp 100 miles
29 July 1878

Survey of Indian Reserves.
Coast Party

Sir:

I enclose copy of Mr Edward Mohun's letter to me of the 24th inst. on the subject of the Coast party of Surveyors under the charge of Mr. A. H. Green -

Mr Green appears to be doing his work well and to be making fair progress, but he has not made reports to Mr Mohun, from place to place, in accordance with his instructions, nor has he sent his accounts forward with the promptness and regularity desired and it has been necessary to admonish him in these respects -

The accounts have been carefully scanned, and it does not appear that the estimated expenditure will be exceeded -

I am Sir &c &c
Sd G. M. Spruce - J. R. Com

The Hon.
The Sup^r General
of Indian Affairs

Indian Reserve Commission

B.C. In Camp 100 mile post
1 August 1878.

Sir,

I respectfully beg to say that I am waiting for a reply from the Prov. Enr to letter of 21 April 1877 from the Indian Res. Com^r to Hon A.C. Clarke as to land claimed by Mr Robt Hughes of Oyster Harbor.

The Dominion Surveyor is rapidly approaching that place to survey the Indian Reserves, and as the matter now has been about fifteen months before the Government I think an answer might be sent.

I am Sir &c &c &c
Sd. P. M. Spence Esq. Com^r

The Hon.

The Chief Com^r

Land & Works Victoria

Indian Res Commission

B.C. In Camp 100 mile post
between Cocks Ferry
and Cache Creek
30 July 1878.

Sir,

I have to acknowledge receipt of your letter of 28 June, No 9756, with copy of Mr. Whittem's letter to you dated 15 June, about the fishing rights of the Indians in this province.

This matter does not from one point of view come within the scope of my official duties, but as no one has ever had such opportunities as my special work gives me for ascertaining what concerns the Indians generally I cannot refrain occasionally from mentioning matters outside my duties on which information may be useful to the Government.

An impression exists

that there are two great classes of Indians in this Province, namely, those who live on fish and those who live on flesh. This is only true in the sense that the Coast Indians eat many kinds of fish, and the Interior Indians eat only salmon and trout while both Coast and Interior Indians vary their diet occasionally with grouse, ducks and venison. The whole 30 or 40 thousand Indians in British Columbia are a fish eating people, and to all of them but more especially perhaps to the Interior Indians, the salmon is the principal article of fish diet.

The salmon is the Indians' chief food, for the winter, and indeed at all times - No part of the fish is wasted. They prefer the salmon, to beef, mutton or to the vegetables which many of them now produce. At the season when the weekly coach leaves newspapers at my camp and the whites ask about politics and war, the Indians crowd round to hear news of the salmon. Nothing will restrain them when the fish at last arrives. "The salmon first and God next" an old Indian said to me last year.

The land question would be a trifling matter in the eyes of the 30 or 40 thousand Indians who inhabit British Columbia compared with any question that arose about salmon.

Their requirements are easily understood. They must have salmon, and the way they get them on the mainland is as follows -

The Fraser is a large stream with muddy water. The Indians use, on most parts of it, a scoop net made according to their own old fashion, and of late years they have used a bag net in the still parts of the river. As the Fraser is large there are many salmon in it, and the fish cannot see the nets owing to the muddiness of the water; hence the Fraser is the principal source of supply. The river Thompson and other tributaries of the Fraser, and other streams throughout the province have, compared with the Fraser, clear water in which the fish see and avoid the nets, so that in these

clear water rivers the Indians have to spear the fish which they can only do at convenient turns of the river in day time, or by attracting the salmon by torches in canoes at night. The supply thus obtained is limited, but the Indians on these clearer streams must to get their winter supplies in full from the Fraser Indians who give fish for money, horses or other commodities; hence has arisen a very old and still actively existing intertribal traffic between the net-using Indians on the banks of the muddy Fraser and the spear-using Indians who live on the smaller Clear-water rivers and streams. This is a brief outline of the salmon question as it affects the Indians, without mentioning the weirs with which, in some parts, salmon and trout are caught, and without giving an account of the differing methods of fishing for different kinds of sea fish.

It would be impossible to catch with hook and bait in the Fraser or to secure with the spear in other streams anything like the quantity of salmon required by the Indians for their winter and for general use. It is mainly by their old scoop nets and weirs that they get their supplies. I may remark here that our salmon will not rise to a fly when ascending the rivers.

Mr. Whitcher in his letter to you of the 15 June encloses a regulation of the Hon. Gov. stating that no "salmon net of any kind shall be used for salmon in fresh water" and he further states that the Indians are Amenable to this regulation. This statement rather brings the matter within the scope of my duties and I therefore make one or two remarks on the subject. What I have said above as to the requirements of the Indians will explain to you that a regulation of this kind, if carried out, would simply deprive the numerous Indian population on the Fraser and in the interior of the country of an essential and much prized article of diet which in fact constitutes their staple food during the whole year. The Government

of England 25 years ago might as well have prohibited the cultivation of potatoes by the Irish.

The Indians would at once say "If you take away our food what kind of food will you give us in place of it? Do you mean us to starve? How are we to catch enough salmon in the muddy Fraser without nets? The Victoria chief gave us very little land and he gave us no water to cultivate it. Now, the Canada chief takes away our salmon."

My instructions from the Minister of the Interior 25 Aug^r 1876 lay great stress, most wisely, (see Annexed extract, upon the necessity of not disturbing the Indians in the possession of..... fishing stations - and the impolicy of attempting to make any violent or sudden change in the habits of the Indian now engaged ---- in fishing --

Upon these instructions, I have acted, and am acting, in making replies almost every day to the eager questions of the Indians upon this vital subject.

It appears, however, that since the 30 May 1878 (the date of the regulations enclosed to you by Mr Whitcher) I have contravened the law in so doing, and I therefore beg that I may be furnished with fresh instructions on the point.

I sincerely trust that no question will be raised between the Canadian Government and the Indians as to their salmon. The land question as above said or the buffalo question would be a trifle compared with any such question. The time has not come, and is probably distant for ceasing to regard this question as quite a special one, with respect to which no action should be taken without grave consideration by the Sup^r General on reference being made to him as to the effect of any proposal to apply the Fisheries Act or any regulations under it to this Province.

It is certain that if the Crown Land had ever met the Indians of this Province in council with a view to obtain the surrender of their lands for purposes of

statement, the Indians would in the first place have made stipulations about their right to get salmon to supply their particular requirements, and that land and water for irrigating it would have been, in their mind, secondary considerations. On the principles, then, which the Canadian Government insist on applying to Indian matters here, the claims of the Indians as regards their salmon fisheries and their ways of catching this fish are of a special nature, requiring special consideration and action.

In all the agreements made between Mr. Douglas and the Indians they stipulated that they were to be permitted to carry on their fisheries as formerly.

The Provincial Government; in their instruction to their Commissioner on the late Indian Reserve Commission enjoined him not to disturb the Indians in their proper and legitimate avocations, whether of the chase or fishing.

E. A. Hendricks Esq.
 Secy: of the Minister of
 the Interior, Ottawa,

I am Sir & c c
 S. G. M. Spruce Bro. Res. Com^{rs}

Indian Reserve Commission

B.C. In. Camp 100 m. E. Port

Aug 3. 1878.

Sir ~~Cancelled~~

Since examining Indian Land matters around Lytton which have been mentioned to you in a report dated 24 July 1878 I have dealt with the Indians at Koowen who number 92 souls and for whom about 20 acres of culturable land had been assigned, without any provision of water for irrigation.

I was able to adjust matters for the Koowen Indians, after great difficulty, and need

not refer to their affairs at present.

The next Indian people I came amongst were the Cooks Ferry, including the Oregon Jack and Cornwall Indians who at their own request were taken together on the Census, though some of the two last-named group have close connections with the Bonaparte Indians. The common language of the three tribes is the kekla-kap-a-muk, while that of the Bonaparte Indians is the Shuawap.

The three tribes number 88 men - 263 souls - a considerable number of them are industrious and fond of farming. On a rough estimate I should say they this year have between 200 and 300 acres in crop. The lands which they have accepted and cultivated are Crown Lands, situated at places along the river, where they could get water for irrigation - chiefly on the left bank of the river.

The Government, up to the time of my arrival had provided for these 263 Indians a reserve of 30 1/2 acres at the mouth of the Nicola River of which probably about 10 acres might be cultivated. I have not been able to ascertain that there exists to any water for irrigating these 10 acres was formally declared.

It may be said that all the available irrigating water, both from near and distant streams, and from most of the springs between Cooks Ferry and Cache Creek has been secured by white settlers on the right bank of the Thompson.

I can find some land and water, but not enough on the left bank of the Thompson for these Indians (They have a question there with Ah Gp and Ah Cheung as to the ownership of some land which will be made the subject of a separate report.)

I can find some grazing land on the right bank of the Thompson and some agricultural land too, but as above said, I cannot see that it is possible to get irrigating

water, except by considerable expense, which I presume must fall upon the Provincial Gov^t whose duty, according to the views of the Dominion Gov^t it primarily is to provide a reasonable quantity of land and water for the Indians.

A question of this nature must necessarily be referred by me to the Provincial Government with such suggestions as I may be able to make.

I have examined the whole country and am prepared to make suggestions, but as the Bonaparte Indian question immediately ahead of me and now about to be examined is, so far as I can learn from settlers in the neighbourhood, of a similar character, and it may be possible perhaps to take advantageously, a common view, with respect to remedial measures, I will defer making suggestions until the Bonaparte question has been settled and examined.

In the meantime I have told these Cook's Sherry or Indian that pending the settlement of this water question the Gov^t will not give any land or water rights within the limits shown on the enclosed sketch and that when it is seen how water is to be provided and by what channels it will come I will then apportion land to them out of what is thus temporarily locked up. This is the only thing that can be done at present, and it is an arrangement, which until you have an opportunity of making yourself acquainted with the facts from my further Reports, will enable you to prevent the Poor Ind^s from drifting into a more difficult position than they now. I am sorry to say, are in owing to the non-provision of suitable lands and especially water for these Indians.

I am Sir &c &c
 Sdly M. Sprout
 J.R. Com^r

The Hon

The Chief Com^r Lands & Works
 Victoria

P.S. The land in the sketch is not large: it consists chiefly of pieces among and between settlers on the two sides of the Thompson. Its being temporarily reserved will not check settlement, as that is already stopped by the absence of water. It is impossible to know what piece of land the Indians should get until the water question is settled, and it has been ascertained to what piece of land it will be cheapest to bring the water.

- D.O. & M.S.

J. R. B.

British Columbia in Camp.

Flat Creek 8 Aug 1878.

Indian Chief. Bile.

Sir,

In reference to the drunkenness at Beintake village on the Bonaparte River of which you complain, and of which I have been a witness, and to your request that I would write to the Governor on the subject, I have to say that the Indians themselves can stop drinking among themselves when they please.

The Govt of Canada (Indian Act 1876-79 and following sections) have made a law of the strongest character and the Indians have only to put it in force.

Any Indian who has an intoxicant in his possession, or who gives it to another Indian may as an extreme punishment be put in prison for 6 mos with hard labor, if convicted by two justices.

If you see any white man or half breed, bringing liquor to an Indian Reserve or selling or supplying or assisting in supplying liquor to an Indian, you or some other Indian who has seen this can complain to a magistrate, and the person may by 2 justices be sent to prison as an extreme punishment for 6 mos with hard labor and be fined \$300 one half of the fine going to the informer and the other half to the Indian Superintendent for the benefit of the tribe.

Two Indian witnesses suffice to convict an offender
The magistrates are bound to act under this law. The
whole matter therefore is in your own hands and
the chiefs are expected to act in repressing intemperance

Yrs truly
D. G. M. Stewart
Commissioner

Indian Res Com In Camp Looki Tany
15 Aug 1870

Sr

With reference to yr statement that the land which the
Indians who live beside you have cultivated for several years is land
that was bought by you in 1860, I have with the assistance of
the Assistant Surveyor, ascertained that the piece of land cannot
be the piece of land you purchased as it is not contiguous to
your pre-emption & could not, consequently, be legally sold
to you by that act.

I understood from you in conversation that you
yourself are of opinion that you were in error in claiming
this land.

The Indian Chief Parka states that
the spot apparently within your pre-emption beside the road is his
old settlement and he has given me several names of persons
who, he says, can prove the fact, & he has specifically requested me
specifically to look into the question.

If the place is an old Indian settlement, the question thus
raised would be a serious one, as the fact would invalidate
your pre-emption.

I have not been able to examine all the
witnesses mentioned. In the meantime, I recommend you

avoiding any action to irritate or disturb the Indians
to let things be as they are, until I have again the
pleasure of seeing you. when, as part of the general
settlement of Indian matters in your neighborhood
I may be able to find some way of adjusting
this question with the minimum of inconvenience
to all concerned.

I am Sir

Yours obedt

S. J. M. Stewart
JRS

Mr John Downing
Upper Lake's, Thompson River.

Indian Reserve Commission

B. C. In camp

Nicola River 15 Aug^r 1878.

Sir,

The Provincial Gov^t have gazetted the following
Reserve of Land for Railway purposes.

Public notice.

Whereas by an Order in Council dated the 23 May 1878 of
the Hon. the Privy Council of Canada it has been decided
that Burrard Inlet will in all probability be adopted
as the Western Terminus of the Canadian Pacific Railway
it is deemed advisable that a strip of land should be
reserved for the conveyance of the Dominion Government
in accordance with the eleventh paragraph of the Terms
of Union along said line of Railway beginning at English
Bay on Burrard Inlet and following the Fraser River
to Lytton; thence by the valley of the river Thompson
to Kamloops; thence up the valley of the north Thompson
passing near the Lake Alberta and Cranberry to
Fort Anne Cache; thence up the valley of the Fraser

river to the summit of Yellow Head or boundary between British Columbia and the North West Territory."

And whereas it has been deemed advisable that the land within the limits, and in the direction aforesaid, should be reserved prior to a conveyance being made thereof.

Public notice is, therefore, hereby given, that from and after this date the land above mentioned is reserved accordingly for Railway purposes -

By Command
R. J. B. Humphreys
Prov. Secy.

Recd: Secy's Office.

3rd August 1898

and I am desirous of knowing how this reservation will affect my work among the Indians.

The Indian Reserves are adjusted along the above strip from just above Gale to 50 miles up the North Thompson from Kamloops, with the exception of the Lytton, Cooke Ferry and Cache Creek Indian lands which I have examined and am ready to adjust when I know what is to be done about water for their agricultural lands.

I am pushing through Nicola (which is outside of the railway strip) towards New Westminster District where I again will come within it - from Gale to New Westminster. The Indian Reserves are not adjusted there.

Be good enough to say whether I can allot reserves as usual for the Indians within the railway strip, notwithstanding the stipulation in the 11th paragraph of the Terms of Union that the Dominion Gov^t is to appropriate the land "in furtherance of the construction of the railway" and apparently for that purpose only -

I doubt not upon your asking them, that the Provincial Govt. will pass whatever Order in Council may be necessary on the subject.

(It might be well to have it understood that this reservation of land by the Prov. Govt. is a reservation of irrigation water as well as land, but this is a matter for the Railway Department.)

The effect of the handing over the Railway strip - to a contractor, upon the old hunting privileges may be mentioned.

The Indians have been very anxious about their hunting. What I have said to them is that it is not the practice of the Crown to place any obstacles in the way of its subjects whether Indians or non-Indians as regards hunting on Crown lands, but this tacit permission of the Crown does not extend to lands which have been acquired by individuals or Corporations or for Indian purposes, nor to districts in which the Legislature may have made regulations in the common interest of Indians and non-Indians to prevent the killing of game at improper seasons.

The small quantity of arable land within the strip (outside that portion of the strip which is in New Westminster District) makes it unlikely that the transfer of the strip to a Contractor would much affect the hunting pursuits of the Indians. Probably matters will remain much as now. Still it may be worth considering whether something could not be stated as regards the Indian hunting before a transfer of the lands is made.

I shall be glad to have a reply to the above question about my powers, and also as to the salmon fishery matter mentioned in mine of 30th ult. to Mr Meredith before I get into the New Westminster District say about a month hence.

The Hon: The Secy. General.
of Indian Affairs.

I am Sir or a.
St. G. M. Spruce & Co. Com.

Indian Res. Commission.

B.C. In Camp

15 Augth 1878.

Sir,

I beg to ~~say that I have to day written~~ ^{send} ~~copy~~ of a letter of this date from me to Mr. Penikese about the drunkenness which prevails among the Indians of Bonaparte, Redman's Creek and Kamloops. These people are going to ruin from this cause, as fast as they can, and as the habit has lasted several years, it will be difficult to stop it.

I was surprised to find that the Chief did not know the contents of the Indian Act, as regards intoxicants.

The drinking habit among these tribes is too confirmed for the chief to be able to stop it: indeed one of them himself drinks.

The Hon.

The Sup^r General
of Indian Affairs

I am Sir &c &c

W. G. M. Sprout B.C. Com.

Indian Reserve Commission.

B.C. In camp

Kielder River 15 Aug 1878.

Sir,

I regret to have to inform you that the Indians of Bonaparte River, Redman's Creek and Kamloops are killing themselves by drinking spirits, and are thus showing the worst example to neighbouring tribes. It is necessary that some vigorous measures be taken to stop this habit, or it will spread among the people and be worse than epidemic in its effects.

The Bonaparte Indians were stupefied with drink when I was among them and

the settlers tell me they have been drinking for three years past, and are getting worse.

A Headman's Creek Indian during the day, upon the highroad, pulled out a bottle and gave a drink to the Indian who drives my pack train but as no other witnesses the act I could not punish him.

The Indian Chief Bill, from Pavilion Mountain passed a night at the Bonaparte village and next day came to me with the Bonaparte chief to entreat that I would do something to stop whisky drinking, but I told them that was not my business. They did not appear to know the Indian Act as regards intoxicants.

I am told that Indians are frequently seen drunk at Cache Creek. The nearest magistrate is Mr Cornwall who lives 8 miles from the Indian village and there is no constable nor lock up nor any other magistrate within 20 or 30 miles. I think the "Indian Act" requires 2 parties for a conviction.

There is no more important Indian question in the country at present in my judgment than the question of stopping this accursed habit among these three tribes.

They are physically fine men, and many of them were excellent farm laborers and were acquiring property before they became drunkards. Some of the women drink whisky as well as the men.

They get all the liquor they want, and nothing whatever seems to be done to stop them.

I am Sir &c &c

St. G. M. Spruce J. R. Com

James Lenihan Esq

Indian Agent

New Westminster

Indian Reserve Commission
 Nicola River In Camp
 15 Aug^r 1878

Sir

Water

I have to acknowledge the receipt of your letter of the 5th inst. in which you say that owing to the legislature being in session it is impossible for the Government to give proper consideration to the subject of irrigation water for the Indians but that the views of the Com^r will be communicated to me as early a date as possible.

The importance of the subject requiring perhaps some reference from the Com^r to the legislature was one reason why I took leave again to call attention to it in my letter of 28 July.

If the matter is left over for the action of the legislature in 1879, it will derange the programme of adjusting the Reserves in the interior and have probably the effect of postponing the adjustment for a whole year.

The present idea is to finish the whole interior of the mainland next year by making an early start in the spring, but until the principles on which the water question is to be dealt with (involving possibly expenditures) are agreed to, it will probably not be desirable to attempt any adjustment beyond Cache Creek which I lately have visited.

Delay means increased expense to both Gov^t and dissatisfaction among the Indians.

I am Sir

Yours ob^t Serv^t

J. H. Proulx & Co.

The Hon

The Prov Secretary
 Victoria

Indian Res. Commission

B.C. to Camp. Nicolas P.

15 August 1878.

Water

Sir,

What I have been and am trying to accomplish is to finish the Yale and New Westminster Districts (see coloured map sent to you) this season; then in winter, unless absolutely shut off from field work by bad weather get a couple of months work on the coast, after which early in spring begin at Cache Creek (where I lately have left off going up wagon road) and finish, see map, the Shuswap and Cariboo Districts when you would see the whole of end of the whole Indian land business in view.

The inaction of the Prov. Gov. is going however to embarrass the programme and cause delay and expense.

The O'Keefe matter which may embarrass me with the Chief here, remains where it was 7 months ago.

But I still may carry out my programme for this season, though hampered by needless difficulties which proper attention to the business which I submit to the Prov. Gov. would enable me to avoid.

The principal distracting cause ahead is the irrigation water question.

The copies of correspondence herewith

Sprout to Prov. Secy 22 April 1878

do do 28 July -

Prov. Secy to Sprout 5 August -

Sprout to Prov. Secy 15 - -

together with the Lytton Field Minutes will show you the question stands. The Cooks Ferry and Bonaparte Indians have the same grievances and from

what I hear the water grievance exists all up the road.

Now what will be the use of my going at a large expense up the road above Cache Creek and through the remainder of the arid portion of the Province next spring and summer merely to find out the facts as I lately have been doing at Lytton &c and then have to go back to adjust questions when the Prov. Ex^{ts} shall have made up its mind about the water question.

It will probably not be desirable to do so: hence next years work in the interior will be lost, or not undertaken at all for it is certain that the action of the local legislature will be necessary, and waiting for that in 1879 would spoil the years work in the interior and oblige work to be undertaken on the coast.

Foreseeing this I wrote the above letter as far back as the 22 April and now it appears the Prov. Ex^{ts} cannot attend to the question owing to the session. I am afraid that after the session they will delay and correspond and finally find they must consult the legislature in 1879 which will have the effect on Indian land work in the interior above described.

Meanwhile, the white settlers will be securing all the water they can if any is left unappropriated.

The issue raised is a very plain one - the Indians must have water - they say they must, and I fear it cannot be provided without expenditure and if the Prov. Ex^{ts} have taken over the liabilities of the old Colonial Ex^{ts}, they must meet that expenditure - I am prepared, or shall be with the Surveyors aid, to show what must be done at each place -

Yours,

Herbert General
of Indian Affairs

Yours Sir
St J M Spruce & Co Com^{rs}

Nicola River 15 August 1878

Sir,

I have to day received your letter of the 2nd about a survey matter at the Audman Creek Reserve.

You are wrong in having written to me on this subject, as the surveys of the reserves are not under my care, but are under the direction of Mr E. Bohren as Surveyor in charge.

I have handed your letter and its enclosure to that gentleman.

I am Sir your

J. E. G. Spruce & Son

The Hon:

The Chief Commissioner

Dawson & Work.

Admiral Commissioner

B.C. in Camp Nicola.

Aug 15 - 1878.

Sir,

I beg to enclose for addition to the Appendix of my Lytton Field Minutes sent to you 30th July 1878.

Copy of my letter 15 July 1878 to Capt. H. M. Ball and of his letter to me in reply 29 July 1878.

Capt. Ball was formerly Assistant Land Commissioner at Lytton, and is now County Court Judge at Caribou.

His reply does not deal with question put in my letter.

The explanation given in reply to No 3 is not to my mind satisfactory. If the Crown takes possession of the country and disables the Indians from themselves acquiring land and water by the ordinary methods, the Crown should assign what is reasonable for their own and their children's use irrespective of their expending a cost for these necessities.

Their state of imperfect civilisation and want of foresight are the reasons why the Crown assumes to act as Trustee for them and are not to be brought forward in exculpation of a failure of duty on the part of the Crown. But as a matter of fact (see my Lytton Minute) the Indians as early as 1866, showed a disposition to cultivate. Now they would quickly make a ditch 3 or 4 miles in length (if it did not require much wood work, could they only get a right to the water.

The Hon

The Sup^t General

of Indian Affairs

I am Sir &c,
Ed. G. M. Sprout J. R. Com^r

Indian Reserve Commission

At Camp Nicolas River

15 Aug^r 1878.

Sir,

I beg leave to ask for a reply to my letter of 1st July as to a portion of the Indian Reserve at Cowichan which has been sold by the Prov. Gov^r. I am sorry to trouble you but having reported the matter to Ottawa as an inadvertency on the part of the Prov. Gov^r, and new ground - namely alienation by the Crown before the Commissioners visit - having since been announced in your letter of 25 June - I am misleading the Sup^t General by allowing my statement to remain unamended.

I think I should sooner have had a reply as I asked merely for the particulars of an alienation, which you asserted as a fact.

The Hon

The Prov^r Sec^y

Victoria

I am Sir &c
Ed. G. M. Sprout J. R. Com^r

Indian Reserve Commission
British Columbia

In Camp Nicola River
1878 Aug. 18

Sir

I have to request that you will take steps with a view to the early Cancelling of the land and water records of the Chinamen who have illegally taken possession of Indian lands at Spafstsum Flat as stated in the enclosed copy of my Field Minute on the subject (my Field minute dated 28 July,

The evidence of such respectable witnesses as Mr. Thos Kirkpatrick Mr. J. C. Barnes Mr. Ralph Willard and others together with the information obtained by ^{my} ~~The Hon.~~ ~~The~~ ~~Chief~~ Commissioner of Lands Victoria ~~my~~ own examination of the ground shows to my satisfaction that the Chinamen have done wrong and that the grievance of the Indians should be promptly redressed

Begging that you will give this matter your early attention

I am Sir

Your obed. Servant
S^d, Gilbert Malcolm Sproat
Indian Reserve Commissioner

The Hon.
The Chief Commissioner of Lands & Works
Victoria

Mc Bl andamp Nicol River
10 Aug 1870

Li

I beg to enclose for your information my
2nd Minute in the case of the intrusion of
Chinamen upon an Indian settlement at Spaptown
Flat Thompson River

I have sent a copy of the Minute to the
Provgat & requested that they shall cancel
the pre-emption Record of the Chinamen who
it would appear, have broken the law

This case goes into obscurity, but
arises entirely from confusion, but
has received no attention though the facts
lie on the surface & have been for a long
time the talk of the country for
30 miles in every direction.

The Revd J. H. Good, who acts as a
missionary among the Thompson Indians,
has written to me since my visit
to Spaptown

"I am so glad you have heard
all about the Spaptown business. It
is a sad case of injustice. The
chief & them Hallsee ran away to
Nicol lest a burning sense of
wrong should lead them to avenge
himself."

I draw your attention to that portion of the Minute
which deals with the portion of Indians
who, in default of license being assigned to
them, occupy & cultivate Crown Land (pages 7 to 10)

x
S. M. & Thos. Mc

I must say I was pleased in getting the Provgat to act in this Spaptown matter more promptly than they have done in the case of the people of Okanagan.

M C B C Niola River.

1870 Aug 18.

Li.

I propose to stay here two days - the first stoppage since starting out - to make a further effort to get a telegraph answer from the Bow Fort as to O'Keefe's matter at Okinagan before I have to meet the principal Niola Chief. I will take advantage of the delay to ^{make up & forward} ~~send~~ ^{acts}.

Yours sincerely

S. M. Stewart

P.S. My commⁿ funds are exhausted.

M. B. M.

The Sup Genl of Ind aff:
Ottawa

In Camp Niola River

22 Aug 70

de Sir

Please send the enclosed telegraph message.

Hon. Chf Commr Ld Victoria

Please telegraph me what I have to say
to Niola Chief respecting O'Keefe's
matter at Okinagan.

Sincerely

If a reply comes to this you can enclose it in an envelope by next stage to Niola to address of the Commr.

Respectfully,
G. M. Stewart

John Murray by Cook's Ferry

Ind Res Comor

British Columbia

In Camp Neelastien

Sir,

Aug 21. 1878

I have to acknowledge receipt of your letter of 16th. I proposed a course which I hoped might avoid inconvenient questions, but as you do not accede thereto I beg to say that the Surveyor acting for the Dom Co. has been instructed to make a survey to ascertain (1) Whether the Indian cultivated land on the River is, or is not contiguous to your land?

(2) What land is vacant around your land or either of your pre-emptions?

My impression roughly formed on an inspection of the ground, is, that the cultivated land of the Indians is at a considerable distance from your land, and it appears not improbable that the two pre-emptions which you occupy are not the shape, and do not include all the ground, which you at present think they do.

The Surveyor is also instructed to report on the fair quantity of water you are entitled to under your record, which entitles you to what you can use without waste.

I have formed no opinion with respect to the claim made by Peace that your pre-emption includes his old settlement, and I did not wish, if possible to have to consider the question, but in accordance with his and your own wish I will take steps to do so on the first convenient opportunity when all the evidence will be duly weighed.

Any lands in your neighbourhood not strictly found to be within your pre-emption will belong to the Dom Co. as railway lands subject to what may be assigned to the Indians on the adjustment, finally, of the Reserves.

Yours Bowler
Thompson

I am &c &c
Sd by Mr Sproul - S. R. Com

21 Aug 1870

My dear Sir

I sh^d be glad to assist in the adjustment of any questions
respecting Indian Reserves which permitted of re-encroachment
but the Kamloops reserve is assigned and surveyed
and under the Indian Act, the Minister of the Interior
himself at Ottawa could not alter it without the
consent of the Indians obtained in a formal manner
in the presence of the Indian Agent.

Access to farms can be claimed, & doubtless
will readily be granted on application to the Prov^l Govt
& at the same time to the Indian Agent Mess West
between whom the matter could be arranged.

My recollection of what took place
at yr interview with the Commrs at Kamloops
does not agree with what you state as regards
your conversation with Mr. McKinley. I thought
you fully understood the matter & was surprised
that, as you said, you w^d take yr chance rather
than exchange Schudam Ranch (for 2 acres for 1)
of land along the So. Thompson. So far as I could
judge, I thought you were wrong in not agreeing to that
proposal and if you remember I strongly
urged you to accept it, but you wanted 3
acres for 1.

I write he well at your early
conclusion, to remove the fence, as the Canadian
Act is very strict as to intrusions on Reserves.

Yours

J. Harper
Chilton

(?) S. M. Shost

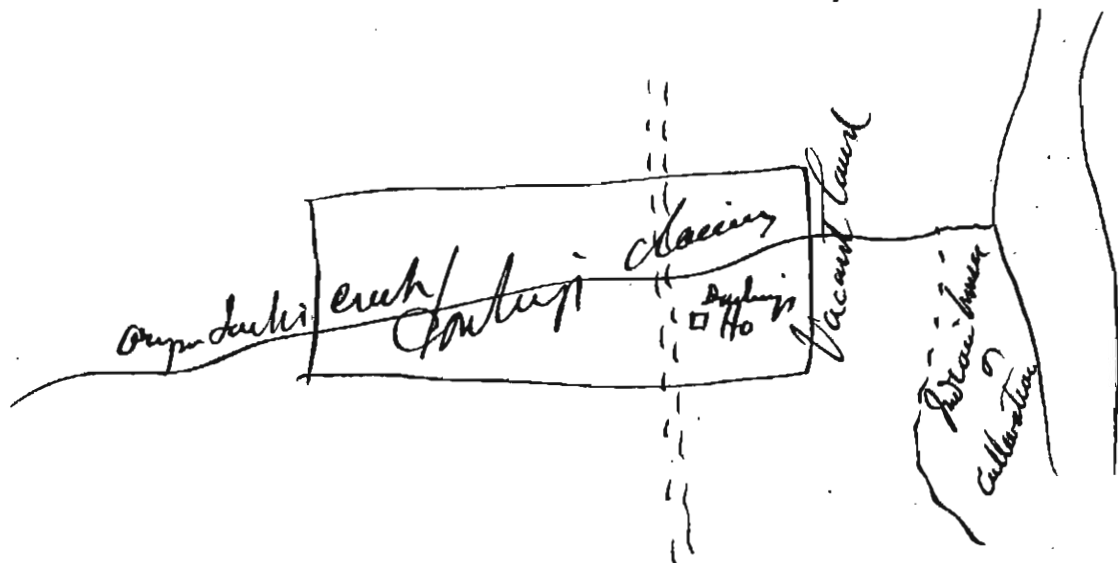
M C B C

In Camp Nicola River
26 Aug 70

Sir

Mr J Dowling at Oregon Lake
Thompson River has made a claim under an
alleged purchase of 25 acres 17 April 1860 to land
cultivated by the Indians, near his farm but
not contiguous to it as required by the 1865 Act
& therefore not in the power of the Govt to sell.
I beg to say that I have instructed a surveyor
to ascertain the relative positions of the land
cultivated by the Indians & of Mr Dowling's pre-emption
& I have to request that no further (or alleged)
letter be given to Mr Dowling until the facts are
ascertained by the survey.

The enclosed sketch
shows approximately Mr. Dowling's land. The place
cultivated a few years & it seems to be a
considerable distance from any boundary of Mr
Dowling. He cannot his 25 acres contiguous
to his pre-emption.

Yours
J. M. Frost

Chief Commr
Lands Victoria

Mc B C

De launh
Mala Curre

218

1871 20 Aug

Si

I have writing to you 2 days ago as to trespass laws affecting hunting, I have rec'd a private letter from one of the most intelligent parties of the peace in the Interior who writes

(note) Here I gave without naming him, some extracts from letter of C Cornwall on this point. - then I suggested that at least in certain cases it Sup^d the interview; I said I wanted to throw

(1) Can the stock of the Indians be improved by what process

(2) What assistance can they have, at least in certain cases when in the position of dependents?

J. M. Stuart

Sup^d Feul

Ollawa

Mc B. Insamp Nicola River
1870 anyld.

Lr

Dam on Kamloops River

By to enclose copy of a Report to me from Mr McNamee
C.E. as to a dam which it is believed, would
have the effect of reclaiming abt 200 acres
of good land on the Kamloops River.

A work of this kind, the breaking of which
might be attended with serious consequences
should certainly be supervised, when undertaken,
by a competent white man, but I presume
no steps are likely to be taken in the matter
until the bridge is organized, & the need of
an addition to their arable land ascertained.

There may in such ^{work} be
some specially required mechanical conveniences
which it might be considered reasonable for
the Govt to supply, but I do not see why
the Indians should not provide the
ordinary tools as well as the labour.

Yours P.

(Sd) J. M. Moore

Sup Genl
Ottawa

JM C B L

220

In Camp. Nicola River

1870

15 Aug

Sir: I have written a letter
to Mr. Leaman about the drunkenness which
prevails among the Indians of Bonaparte,
Deadman's Creek and Hammonds. These people
are going to ruin from this cause, as fast
as they can, and as the habit has
lasted for several years, it will be difficult
to stop it.

I was surprised to find
that the chiefs did not know the contents of
the Indian act as regards intoxicants.

The drinking habit among these
tribes is too confirmed for the chiefs
to be able to stop it; indeed one of them
himself drinks.

Yours truly
(S) G. W. Stewart

Sup. Genl
Ottawa

copy sent - see 205.

J.N.C. B.C. In camp near Union

1870

15 Aug

Went ahead

For what I have been and am trying to accomplish is to finish the gate and then Westminster District (see coloured maps sent to you) this season; then in winter, unless absolutely shut off from field work by bad weather, get a couple of months work on the coast; after which, early in spring begin at Lake Umbagog (where I lately have left off going up wagon road) and finish (see map) the Lamoille, Hubbard Districts, where you would see the end of the whole Indian land business in New

The location of the Progate going
forward to

Memo

1870 New Camp
Aug 15

I wrote a letter to Supl. giving my views
as Mr Good requested, upon his proposal of
a Central Institution for
Training Indian teachers
teaching blacksmiths & carpenters
Agents Residence
Howe House
H.

Supl. Genl
Ottawa

JHC B C Camp Niota 222
Aug 15. 1870

Sr

My agent Mr Kenzie
informs ^{me} that the Govt have not yet paid
the money now so long due me.

I request your attention to the
matter as it is not right to keep
me out of my money. and the
accounts of the late Comm are
kept open.

The money you will
find, on examination, is properly
due, and I hope you will
provide for it and see that it is
paid without further delay.

Yours &c
(J) F M Good

The Hon. The Minister of Finance
Victoria

Nicola 2nd Sept 1898.

Sir

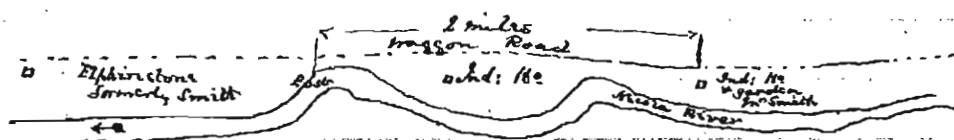
Will you oblige me by stating at foot of this letter whether Mr Roger Elphinstone has, by your Kawloop books any claim, and, if so, what, to the piece of land shown on annexed sketch where Mr Smith's house is.

Kindly enclose this, as your reply, to Mr. A Conelli Nicola and he will tell the Indians, who have been cultivating the place and have a house and fences on it.

I think the Indians should have it, and I cannot find from my papers that Mr Elphinstone has any title to it. The place is distinct from Mr E's pre-emption purchased from Mr Smith but the Indians say some one told them Mr E had some right to the place.

Chas Walker Esq

Yours truly
J^r. H. M. Spruce



Duplicates

Statement A,

Amounts due and unpaid 30 June 1898.

H. M. Spruce

Field Acc^t. in full for Ind. Res;

Comm^{rs} pro per for 21 to 30 June

10 d/s @ 3000

3000.00

Voucher
95

Carried forward

Statement, A, Continued

<u>Ind. Res. Comm.</u>	Amorboe forward Allowance for board & transport of Secy & Census taker viz Board fm 13 May to 30 June	300.00
2 Horses 100 per di ca, Voucher 96	<u>Transport</u>	49 d/s @ 175 85.75 49 d/s - 200 98.00
	<u>Allowances</u> for board & transport of Att ^{rs} Secy viz Board fm 18 to 30 June	13 d/s @ 175 22.75 13 d/s - 300, 252.00, 45.50
3 1/2 Horses 100 per di ca,	<u>Transport</u>	
<u>Edward Prokun</u> Voucher 97	Salary as Surveyor in charge of Surveys fm 9 to 30 June 22 d/s @ 180 per mo 132.00	
<u>George Olenkinsch</u> Voucher 98 Voucher 102	Salary as Secy & Census taker fm 1 April to 30 June 3 mos @ 120 per mo 360.00 <u>Allow in Victoria</u> fm 1 April to 6 May 36 d/s @ 150 54.00	
<u>C. G. Cogan</u> Voucher 99	Copying land records & sketches at Land Office Vict. of the N. West District 15 d/s @ 300 45.00	
<u>David Higgins</u> Voucher 100	Printing 150 Pamphlets authorized by Superintendant } 48.00	
<u>Spauldine Surveyor</u> Voucher 101	Making special investigations & sketches at Land Office Vict. for Kichu & Simeltamien District - 17 d/s @ 500 85.00	
In Camp Kichu, E. BC 26 Aug 1878	(the above Surveyor being otherwise occupied, } \$1276.00 G. M. Spence Ind. Res. Comm.	

Dr. Cash Contra 6
 In Rec. Com^r G. M. Sprout in ac^t with Don^r Gov^r

1878.

March 31 To Balance in hand 408.57

May 1 Rec Gov^r of Canada
 thro' Bank of Columbia 2000.00June 14 Do Do 2000.00 4408.57 ~~4408.57~~

* This sum advised in error by Rec General
 as for 'Surrey'
 (See Mr Meredith's letter
 No 7567. 5 June 1878)

1878. By paid

May 5 1. G. M. Sprout Salary 500.00

June 18 2. Edw. Hesketh Do 398.00 898.00

May 5 3. G. M. Sprout Ric. Allow 125.00

4. Edw. Hesketh Do 43.50 168.50

June 20 G. M. Sprout Field ac^t
 in full for for In Rec.

5. Com on proper 1380.00 2446.50

Voucher Sundry accounts

May 3 6. W. Alexander 1.33 x

4 7. W. Timlin 1.50 x

6 8. Louis Hunter 6.33 x

9. W. Bannier 66.00 +

10. Mr. H. Waite 11.00 +

11. J. H. Hibben & Co 31.42 +

12. J. S. Oronumroad 82.87 +

13. J. Bramwell 74.65 +

14. Hayward & Robinson 52.75 +

15. H. Bay Co 23.00 +

16. P. R. Compton 2.00 +

Carried forward 360.35 - 2446.50

Amounts to be forwarded

Dr

Cr

4408.57 - (350.35 - 2446.50)

1898 Vouchers

May 6-	17	Robt Jesse	13.50 x
	18	L. H. Wilton	191.00 x
	19	W. Kiehl	10.00 x
	20	P. Arnold	2.00 x
7	21	W. B. Townsend	1.50 x
	22	S. M. Nelson	2.67 x
8	23	Cornwall Bros	3.33 x
	24	Royal City Str	16.25 x
	25	Do Do	11.00 x
11	26	Jas Aren	4.67 x
13	27	W. Franklin	34.00 x
	28	W. G. Bowman	12.50 x
	29	Geo Francis	2.50 x
	30	Guy Tuller	3.50 x
	31	Do	25.00 x
14	32	C. F. Cogswell	42.00 x
	33	Marshall & Holroyd	26.78 x
15	34	Duck & Prince	1.00 x
	35	Roy. City Str	11.00 x
	36	Do	11.25 x
	37	Hugh Manning	20.00 x
18	38	Edw Moken	5.00 x
	39	C. Stokes	17.50 x
19	40	Oppenheimer Bros	3.43 x
22	41	St. Lamloch	8.00 x
23	42	C. E. Combs	7.12 x
	43	J. I. Barnard & Co	4.00 x
	44	Do	5.50 x
	45	Chong	23.25 x
	46	In. soc. kin. In. soc.	7.75 x
	47	J. I. Barnard & Co	40.00 x
25	48	Mc Intosh & McPhaden	33.50 x

Carried forward

\$4408.57 - 460.85 - 2446.50

Amounts brought forward		<div> <div>1898</div> <div>1899</div> </div>		<div> <div>1898</div> <div>1899</div> </div>	
		14408.51		(960.85 - 2446.50)	
May 25	49	Quack & Poirer	1.00 x		
	50	James Stott	6.25 x		
	51	P. Arnold	7.50 x		
	52	W. Maharry	1.00 x		
31	53	D. McLean	12.00 +		
June 6	54	W. Paton	14.00 x		
7	55	Louis Indian,	15.00 x		
8	56	Bazil, D.	6.00 x		
	57	Mara & Wilson	6.75 x		
	58	J. Peterson	1.00 x		
	59	M. Canagher	2.00 x		
	60	W. B. Wilson	1.66 x		
	61	A. Mc Kinnon	5.34 x		
	62	Peterson & Spelman	39.34 x		
9	63	W. J. Roper	6.66 x		
13	64	Gabriel Indian,	3.33 x		
	65	James Green	6.00 +		
	66	Antoine Gregoire	28.00 x		
	67	J. A. Newland	- 67 x		
	68	W. Simline	4.90 x		
16	69	Opkenheimer Bros	108.77 x		
	70	do	48.59 x		
	71	Douglas & Dighton	7.37 x		
17	72	Cornwall & Bros	12.00 x		
18	73	Chas. Peattie	25.00 x		
19	74	Sailor, Kim, Indian	5.00 +		
23	75	H. B. Dart	4.75 +		
	76	Opkenheimer Bros	8.50 x		
	77	H. B. Dart	56.82 +		
25	78	J. J. McCraife	45.00 +		
	79	Mrs. Storey	15.00 +		
26	80	J. R. Anderson	239.00 x		
29	81	E. McKinnon	2.84 +		
Carry forward		\$ 14408.51	1707.88	2446.50	

Amounts brought forward

Dr
 4408.57 — Cr
 1707.88 — 2446.50,

1878	June 30	82	Geo. Coxon	6.00 x
		83	N. Blanchford	4.00 x
		84	do	2.00 x
		85	do Meekay	3.50 x
		86	do	1.00 x
		87	Walter Searn	3.00 x
		88	Frank, David,	8.00 x
		89	W. J. Barnard etc	10.35 x
		90	Geo Coxon	24.52 x
		91	Walter Searn	11.25 x
		92	do	24.75 x
		93	S. M. Nelson	3.33 x
		94	Geo. Blenkinsop	4.53 x 1814.11

4260.61

Survey Branch, Balance 30 June 1878

147.90

Dr
 \$4408.57 — Cr
 \$4408.57

1878
 July 1st

To Balance 147.90

July 1st

By Receiver General through

Dr Police Refund

147.90

In camp Kioleske

Printed Columbia

26 Aug. 1878

Sd, Gilbert Melancon Stroll

Ind: Res. Com. on

From the foregoing vouchers marked thus +

were paid by S. P. Box and the money refunded

to the same on June 19/78 see cheque for \$424.92 of dit do

GC

J. R. C. Canby
Sept 9. 1878

Dear Sir,

I recommend Paul to get a little fall wheat to try at two spots without irrigation on his mountain farm. Very little feed will suffice as it is only for a trial, and he could cultivate with a spade.

Can it be got in the valley. If not, oblige me by sending on this note to James Graham Esq. Mr. Graham knew Westminster and he may be able to get some fall wheat seed and send it to Paul to your care. I have told Paul this. I shall be at Chillicothe for a week or so.

Yours &c

G. Couder Esq.

Wm. G. M. Sprague Esq.

Charge cost of the little supply of fall wheat as deduction from what you will owe for running cattle on Reserve, and the account can be arranged in this way, only a little is wanted.

Ind Res Com^{rs}

In camp Nicola Lake
Sep 10 - 1878

Sir,

In passing through Nicola I have been informed that you propose to build this year a water mill near the head of Okanagan Lake, using water probably from Meador Creek.

I think it well, in view of the questions already existing between yourself and the Indians of Okanagan to call your attention to the annexed copy of extract from the Minute of Decision by the Indian Reserve Com^{rs} last year with respect to the right of the Indians to water at Okanagan.

I do not know where you propose to erect your mill, or
 make your dam, nor can it be known until examination is made
 whether there will be sufficient water in Meadow Creek
 for the Indians and for Mr Greenhow and yourself, but to
 prevent if possible any addition to already existing questions
 I beg leave to notify you on behalf of the Hon. Govt. that
 if you encroach in any respect upon the Indian Reserve as
 laid off by the Com^{rs} you will do so at the risk of the for-
 feiture of your work and of other legal penalties; and as
 regards water from Meadow Creek the prior rights of the
 Indians which have always existed and last year were
 declared by the Com^{rs} will be maintained.

C. O'Keefe Esq.
 Okanagan,

I am Sir &c &c
 W. G. M. Spruce, Com^r.

(Extract enclosed)

Ind. Res. Comm^{rs}

In camp Nicola

10 Sept 1878.

Sir,

I beg to enclose copy of a letter which I have written to day to Mr D. Keefe Okanagan on learning here that he is building a mill, and proposes taking water from a Creek of small size from which the Indians will require a considerable quantity of water.

I again beg reference to my letter of 22 April last to the Prov. Sec^y on the Indian water question generally.

The Hon

The Chief Comm^r

Land & Works, Victoria.

I am Sir

Your Obedt Serv^t

J. M. Spruce

Ind. Res. Comm^{rs}

Ind. Res. Commission

In camp Nicola Valley BC

12 Sep 1878

Sir,

Mount Keenness

I beg to enclose, in reference to mine of 15th Aug^t further correspondence, namely.
Mr Lenihan to me of 2nd inst. and my reply of this date

I am Sir &c

J. M. Spruce

Ind. Res. Comm^{rs}

The Hon

The Secy. General

of Indian Affairs

Ottawa

Ind. Rev. Com^{tee}In camp Nicola Valley
12 Sep 1878.

Sir,

In reply to your letter of the 2nd inst. I have to say that the question of whisky-drinking is so entirely an administrative question, outside my temporary duties as Land Commissioner that I have not given it the careful consideration which would make any expression of opinion on my part of much value.

The first point would seem to me to be to secure that the Indians themselves should thoroughly understand that, under the Act they themselves have the power to stop the practice, and that an inducement for them to do so exists in the provision by which half the fine goes to the informers and the other half to you for the tribes to which they belong.

The next matter is to see that the Provincial machinery for dispensing justice is adequate and convenient. I mean as regards the number and places of residences of the Justices of the Peace and constables.

It is obvious that Indians, taking upon themselves the unpleasant duty of informers upon persons of their tribes, will quickly become discouraged if the law does not promptly and effectively back them up. The practical question is how this can be done when there are no constables and only one Justice of the Peace in a tract of 30 or 40 miles.

What is reasonable for the Province, and what for the Department to do generally in the matter, or specially in certain districts, and among certain tribes, is a subject for consideration.

If, from any cause, a white constable cannot be made available, and the Department considers it incumbent upon itself to act, it might be

(Carried on to 253)

M. C. B. C. Camp Nootka 23 Aug 1878

Notes in explanation of accounts to 30 June
forwarded with vouchers 26 Aug 1878

Surveyors visit to Kamloops

The first matter I had to consider was the settlement of questions left open at Kamloops by the Indian Reserve Commission last year, namely a woodland, a hayfield and a fishing - and a question of timber at Muskegahully, and at South Thompson, which the Commission promised should be dealt with on the earliest opportunity, & which had to be adjusted before the visit of the Interior Survey Party.

To have gone back to Kamloops myself with the Indian Reserve Commission, at the beginning of this season would have thrown out the programme of my work for this season & would have cost nearly \$1500; still I felt that the promises made to the Indians must be fulfilled.

The Surveyor Mr. Mahon, had to go to Kamloops to start the Interior Survey Party, with the work of marking out irrigation ditches; & I accordingly sent with him a message to the Indians concerned that I was ready to go to their places in person, but that as it would cost a heavy sum and I already had examined the ground generally I should be glad if they would ^{agree to} show the pieces of ground they wanted to Mr. Mahon & to be satisfied with his action based on his report.

The Indians agreed to this & it has been carried out and an appropriation of \$1000

cost of the Mohun's visit has been made to the debit
of the "Indian Reserve Commr" and the "Indian Supts"
respectively, and fairly, according to my judgment.

The above explains the memo on several
of the vouchers.

"Surrey's visit to Kamloops &c"
"See Notes"

By the above arrangement I consider that
over \$1000 have been saved to the Government.

Tents and Tent Fittings

Our tents were originally
second hand ones, and two seasons had nearly worn
them out, but I started with a new tent for
myself and a new mess tent, trusting that the
old ones would still do for the others in camp.

They are worn & perforated and it is
doubtful if they will be habitable in the
rainy weather which we may soon expect in
the New Westminster District. They will at
least do until then as we have little rain
though much wind in the interior. Mr. Plunkin's
tent was destroyed by an accidental fire at the
holdest time of the season. He has in the
meantime done without a new one - bivouacking
as he best can. The two new tents are single pole
tents which one man can pitch, and my tent
opens so I can have interviews with the Indians
at it without disturbing any meals or clerical
work going on in the mess tent by which much
time was lost last year - as the old mess
tent had to serve for both purposes, &
being a long deep tent was unsuitable for

either - presenting a narrow front by which the Indians who came, men, women & children together (I have had 400 at one time) could not see it (former retreating from the sun) and could not, all, hear the interpreter.

Old Messtul was one used by the Government, and was quite rotten.

C. G. Cogan and Clerk hire (extra)

It is going to cost a good deal to keep the Comm^{rs} supplied with information from the Land Office (see my letter of 6 May last), as I require to have copies of every Record of pre-emption with sketches for 20 years back in my camp. I never know when I may require to refer to them. It will take 2 or 3 months clerk hire @ \$3 a day to get the information for the new Westminster District alone, but that is a very populous one - comparatively. I tried Mr Anderson, Son and then a Mr Barnes, but they were too slow. Mr Cogan is now making the copies & they must be ready when wanted. I cannot think of any way of reducing this cost. The Do. now at least the Prov. Govt that they wd pay all expenses, but even were not this the case, the Prov. Govt. Depts. judging from the poor attention given to business submitted by me to them are too indifferent, or embarrassed or too short handed to do what is required to keep the Comm^{rs} moving without a loss of time & which much expense wd be incurred.

Commissioner Field Allowance in full of pay and all expenses
\$30 a day

The time to 30 June was too short to have enabled me to judge of the sufficiency of this experimental estimate, but the time that has passed since enables me to form a final opinion.

The value of the arrangement is mainly in the pressure it puts on one to economise; without this, felt at every turn, the amount would be insufficient.

The need of economy and the rapidity of our movements have caused a little grumbling in camp, but this was felt over, & if we have worked hard, we have lived comfortably enough, & I think you may assume that \$30 a day is the expense of a Commissioner doing this work anywhere on the mainland away from the coast. What can be done on the coast remains to be seen; there are different ways of transport available there - steamers, sloop, or Canoes.

I have only been able to come to this opinion in the interior by having nobody of the nature of a personal attendant about the camp; the gentlemen have to lend a hand, and another important item of economy is in regulating the transport - for instance, I have not a full pack train, but by looking ahead and making deposits of supplies, & keeping the pack train moving to & fro depositing or bringing up "double banking" as I call it. I have been able to manage and have not been able detained an hour since starting, by want of any necessary Newell, after making these efforts, & using the two pack horses for which

the Anderson's riding horse was exchanged, I come out just about right, but should not do so unless permitted as an exceptional item to make a charge of \$196.70 for fodder which I respectfully submit for your consideration.

Bowden 40. 42. 45. 46. 73. 77. 80
90. 91. 92. 60

I made my estimate with care, but no one knew what a number of Indians there were in the gorges of Ft. Foster and Thompson between Gale & Newman - about 2000 - nor could anyone have conceived the extraordinary position in which these Indians were placed as to land & water.

I was detained in these gorges and had to cross & recross the river continually, to visit every cultivable spot, in the hottest weather, which made it the hardest physical work & there was no grass for the animals, nothing but a little browsing on shrubs, so that they rapidly fell off in condition. I had to be supplied with fodder. But that ceased the moment they got within several miles of grass on which they could feed at night; and it is an exceptional charge under the above circumstances, and not to be considered as affecting the estimate generally, for the work of the Commission in the interior of Canada in the way attempted.

The principle on which the accounts are made up is that the Govt. supply the tents & kitchen furniture & put the party & supplies on the ground, after which everything connected with the Indian Reservation Commission proper is paid by me with the \$30 a day.

- my own pay and mess, and pay and mess of interpreter and cook, and laborers, also pack train and train attendants (packer and hereward) on the shoeing, bones & other expenditure of all kinds.

The stationery required, I presume, you will be good enough to send from Ottawa as that is the cheapest mode of supply.

I have boarded the Athabasca Sheep Mr. Mohr, and the several animals being taken Mr. Blankinship at the same rate that was charged last year but the transport charge for them this year is 25 cents a day higher per horse per day as a small train costs more per animal than a large one - in fact I have had to pay \$50 a month extra allowance to the packer. There has been a great demand for leams & trains in the interior owing to the late activity in business at Cariboo, & we have had to pay double prices for leaf & mutton by retail.

As to the total expenses of the above two officers, I will separately address you so that you will know what the whole Indian work now proceeding here is costing & what to cost (at least in the interior) outside of the Indian Land Survey and the local departments.

sd G. M. Stewart
JAC

W. H. M. Sup. Genl.
of Indian Affairs
Ottawa

P.S.

P.S.

On reviewing the accounts finally
before posting them, I discover the following items

June 30	H Blanchford, shoeing horse for	}	4. -
	attendant Thurgon		3.50
	Mr Kay stabling horse of do		1. -
	" " " " " " " " " "		3. -
	W Fearn shoeing horse do		<u>3. -</u>
			<u>\$ 11.50</u>

Under the charge made for transport of these gentlemen
it was my intention to charge myself with the
above items, but as the change which
an amendment would necessitate in the
accounts & vouchers would consume time
which I can ill spare at this place
where I am surrounded by the Nicola
Indians whose affairs engross my attention,
I leave the matter for adjustment in
succeeding accounts.

(sd) G W Shroot
JRC

Indian Reserve Commission
B.C. In Camp Nicola River
26 Aug^r 1878.

Sir,

In reference to your letter of 30 April 1878 No 9504
I have the honour to state that the sum of six dollars
paid for board &c therein mentioned was not brought to
account as it was a private expenditure on account
of the Commissioners.

This is

stated in the Triplicate Voucher No 49 which the Commissioners retained. I now enclose the Triplicate in case the Memorandum was not made on the original and duplicate.

I note that the only refunds of Indian expenditures should be unexpended portions of funds received from the Department of the Superintendent General.

I beg to enclose the supplementary returns for the \$3544 as requested

E. A. Meredith Esq
Deputy of the
Minister of the Interior
Ottawa.

I am Sir &c &c
S. G. M. Sproule J.R. Comr
for A. C. Anderson late Comr Com
& G. M. Sproule, Joint Comr

Indian Reserve Commission

B.C. In camp Nicola River

26 August 1878.

Sir,

I beg to enclose an account for Tents &c, originally paid for by the Commission, and last April given to the Survey parties under Capt. Semmets and Mr Green \$40275 certified by Mr Prohm the Surveyor in charge, which amount you will oblige me by paying to the credit of the Receiver General of Canada as a Refund of the Expenditure of the Commission.

Colonel Powell
Victoria

I am Sir &c &c
S. G. M. Sproule J.R. Comr

Ind. Res. Commission

B.C. In camp Nicola, B.

26 August 1878

Sir,

I beg to enclose copy of a letter and account sent on Apr of the Survey Branch \$40275 to Col Powell Victoria for tents &c paid for in 1876 by this Commission and handed over last April to the

Surveyors Capt. Kemmett and Mr Green.

I have asked O'Connell to
pay the money into Bank to the credit of the
Receiver General as a Refund from this Commission.

I am Sir &c &c

The Hon^r

The Superintendent of Indian Affairs

Ottawa.

St. L. M., Spruce & R. Can

Ind. Res. Commission
British Columbia

In camp near River

26 Aug^r 1878.

Sir,

I have the honour to enclose the accounts
Vouchers &c as per annexed list for this Commission to
30 June last which I hope you will find in order.

I would have sent them sooner

but I availed myself of your tacit permission to
carry on, without interruption, work in the field which
seemed to be important in view of eliciting facts connected
with the Indian lands and water to be placed before
the Prov^l Gov^t before the close of the deliberations of the
Prov^l Legislature now in session.

(1) The accounts show balance at 30 June --- nil -

, 2, Then, due and unpaid \$ 1276.00

(3) There will be due at 30 Sept^r the following -

Comm. acc ^t in full 92 days @ \$30	2760.00
also of Mr O'Connell's	705.00
" " " " " "	1023.00
" " " " " "	\$ 5784.00
" " " " " "	240.00
" " " " " "	\$ 6004.00

Clerk at Land Office copying records day

required to meet estimated expenditures to 30 Sept. In the meantime I have, for several weeks, been without official funds.

At the earliest date after reaching the Lower Fraser District I will let you know if I can discover any means of arranging transport, so as to avoid what at present would seem to be the inevitable increase of cost there under that head, as compared with transport in the interior.

The Hon:

The Sup^t General of
Indian Affairs, Ottawa.

I am Sir &c &c
W. G. M. Spruce J. R. Com^d

- (1) Cash Statement 30 June 1878.
- , 2, Statement, A. Sundries due and unpaid 30 June 1878
- , 3, Notes on account
- , 4, Vouchers

Also

Supplementary Account 31 Decr. 1877
Cash Statement 31 March 1878

Implicit Voucher No 49 E. Lequime 17 Oct. 1877.

Copy Telegram

In camp Indian River
B.C. 26 August 1878

The Hon:

The Sup^t Gen^l of Indian Affairs
Ottawa,

Accounts forwarded

I am without funds -

Spruce

J. R. C.

Pilot Columbia

In camp, Nicola River.

26 August 1878

Dear Sir,

There are various questions affecting the little piece of land which you think is yours and the Indians say is theirs which might have the effect of preventing an early settlement of the question. I think a compromise can be effected by my now inducing the Indians to abandon any claim to the land if you would take over their fences on the ground and pay something for them.

Otherwise the question will have to stand over until the Dominion Surveyors come which may not be for a year.

Then the Govt when if your Pre-emption was meant to include the piece might say that in the absence of any post it must be held that as you permitted the Indians to cultivate and fence the land you thereby practically allowed that the land was not within your pre-emption.

Against it might be questioned whether under the 1870 act you can get land of the shape you ask for and the piece in question might be thrown out this way.

But I need not mention details - as you want the land and say it is essential to your farm, and it is therefore undesirable that you should not at once definitely know it is yours, I recommend a compromise which will enable me to adjust the matter satisfactorily to you to day.

J. R. C. Esq.
Nicola River

Yours truly
Sd. J. M. Sproul J. R. C.

I. R. C. British Columbia

In Camp Nicola River

Aug^r 26 1878

Dear Sir

Conformably to your request I wrote to
Cap. Ball about water for the town of Lytton and I
annex Copy of his reply -

I am & & &

Sd. G. M. Spruce I.R. Com

P.S.

I think that, without record there can be no
legal title

Wm G. M. S.

L. Hunter Esq
Lytton

I. R. C. British Columbia

In Camp Nicola R

Aug^r 26. 1878.

Sir

I enclose as an addition to the Appendix of the
Minute on Lytton affairs 24 July last. Copy of my letter
to Cap H. M. Ball 15 July and of his reply of 29 idem.

Cap Ball you will observe does not
comment on the question No 1 in my letter -

His statement that there
was no wish nor inclination on the part of the Indians
to cultivate the land at Sh Kluk cheen in 1862 does not
agree with the fact that the sketch made by Cap Ball
or signed by him in that year shows half a dozen Indian
houses and also cultivation by Indians at that place.
This sketch is in the Appendix to the Minute.

I would also respectfully
submit as a reasonable view that the Crown having
disabled the Indians from themselves acquiring land

and water by the ordinary methods should assign to them these necessities irrespective of their expressing any wish for them.

Their state of imperfect civilization and want of foresight are I presume the reasons why the Crown assumed the position of guardians of the Indians, and these are not to be brought forward in answer to an imputed failure of duty on the part of the Crown.

As a matter of fact (see minute, Cap Ball as early as 1860 reported to the Colonial Secretary that the Indians generally around Lytton showed a disposition to cultivate the soil -

The Hon

I have &c &c
J. H. M. Sproule & R. M.

The Chief Com.
Lands & Works Victoria.

M. B. Com. Br. Columbia

At Camp Kiedee River
Aug 26. 1878

Private

Sir,

I did not find at Spessum Flat the Chinaman who can speak English (Ah Chung, and was therefore unable to explain the result of my inquiries as to the land question to Ah. Yeh whom I saw - I told him that I would write to you on the subject and ask you to be good enough to explain matters at your convenience -

I am sorry to say that Ah. Yeh and Ah Chung, and possibly Sin. Chung (but as to the latter I cannot quite say until the place has been surveyed) have acted illegally, and I have asked the Prov. Govt to cancel their pre-emptions, which strictly would

involve forfeiture of their improvements.

Ah Geph was naturalised 16 Oct 1873. He pre-empted on 20 Oct 1873 under the 1870 Land Ordinance. This Ordinance withholds from pre-emption an Indian settlement. Ah Geph having included the settlement at Shaptoun his pre-emption has been voided from the beginning.

I have taken great pains to ascertain the facts by the evidence of respectable white witnesses in confirmation of the Indians story, and the above is the result.

Ah Geph's water record 2 Aug 1873 is invalid as he never legally held land at the Flat and moreover was not naturalised at that date.

Ah Chung was naturalised 6 July 1875. He pre-empted on 7 Feb 1876. It is clear from the evidence of the Indians supported by white testimony and by the appearance of the fence that the Indians had back fenced and cultivated before that date.

The survey made in 1873 by Mr Hunter at Ah Geph's request for a pastoral lease at Ah Chung's pre-emption seems to me to have made Ah Chung think that in some way his alleged title began in 1873, but he was not naturalised until 1875 and the pastoral lease was never issued. Ah Chung's title whatever it is began with his pre-emption Feb 1876.

Supposing that without prejudice to any rights which the Dom. Gov. (which now owns all these lands on the Thompson not legally held, I were to seek some compromise how would it do if I gave these 3 Chinamen 3 tracts free of cost - say about 400 acres each and they, the whole 3 of them, left Shaptoun altogether and I gave that to the Indians, thus avoiding disposing of the Indians and pleasing them.

If the law is proved the Chinamen may have to leave and may get nothing. I have power in my hand now, but after I have finished my work, Fisk's Flat will be in the hands of a

Railway Contractor who may hold it high.

The other way would be to reduce the Chinaman's holdings at Spatsmum and leave them there stuck in among the Indians, the land and water being distributed between the two parties.

I do not know, but possibly the Indians might if the Chinamen left, under a compromise agree to pay something for their houses.

The Chinamen apparently have been wrong but I am not fond of harsh, even though legal remedies.

J.C.
Wm Barnes Esq
Thompson River

Yours truly
J^d G. M. Spruce J.R. Com

Indian Res. Comm^{rs}

B.C. to camp Nicola River

26 Aug 1878

Sir,

I advanced out of the funds of the "Commission" \$147⁰⁰ on account of "leavees" under the circumstances stated in the annexed extract from the "notes on the general accounts of the Commission" to 30 June 1878 forwarded by this mail to Ottawa.

The Survey accounts are certified by Mr Prohm and in our general "Commission" accounts to 30 June we have brought down a debit balance of \$147⁰⁰ and on the other side have stated

"By Receiver General, through
" D. Reave. Refund \$147⁰⁰

Will you accordingly be so good as to make the payment to the Receiver General to square matters to the end of the late financial year

Yours &c

Col: Powell
Victoria

J^d G. M. Spruce
J.R. Com

Indian Reserve Commission

P.C. & camp. Kicolen River.

Aug. 18. 1878.

Sir,

During my recent work which in one direction has extended for more than 100 miles up the wagon road from Yale, the Indians, on half a dozen separate occasions have complained to me that white settlers whose fields are unfenced, or imperfectly fenced have taken possession of the Indian trespassing stock, and have exacted fines from the Indians without process of law but by menaces of proceeding against them at law.

Some might say that this practically amounted to a settlement of the nature of a compromise between the parties that was advantageous to both in a country where law costs are high, but these irregular transactions are inconvenient and in fact the Indians have further complained to me, with what truth I know not, that in a few cases mean white men have purposely left fences down, or even driven Indian stock upon their own lands and then impounded them and exacted fines from the Indians for alleged trespass.

The Indians say that they have in many cases paid what has been demanded.

On the other hand the white settlers in the interior complain much, and in many cases justly, that the Indians will not make proper fences, and that it is impossible to keep cattle from trespassing on the Indian grounds except by constant watching which would be so costly as to spoil their business as stock farmers. The truth is that fencing is very expensive in many parts of the interior and many Indians and whites have inferior or no fences.

It is

improbable that these questions can be dealt with satisfactorily until the Indian Department is organised with Agents competent to settle all such questions in a just and common sense way and kept moving about to see that the Indians do what is fairly required of them and are not imposed upon.

The Indians are constantly asking me what is the Law about trespass. A party of them has just come to my Camp from a distance of 40 miles for advice as to a suit in which they expect to be involved. I always decline to give such advice for I am not a lawyer and such questions are outside of my duties and my word would go a long way with the Indians.

But I may say to you that the law of Trespass is of great importance to the Indian of the Interior and it might be well that your Department on the mainland should be informed of the Law if it requires such information. The Indians say they will do what the Law says they must do.

The British Columbian Fence Ordinance 1869 and the Trespass Summary Act 1877 may be looked to for bringing out the position in cases of trespass of persons generally in the Interior that is east of the Cascade Mountains where I may mention that there are no fence districts yet.

It seems to me on a cursory view of these Acts and of the Law generally though my opinion on such a matter is worth nothing that the Common Law of England is the only Law properly in force now in the interior of the Mainland in cases of trespass in which Indians are concerned. That is to say the only Law except the Indian Act so far as the latter may apply.

The Ejectment Clause 2056 of the Land Act 1875 (subject to the Provincial Law above mentioned

it is true is in force generally and it enables any person "lawfully occupying a claim by record or preemption or holding a lease under this Act" to obtain redress for trespass in a summary manner if either party "refer the cause of action to a Justice of the Peace who if requested must summon a jury to hear the cause."

But Indians do not come within the class of persons "lawfully occupying land" under that Act and I hardly think that an Indian can be a "party" within the meaning of this clause of an Act which withholds from him rights which it gives to all others. Nevertheless Indians in the interior have been and often are summoned for trespass before single Justices of the Peace and the cause summarily heard.

The Indians who have just left my Camp complained that a white man whose crop was unfenced had impounded their stock sought to exact money from them, and, on their refusal, was going to summon them.

If the above clause of the Land Act of 1875 cannot as I conceive properly apply in these cases though constantly enforced then I imagine, that as above said, the Common Law of England modified perhaps by the Indian Act is the only law to which the Indians in the interior are amenable in cases of Trespass.

Now it is I believe a cardinal principle of that law that the defender shall have a proper hearing but I hardly think that this principle is vindicated by the practice of summarily dealing with cases of trespass by ignorant Indians unacquainted with the law and unable to speak English, however disposed the Magistrate, many of whom are stock owners, may be to do justice. Would it not be well that the Indian Agent should intervene in all such cases to watch what went on with a skilled honest interpreter? The Indians are not satisfied with the administration of the law nor with the

interpreting of their statements in defence. Every tribe has made complaints to me on this point. I heard of a case lately which may be mentioned illustratively, though not a case of trespass.

The case turned upon whether a Frenchman had made a ditch the ownership of which was in dispute between a white man and an Indian or Indians. The cause went against the Indian on their admitting that the Frenchman made the ditch. It turned out that there had been two Frenchmen who had successively lived at the place, one of whom had made the ditch and from him the Indians had bought it. The white man had purchased the ditch from the second Frenchman who never had it to sell for the first Frenchman had previously sold it to the Indians. The Indians not having been able to explain about the two Frenchmen lost what they had paid for the ditch, together with the use of it, and the costs of the suit and they were not able to understand the matter. Equivocal.

As regards the practice of impounding Indian stock a further question arises as to the effect of the Indian Act 1876 which I presume would override Provincial Legislation.

I forgot to state again that the Indian Act 1876 is in force in this Province, but Clause 66 would seem to make such impounding illegal as a breach of the privileges of the Indians. Again I may remark that it has been customary here for sheriffs of the Peace in the interior to regard Indian property as liable to be taken for the judgment or costs in an action of trespass, but it appears from Clause 69 of the 1876 Indian Act that no property whatsoever in the possession of an Indian is liable to be taken for any debt, matter or cause whatsoever.

There are

important questions for the Indians. I may add in conclusion, though not bearing on the Inupiat question, it appears from Clause 69 of the Indian Act, in this province, no property acquired however by Indians can be sold, bartered or to white men or Indians of another Tribe than that of the seller except with the written assent of the Indian Agent.

This clause would seem to be inapplicable in a province where there is a large trade between the Indians themselves in different parts of the country, and between white men and Indians, and in which the gratuities of Government to the Indians are comparatively small, but its modification would require to be well considered.

The Hon. The Secy to General
of Ind. Affairs Ottawa.

Yours truly
W. L. M. Spruce, Esq.

In Camp
On Kiewa River
3rd Sept-1878

Sir,

I beg to enclose receipt for the sum of Five Hundred dollars, \$500⁰⁰, placed to the credit of the Indian Reserve Com^{rs} in your Bank by the Receiver General of Canada.

I am Sir your

S^{ty}, W. L. M. Spruce
Ind. Com^{rs}

W. C. Ward Esq.
Bank of Br. Columbia
Victoria B.C.

Copy
Dominion of Canada

B
570⁰⁰

Victoria B.C. 3rd Sept 1878

Received from the Rec^r General of Canada through the hands of the Bank of Br. Columbia at Victoria the sum of Five Hundred dollars being on acct. of the expenditure of the Indian Reserve Commission.

Signature of W. L. M. Spruce
Office Ind. Res. Com^{rs}

Copy

Ottawa 30 Aug^r 1878.
via Swinomish 1 Sept^rTo
G. M. Spruce

Nicola River via Spruce Bridge.

Five Hundred dollars placed to credit
at Bank Victoria tenth August.
J. D. VanKoughnet.

Continued from Page 232,

a good arrangement to employ a good Indian of
the tribe, at a suitable remuneration, whose
duty it should be to watch whiskey drinking
and who might act, at least in the interim, until
the tribe should be organised, and the duties of
the Chief and headmen commence as regards the
repression of this vice.

Where he indulged in whiskey-
drinking has become almost chronic, special action,
the nature of which is a matter of detail, might
be taken by the Department, as in the case of an
epidemic.

You have large powers as a Magistrate under
the Indian Act - In exercising these powers I would
venture to say with diffidence, that in dealing with
uncivilised men, as indeed with civilised men,
extreme sudden severity may fail of effect. Certainly
of punishment, and regularity of procedure, and a
gradual increase in severity according to the requirements
of individual cases, would probably have the best
effect.

In the interior I would not at present
inflict a degrading punishment upon a chief

except after repeated delinquencies. A good deal could be done by warning chiefs or by fining them - though on the other hand, in case of repeated offences it should be made manifest that the administration of the law was the same to all grades.

Joe Lenihan Esq;
Ind. Superintendent

Yours vrr
Sd S. M. Sproat & R. Coma

Ind. Res. Commission

On Camp. Nicola Valley

12 Sep 1878.

Mr Thomas Schwartz
Nicola Valley.

Sir,

Be good enough to sign the letter authorizing me to act as Arbitrator, which you will find in the enclosed envelope addressed to me at Gale and post the same.

I enclose for your guidance copy of my decision and award.

I had to give the Indians permission to crop the disputed piece of land in 1879 but for that season only, in return partly for your use of the ditch in that year.

The adjustment of these disputes will, I hope, lead to comfortable relations between the parties concerned.

I am, Sir, vrr
Sd S. M. Sproat & R. Coma

Copy

The undersigned Gilbert Malcolm Shrovet having been appointed by the Indians of Ka-wee-se-mo-h. Kuni Tribe in Council and by Thomas Swartz, by his letter of 2 Sept 1878, as arbitrator in the disputes between them, respectively, as to land occupied by Thomas Swartz, and as to a water ditch and record of irrigation water, and both parties having agreed to be bound by the arbitratary decision, I hereby declares as his decision and Award

(1) That Mr. Swartz's lot 129 Group 1 as delineated in the official survey, is to be taken as correct, and the Indians are to remove their fences, corrals and other property from all parts of said lot, more particularly from its southeastern portion immediately after the Dom: Gov: Surveyor of Indian Reserves shall have surveyed the whole reserve and showed the northwestern line of the late reserve to the Indians.

If the survey of the Reserve takes place before the Indian crops of 1879 on the portion of Mr Schwartz's land now occupied by them have been secured, the Indians are not to remove the fences until after such securing, but having secured or having had a reasonable opportunity of securing their 1879 crops from the said land, the Indians must immediately remove their fences and other property and leave Mr Schwartz in undisturbed possession of the land.

(2) The Indians are to be permitted, free of charge to cultivate and take crops in 1879 and for that season only from the land enclosed within these fences which have to be removed.

(2nd) The ditch now jointly used by the Indians and Mr Schwartz is declared to belong to the Indians, but if the ground in the opinion of the

Dominion Lands Surveyor permits, the line of the ditch is to be changed so as to be entirely outside Mr Schwartz's land as soon as the said Surveyor at the time of surveying the whole reserve shall have started off the line of the amended ditch.

Mr Schwartz is to be permitted to use of free of charge for his cropping in 1879, and for that season only, as much water from the ditch as he has been in the habit of using.

13, Mr Schwartz's water record from 10 mile Creek is to come second to that of the Indians.

S^d, Gilbert Malcolm Sprunt
Nicola Valley 2 Sept 1878

Ind. Res. Commission.

Ind. Res. Esq -
Kamloops.

Nicola Valley
14 Sep 1878.

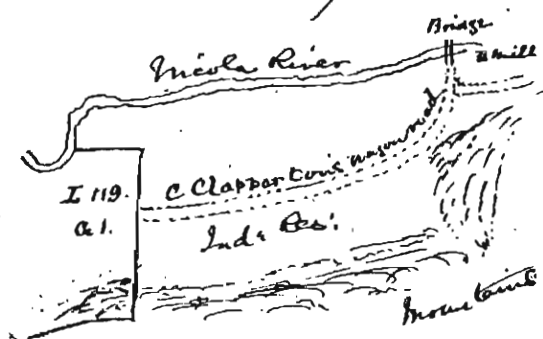
Sir,

I gave a letter to Mr Clapperton and another to Mr Daly stating that the acquisition of land by them in 93 and 94 Townships would not interfere with Indian lands.

This is true as regards the lands these gentlemen want in these townships, but I, since, have laid off a small reserve in township 93 from vacant land as per annexed sketch.

I will let you know what has been done in the other Townships and generally in this valley as soon as Mr Broken can make the sketches. This is not easily done during rapid travelling.

Yours obed Servt,
S^d G. M. Sprunt J. R. C.



Ind. Res. Commission

In Camp Nicola Lake
14 Sep 1878.

Dear Sir,

Will you or Mr Paillard or the gentleman in whose name your 8 mile Creek pre-emption is, sign the letter contained in the enclosed envelope and post the same so that I will get it at Gale?

I have sent Mr Schwartz copy of my decision as to the matter in dispute between him and the Indians, and addressed the letter to your care -

Yours obedt Servt
S. G. M. Spruce Esq Com

A Courtie Esq
Nicola }
Valley }

Copy

Nicola Valley 2 Sept. 1878.

I hereby agree to refer all questions between me and the Indians of Na. reserve as to their rights as to my land, water ditch and irrigation accord to you as arbitrator: and I agree to be bound by your decision and award.

For the Indians

Mr. Gilbert MacArthur Spruce

Nicola Valley

Copy

Nicola Valley 2 Sep 1878

Sir,

I agree to the 8 mile creek being the northern boundary of the Indian Reserve, provided that I get 20 acres for my homestead on the south side, and that I get vacant land on the north side to make up the acreage which I thus abandon.

I do this

in consideration of the advantages to all concerned of having a natural boundary - namely the 8 mile creek for the Reserve.

Mr. J. M. Sprague
Indian Res. Commr.
In Camp - Nicola Valley

I am Sir,
Yours obedt Servt.
For ^{a Corviller} ~~Thos. Swanley~~

Indian Res. Commr.

In Camp - Nicola Lake.

14 Sep 1878.

Sir,

Referring to conversation as to the claims made by the Indians of the tribe of Ka-wee-wo-tim to lands and fishing stations at Mameet Lake the arrangement is that the Indians are to have, as they always have had, the undisturbed right of fishing in Mameet River and Mameet Lake, with right of access thereto, but in such access they are to walk on foot through the lands of white men and not to go on horseback and they are not to encamp on such lands.

Instead of making a reserve immediately above the Lake of the land or a portion of the land which you have applied to purchase for its value as a meadow but which you do not propose to fence I will make the Indian's land and fishing station at Pipsaul, and in consideration of this the owners of the lands you have or may acquire are not to enforce the law of trespass against the Indians or their stock in respect of those lands, except for intentional damage, nor any law such as the "Breeding Stock Act 1874" provided the Indians do not intentionally drive their stallions, bulls or jack asses among your stock. Please to sign the enclosed letter (inside an envelope) and post the same so that I may get it at Yale.
Yours &c
Edw. J. M. Sprague
Indian Res. Commr.

Copy

Mameet Lake

Sep 1878

Sir

For myself and partners I agree with
arrangement stated in your letter of 14 Inst. between
ourselves and Indians

I am Sir

Your Obedt Servt

Mr Sprout

Ind. Res. Comm^{rs}

Michon,

Nicola Lake

14 Sep 1878

Dear Sir

Not knowing where Mr O'Reilly
may be may I ask the favour of your sending
the enclosed note to him, as you probably
are informed of his whereabouts or movements?

Yours re

S. G. M. Sprout

W. Jacques Esq.,

Gale.

Nicola Lake

14 Sep 1878

My dear Sir

The Indian Chief Chilikeetwa
states positively that he has never seen either Mr Cox,
or yourself, about his land, and that on the occasion
of your visit to lay off the Reserve for his people he
was absent at Osoyoo.

Do you remember if this
was the case? Chilikeetwa evidently thinks that no
binding agreement, if such was required at all, could
be entered into as to land for his people, without his
presence and consent.

I am sorry to

trouble you about matters so old that one's memory of them may be imperfect. I enclose copy of extract from your report as to Chilliheeston in which you speak of "the tricks" and not of "the chief".

Mr Wheeler writes on being examined by me as to the dispute of the Indians with Mr Douglas at foot of Douglas Lake, says, that in his cabin, the son of Chilliheeston asked you for land at Douglas Lake and a fishing place at Clapperton Lake - these being the old summer places of the Indians, and that you replied that these places were comparatively remote, and that their requirements there would be attended to when white settlers began to take up land about these places.

Do you remember anything of this?

Yours faithfully

Please reply to Post Master Gale

Sa. G. M. Spruett

P. O. Reilly Esq. S. M.

Meala Lake

14 Sep 1898.

My dear Sir

I enclose extract from a Minute of mine as to a dispute between Indians and Chinamen at Shapton Flat, and shall be obliged by your sending me a few lines to Post Master Gale, stating what you remember as to the details, though probably at this distance of time you cannot remember much about the matter.

Yours truly

J. Hunter Esq. C.B.

Sa. G. M. Spruett

Nicola Lake

16 Sept 1878.

Sir,

Be good enough to pay the \$12⁰⁰ for the fences
to Mr John Murray at Spence's Bridge.

I already have paid it
to the Indian concerned

Your attention to this,
if convenient, before 30 Sept, when we make our quarterly
accounts will oblige.

Yours truly

S. G. M. Spence M. Res Com.

J. Chubb Eggs
Nicola

My address is - c/o the Post Master General.

In Camp

Douglas Lake B.C.

19 Sept 1878.

W.C. Ward Esq

Bank of Columbia

Sir,

Your letter dated

12 August informing me that the amount of \$500⁰⁰
had been placed by the Res General to the credit
of the M. Res Com^{rs} did not reach my camp until
the 3rd inst.

By return mail I forwarded
you a receipt for the amount which I presume
has, ere this, reached you

Yours truly

S. G. M. Spence

M. Res Com^{rs}

In camp Nicola

Douglas Lake

19 Sept 1878

With

Sir

reference to the few tent mentioned in yours of the 9th inst as belonging to the Indian Dep^t Victoria and furnished by us to one of the survey parties I have the honor to state that Mr Blenkinsop considered at the time, to the best of his belief, that the whole number supplied these two parties, eight, were exclusively the property of the Indian Reserve Com^{rs} that number being on our Inventory of Sundries stored in the Indian Office.

On reaching Victoria however this might any error in this respect can be easily rectified.

Cd: Powell Ind: Sup^{ts}
Victoria.

I am Sir &c
Sd: G. M. Spruce J. R. M.

Camp Douglas Lake
20th Sept 1878.

My dear Sir,

Can you kindly give me as far as your memory serves answers to the following questions as to what took place in 1868. 1. Did you and Mr Mickle accompany Mr O'Reilly to Shillabooty's Reserve? 2. Was the brief present 3. Did any Indians accompany Mr O'Reilly when he decided on the Reserve? 4. Were there any Indians present when Mr O'Reilly pointed out to you the south east corner of the Reserve.

If you can send me a reply by Mr McDonald you will greatly oblige me

With kind regards to Mr Blenkinsop.

Yr very truly

Edwards. Moteney

P. Dalley Esq.

Indes Com^{rs}In camp foot of Douglas Lake
Sunday 22 Sep 1872

Sir,

I beg to inform you that the Indian chief Chiliketan made formal complaint to me yesterday afternoon that the land which you pre-empted 17 Sep 1872 was in part land which had previously been occupied and improved by him. He states that he had chosen that place for residence, and had cleared a piece of land and fenced it, and that during his temporary absence at Kamloops on a berrying excursion, you occupied the land and told him on his return that you had papers for it from the Govt and that he has not since been able to recover what he considers to be his property.

Will you have the goodness to state, for my information, whereabouts, and if so, what improvements had been made by Indians upon said land at the head of the Lake when you took it up - also whether, in pre-empting, you made the declaration, required by law, that no part of the land was an Indian settlement - and if there were improvements under what circumstances you made such declaration - together with any other information bearing upon the question which you may be able to furnish.

I shall be glad, if, in making any statement relative to this matter, you will give me the names of any white settlers or Indians who can give evidence, to support your statement in whole or in part.

John Douglas Egan, Esq.,
Head of Douglas Lake.

I am Sir, &c
Sd G. M. Sprunt
Indes Com^{rs}

Ind. Res. Commission
B. Columbia

In Camp Douglas Lake
Sunday 22 Sep. 1878

Sir,

I have to acknowledge receipt, this morning, of your letter of yesterday on the subject of the long pending dispute between your nephew and the Indians as to a piece of land at the foot of Douglas Lake.

Your nephew has given me all the information by documents and word of mouth which he says he is able to furnish, but I shall be very pleased to have any further statements from yourself or from any one who is able to throw light upon the matter.

The Indians have made all the statements which they have to make respecting the dispute.

I said to your nephew, when I had the pleasure of seeing him that I should be glad to be the means of arranging a compromise of the dispute if he preferred that way of settling it - otherwise it will receive adjustment according to the facts and the Law.

In your above letter received by me this morning you state speaking of a claim of Chilikeetwa's to land at the foot of Douglas Lake. I can only assure you that it is the first intimation that I have had of it (that is "of the claim to land at the foot of Douglas Lake") "in the last six years that I have been here".

I think in writing your letter you must have made some error as the dispute of the Indians with your nephew has been notorious for years, and certainly every one in Keesau valley knows of it. You yourself mentioned it to me in May last in the steamboat going from New Westⁿ to Yale, and, two ago, you left at my camp a signed statement of the particulars of the dispute from its origin.

John Douglas Esq. Sen^r,
Head of Douglas Lake

Yours r. r. r.
Sd, G. M. Spruce
I.R. Com^{rs}

unofficial

J. R. C. Camp

(Sep 22, 1878.) Douglas Lake

Dear Sir,

I was sorry that having been engaged by appointment with the Indians in a formal interview on Friday when you called I was unable to be you.

I think I now have all the facts of your nephew's case before me, and the statements of white settlers and Indians.

Yesterday the chief mentioned a question between himself and yourself at the head of the Lake which, as in duty bound, I communicate to you in an official letter.

I cannot understand the statement in your letter that you never heard until now of the dispute at the foot of the Lake.

John Douglas Esq. Secy.

Yours truly
St. G. H. Sprunt

H. R. C. Com. m.

In Camp Douglas Lake
En route from Nicola Valley
22 Sep 1878.

Sir,

Though beyond postal communication I beg to send by an Indian to Kamloops copies of accounts, vouchers &c of which I sent the originals on the 26 August

I am Sir

St. G. H. Sprunt
H. R. C. Com. m.

H. H. H.

The Sup. General

Indian Affairs
Ottawa

in fact sent to
Geo. H. Sprunt by
an Indian messenger
that arrived

Ind. Res. Commission
British Columbia

1878 Douglas Lake
25th September.

Sir,

I beg to enclose copy of a statement left with me by Mr John Douglas in which your name is mentioned, as having expressed an official opinion with respect to the dispute between the above gentleman and the Indians, as to land at the foot of Douglas Lake.

I shall be much obliged if you will write to me care of the Post Master Gale with any comments which you may please to communicate for my guidance and aid in the above matter, and particularly as to the grounds for any opinion formed adverse to the claim of the Indians, if any such was formed and expressed by your goodself - as Mr Douglas states was the case.

I am Sir &c

Colonel J. W. Powell
Indian Agent, Victoria.

J. M. Spruce J.R. Com.

Ind. Res. Commission
British Columbia

1878 Sep. 26

Sir,

In Camp Douglas Lake.

I shall be obliged to you if you will have the goodness to let me know, in writing, at your earliest convenience, for the information of The Chief Commissioner of Lands & Works what you may have to urge in reply to an application which I may have to make to him to cancel your record (as per annexed copy, for land near Douglas Lake).

It appears to me from the reports of the Attendance Surveyor, and so far as I can judge

from my own personal inspection, as well as from what residents tell me, that though you have fences and cultivated a small enclosure you have not occupied this land according to law, which requires a continuous bona fide personal residence of the settler, his agent or family on the land accorded by such settler - Indians and Chinamen not to be Agents.

It is stated to me that you have never entered into occupation of the land within the meaning of the law, or if you did, you have long ceased to occupy it the effect of which is that the Chief Com^r may in a summary way cancel your record and you may forfeit the improvements.

You will have the goodness to understand that I am simply desirous of ascertaining the facts and their bearing upon your position as the law defines it, and that I shall be glad if you can furnish me with any proof that you have occupied the land. At present I think that your certificate of record must be held by the Chief Com^r to be null and void, as you have not satisfied the requirements of the Act, but I shall be glad if you can change this opinion.

It does not appear that the piece of land is part of a prescription for partnership purposes. As you have brothers in this district I at first thought it might be, but I find that your brothers' prescription and your own were separately made as the prescriptions of individuals at different dates.

The Indian Chief Chilhkeen states that the ^{Indian} improvements which, subject to survey, appear to be on the land which you intended to obtain by prescription - consisting of two houses and a corral - were in whole, or in part upon the ground before the date of your record. Will you be good enough

to state what you know of this matter?

Ronald MacRae Esq.,
near Douglas Lake

I am Sir & c

W. H. Stewart J. R. Com^r

Re. emption

Record 1014.

Ronald MacRae 320 acres 13 Dec 1875
Upper Nicola River 1 mile x $\frac{1}{2}$ mile wide south by
Jno Douglas east by upper Nicola River -

Private

Douglas Lake

26 Sep 1878.

Dear Sir,

I opened the question of surrendering
the old reserves, and will continue to bring the
subject forward, but I have no hope that the
Indians will consent to the surrender.

While conversing
with your uncle, on your behalf, I omitted to
show him a letter I had from the late Chief Com^r
about your case. I enclose a copy of it. I had not
remembered its contents, but a perusal of it
makes me all the more anxious to recommend a
compromise, as a wise course.

Jno Douglas Sen^r Esq.
To Jno Douglas Sen^r Esq.

Yours truly
W. H. Stewart

Ind. Res. Commissioner
British Columbia

26 Sep 1878

In camp. Douglas Lake

Sir,

I beg to
anure

annex copy of extract from a signed statement handed to me by Mr. Douglas as to his dispute with the Indians here.

Will you oblige me by sending to me care of Post Master Gab. copy of any extract from Dr. Powell's letters or written statements in your possession giving his opinion, if he did give any such opinion, that the Indians had no rights here?

I take this opportunity, before leaving the district, to offer you my thanks for the considerate and valuable assistance which you have been good enough to give to the work of the Reserve Commission.

Mr Clapperton Esq. J.P.
Hick's Valley.

I am Sir &c &c
G. M. Spruce Esq. Comr.

Extract commencing
- ending

"On Mr Clapperton being appointed"
"This complainant had never"
"Cultivated here before".

habeas. Com. on

Camp Douglas Lake
27 Sep 1878

Sir,

Referring to conversation with your uncle, for yourself, it is understood that you will contribute \$250 out of \$500 should it be found necessary to compensate the Indian Chief Chilikeeta for his improvements on land which it is contemplated you may acquire under the Agreement of Compromise of the date. Please confirm this by letter.

Mr Douglas Esq. J.P.
Douglas Lake

Yours truly
G. M. Spruce
J.P.

his contribution of \$250
given up by me in connection
of his abandoning the
house now built by him
and all property on the site
on the Indian land
28 Sep 1878

Hondas Lake

27 Sep 1878

Memorandum of Agreement of Compromise
of the matters in dispute between the Douglas Junior
of Douglas Lake, Nicola Valley, British Columbia, and
Jas. C. J. T. Seen. Mrs. Loukk and other Douglas Lake
Indians respecting a piece of land at the foot of
Douglas Lake claimed by these Indians as an Indian
settlement and pre-empted by John Douglas Junior
2 Oct 1872.

neither party being willing to abandon their equitable or legal rights, a settlement by compromise is agreed to as follows -

In consideration of his receiving, free of cost from the Provincial Govt. a Crown Grant for the unoccupied Crown Land bounded on the east by Hugh Murray's pre-emption, 6 September 1876, on the south and west by the upper Nicola River and by lots 362 and 363 Group 1 and extending northerly with an average width of a half a mile back from the upper Nicola River, the whole containing probably 350 to 400 acres, John Douglas Junior agrees to the cancelling of his pre-emption record of 2 Oct 1872 and abandons any improvements made on the land pre-empted.

Edbert Mabelson Spruce

Indian Reserve Commissioner under the Authority
conveyed by Order in Council of the Br. Columbia Pass
dated 26 April 1878, and by the letter to him of 30 May 1878
from the Chs Com^r James W. McKee agree that the above
Crown Grant shall be issued, provided that the Chs Com^r
~~of James W. McKee finds that the land to be conveyed by the~~
~~is unoccupied and provided that the Douglas Actⁿ pre-emption~~
~~of 2 Oct 1872 is cancelled~~
agrees to the cancellation of his record

Witness to signature of his Douglass? }
 Sd. Mr. Douglas Barron }
 Witness to signature of Cal. Mal. Smith }
 Sd. George Plenkovich }

Mr. McKim

54 Gilbert MacCormick

Indian Commissioner
British Columbia

1878. Sep 27
In Camp Douglas Lake.

Sir,

I beg to inform you that I am about to leave Hazelton for Simikame. My next address will be care of Post Master Lake.

I have succeeded where in making as good an adjustment as circumstances permitted of the Indian Land Question in the valley, and, certainly, with less disturbance to white settlers than I supposed could have been possible.

I will let you know particulars, as soon as I can, for your information officially; in the meantime, as matters at Douglas Lake, though in train for adjustment are not adjusted, it is necessary for me to ask you not to permit records or purchases within the ^{valley} ~~area~~ shown on annexed sketch, as there are unsettled questions particularly in this neighbourhood, of much importance to actual settlers here; indeed, until you get my report of what has been done in the valley generally I hardly see how you can safely act, I am very conscious of the inconvenience which may result, but after the matter has been pending so long it is undesirable to embarrass an adjustment as the end approaches.

Yours truly
S. G. Spruce-Pellam

Mr Hooker Esq
Govt Agent
Hazelton

28 Sep 1870

See

I have yr note of the 17. and thank you for what you intend doing in the matter of the Chumash.

I have asked the Govt to cancel their records, in which case they would by law lose the land and improvements.

If they agree to a compromise, however, I have no wish to press on them.

The other matter of the exchange of one of your farms for Dominion lands in the railway belt is quite consideration but it is quite a question of detail as to respective values.

I have not seen your farm

I will ask Capt Jewett one of our surveyors to try to see you on returning from his work a month or two hence. I he can report to me, as to your farm or as to the land you would exchange it for.

In the matter of the Chumash the same surveyors would report on the ditch.

Yours
R. S. Sproost

My camp moves (29th) to Summit. My next address is Postmaster
Jale

J. Barnes Esq
care of Rob Hamilton Esq
Nicola Lake

Ind. Res. Commission

Princeton Thursday
3 Oct 1878

Dear Sir,

I have not yet received instructions from the Gov. of Canada relative to the suggestion for some amendment of the Osoyoos Reserve. Any communication with your good self or Mr Lowe thereupon can be made by letter, but being in the valley (I am much pressed for time to reach Hope and go on with work waiting for me there) I think it highly desirable that I should see the Osoyoos Chief (the Kum. Kay. kin or Gwe. side) as without my getting his approval in personal communication, he acting for his people, nothing can be done.

He may be hunting. Will you send up the valley to meet me and I will go in the direction of Kamloops to meet him starting hence to morrow morning. If I have turned back to go again up the valley towards Hope he can overtake me as our mules limit our rate of progress. Could you send the old chief who lives near you at foot of Similkameen valley with him to see me.

J. C. Boyer Esq.
Osoyoos
or in his absence
J. Krueger Esq
Osoyoos

Yours truly
J. G. M. Spruce
Ind. Comm.

Keremunc

1878 - 9 Oct 1878,

Dear Sir,

I have conversed with Gregoire, and some of his tribe who have come to me here from their fishing at the Forks, relative to your desire that the Osoyoos Indian Reserve assigned last year by the Indian Reserve Commissioners should be changed, by leaving the valley open for you and Mr Lowe to purchase. The Indians having the rocky range instead of the Okanagan River as their western boundary - but they have no wish nor intention, I find to consent to any such change, and as my action in considering your request has to be conditional on the intelligent consent of the Indians, I am not able to do anything further in the matter of recommending any change in the boundaries of the Reserve - supposing that for other reasons such a change were found to be desirable.

I annex copy of extract from the Minute of Decision of the Commissioners, for your information. The Commissioners last year clearly explained their decision to the Indians.

J. C. Haynes Esq. Lt.

Osoyoos -

I am, Dear Sir,
Yours faithfully
Sd. G. W. Spruce, Esq.

Extract from, see Page 105,
all the vacant.

to

Haynes pamphlet claim

Indian Reserve Commission

Keremunc

1878. Oct 9

Dear Sir

In reference to a question put to the Commissioners last year by a gold miner at Osoyoos as to seeking for gold on Indian Reserves I am advised by

the lawyer acting for the Commission that under the 16 clause of the Indian Act 1876 any person other than an Indian of the band to which the Reserve belongs is a trespasser if he removes any Minerals from Reserves without the license in writing of the Super General or his agent. The Indian Act is said will override any Provincial Legislation giving privileges to Miners.

J.C. Haynes Esq., LL.

Yours truly,
J. H. Spruce Esq.

Indian Reserve Commission
British Columbia

Stope 19 Oct 1878

Sir,

On arrival yesterday at this place I received your letter of the 20th Sept.

I thought it well to mention to you the water question to you for the sake of explanation. If, as you say, the water is returned to the Creek before the Creek reaches the lands of the Indians it will not affect their interests.

Yours Okeefe & Greenhaw
Okanagan B.C.

I am, Sir,
Yours old & devoted
J. H. Spruce Esq.

Copy

Ottawa
18 Sept 1878
\$6000⁰⁰

Original. Dominion of Canada.

Victoria B.C. 19 October 1878

Received from the Hon General of Canada through the hands of the Bank of Br. Columbia at Victoria the sum of six thousand dollars being on account of the expenditure of the Indian Reserve Commission.

Signature, J. H. Spruce
Officer Ind. Res. Comm.

Indian Res. Commission

Stops B.C.

19 Oct 1878

Sir,

I have received a telegram from the Canadian Govt dated 18 Sept advising the credit to me of six thousand dollars ^{Good};

I have no advice from you upon the subject, but, presuming the money is at your bank, I enclose a receipt in the usual form and will draw against the credit.

Yours obt Servts

J. M. Sprout Esq

W. C. Ware Esq
Bank Br. Columbia
Victoria B.C.

Indian Reserve Commission
British Columbia

Stops B.C.

19 Oct 1878

Sir

I arrived here yesterday and have received your letter of the 7th inst.

Mr Douglas having left a written statement at my camp of what he believed you to have said, I thought it best to send you an extract for your information. I thought he must have been mistaken and your letter shows that he was. I have decided the question in favour of the Indians as there seems no doubt, from the evidence of several respectable white settlers that the Indians had cultivated land before Mr Douglas pre-empted it and as further it appears from Indian evidence to be probable that they had cultivated it for very many years before that time.

Mr Douglas' main contention was that Mr O'Reilly's assignment of a Reserve near that

place had the effect of confining all Indian settlements outside of the Reserve which he had assigned. I could not admit this view, particularly, as it appeared from the evidence of white men, that the Reserve was laid off by Mr. Kelly, during a hurried visit of a few hours, and in the absence of the Chief and the bulk of his tribe. Chilikeston surprised me by saying that during the 20 years which have passed since the white men came to the colony, I was the only duly authorized white chief with whom he had an opportunity of negotiating for land for his people, he not having seen Mr. O. Kelly at all and you not having been authorized by the Government to settle matters on the spot. My dealings with them were of an interesting character. His demands were very extensive, I required him as a preliminary to make an apology for a surrender of some of his people to you, as Agent of the Dominion Govt. who had come with a good heart to help him in so far as you were at the time authorized. I then refused his demands whereupon he retired to his tent for 24 hours. I then informed his people that I would proceed to lay off a reserve for them and that it was wiser than Chilikeston and they were, and, that they must submit to my decision which would be well considered and liberal. The chief finding that his people approved my action was shrewd enough to go with the stream, and he took again his proper place in the conduct of the negotiations. He was very polite and friendly and accompanied us a long way down the road to say good bye - He is one of the best chiefs of the old school I have met with, and it is a pity that he is now getting too old to help his people much in the new fashion which the Govt. wish them to adopt.

J. W. Powell Esq.
Ind. Sup. Victoria

I am, Sir, Yours &c

Chas. J. In. Spruce
Ind. Comm.

Indian Res. Commission

Hope B.C.

19 Oct 1878

Dear Sir,

I have received your letter of the 8th inst. enclosing twelve dollars, 12⁰⁰, paid to you by Mr John Huball compensation from him to an Indian for a fever made by the Indian on Mr Huball's land in error. I thank you for your trouble in the matter and have paid the money to the Receiver General of Canada.

Yours truly,

S. G. M. Spruce & Son

Mr John Murray
Dr. Agnew
Spence's Bridge, B.C.

Indian Reserve Commission
British Columbia

Hope

19 Oct 1878

Sir,

I have received your letter of the 8th inst with copy of your letter of same date to the Public Works Department Ottawa about Indian Lands at Hope. I note what you state, and will do my best to arrange matters suitably as between the requirements of the Indian and the possible needs of the projected railway. As regards your suggestion that the Indian should be made to understand that they will not be remunerated for unimproved lands taken for railway purposes, I have to remark that Clause 20 of the Indian Act 1876 provides that if any railway passes through, or causes

injury to any Indian Reserve compensation shall be made to the Indians therefor in the same manner as is provided with respect to the lands of other persons - the Superintendent General acting for the Indians in all matters relating to the settlement of such compensation.

H. J. Lambie Esq.
 Engineer in Chief
 West. Div. C. P. R. Survey
 Victoria B.C.

I am Sir
 Yr. L. M. Sproul R. Com.

Indian Reserve Commission
 British Columbia

Hop

19 Oct 1878.

Dear Sir,

The Indian lands on the lower part of the Cold Water begin at the 69 Tree post and go up to the claim of the Spaniard Gregorio (who has to prove his claim to me, which please tell him when you have the opportunity.)

The Indians may cultivate on either side of the Cold Water and may use the water from that and other streams. They cannot of course shut up trails. It is understood that the grass on the slope up from any farming enclosures they may make on the left bank of the Cold Water is in common for Indians and Whites. In mentioning above the lower part of the Cold Water I do not mean to exclude J. C. Gas. Kahi's place. I met him yesterday near Hop, but, not having the Interpreter with me I did not know quite what he said. I think he said that Mr Charters had said that he would not let him have any water but I can hardly think this is the case, as that gentleman has too much good sense not to appreciate that the whole Indian

adjustment in Nicola is entirely a compromise on the given and taken principle. His own late water record would be invalid if rights were pressed and the Indian can only want very little comparatively. I do not quite know however what source of water supply So. i. gas. Koh refers to. It is decided that So. i. gas. Koh shall have a piece of land at the place he so much desired, and he may proceed to cultivate it but the precise lines I am at present unable to state having only the Surveyors report before me and not having myself been able to visit the ground though I passed near it when I did not know that the Indian wished to get it. People of course, even fair minded people, are apt to look at questions particularly as they affect themselves but it should be remembered in Nicola that until I visited the valley the Indians, back by Provincial and Dominion law had superior claims to all lands on which they had settlements which they had not consented to abandon and for which they had not been compensated.

If this is borne in mind and also the facts that grazing lands had to be found for the Nicola Indians and that lands also had to be provided to some extent for the tribes in the gorges of the Fraser and elsewhere where they had insufficient lands or lands without water the difficulty of my task may in some degree be appreciated and perhaps some admission made that after all under the circumstances the minimum of disturbance to the interests of the white settlers has taken place.

I have to trouble you with a further request. The Indians among whom I have been working this year who call themselves the Pekla, Kap, or much nation wish to have a great meeting or convention at Lytton to talk over matters connected with the management of Reserves, Schools, Presents, Whiskey drinking &c. They left it to me to say whether the meeting should take place

this year or next spring - I have considered the matter and think the spring would be the best time as the season is now far advanced and some think the winter may be early.

Will you kindly mention this to any of the Indians you may see, and tell them that they will have notice in the spring when arrangements can be made for them to have a good talk together in their own fashion. I have written to Mr Coxon and others to make the same request.

In due course I will let you know about Indian matters generally. I have just arrived here after constant travelling and the New West District Indians are all eager to see me moving through their District which I must do despite the rain.

I have forgotten to mention that Paul the Indian on behalf of himself and others who are going to locate on the Cold Water want to change at their own cost a few hundred yards of the trail above the Big Tree Pool on the right bank of the Cold Water to enable them to enclose some cultivable land. There can be no objection to this, and in fact every one will be glad to see the Indians cultivating the land, but I have said to the Indians that the Government of Victoria take charge of roads and trails for the general good of the public, and that their consent is in all cases necessary (except in old Indian Reserves) in making changes of trails, and that the best way will be for the Indians to explain to you the little change they wish made, and that you will probably have the goodness to obtain, and inform them of, the sanction of the C. Com^{rs} of Lands & Works.

Yours faithfully
J. P. Macdonald

James P. Macdonald
J. P. Macdonald

Care of Post Master

Tale

21 Oct 1878

Dear Sir,

If Mr O'Keefe should interfere with Capt Semmett, the Com^d Surveyor, when the latter surveys the Indian Reserve at Okanagan and includes the piece of land which Mr O'Keefe says is his but which was given to the Indians by the Gov^t what course would you advise Capt Semmett to take.

I have caused instructions to be given to Capt Semmett to include the disputed piece as O'Keefe has no right to it and the Com^d Gov would not like to have to send a fresh surveyor by and bye to complete the work.

There is a curiously jumbled act "Trespasses Summary Remedy Act" 1877 protecting Surveyors but it seems for some reason not to apply east of the Cascades though the limitation is in the middle of the Act Clause 5 and possibly was meant to apply ^{only} to the preceding and not to the succeeding Clauses.

Drake I am told has advised O'Keefe to interfere with Semmett. The Indians could of course easily hold their own land against a trespasser such as O'Keefe, but for reasons of policy I have told them not to follow on their part the lawless proceedings instigated by Mr Drake and adopted by O'Keefe.

J. F. McCright Esq
Victoria

I am Sir &c &c
Sd S. M. Spruce & Co

Indian Reserve Commission

Stoke 21 Oct 1898
(next address c/o of
Post Master, Gales)

Sir,

I am in doubt whether I am authorised by the Provincial Government to assign Indian reserves within what is known as the "railway belt".

The lands are handed over to Canada for "railway purposes" only. Canada may not, therefore, be entitled to authorise me to assign any portion of these lands for "Indian purposes". Do I not require an Order in Council from the Provincial Government, giving me on their part authority to deal with these lands for Indian purposes, notwithstanding the Province handed them over or agreed to hand them over to Canada for "railway purposes only"? You will oblige me by doing what is necessary in this matter as soon as possible, as I do not wish to lose any time, but to work during the winter in this District, or on the coast.

Indian land questions are now adjusted along the whole projected railway line (by the late Canadian Govt) except as to the New Westminster District, and as to questions elsewhere which have been referred by me to the Provincial Govt and which I trust will have your attention without delay -
and ~~the same~~

The Klakwas and Skl. am. mon questions mentioned in my letter of to-day have arisen in what I think is known as the "Coast District" (electoral) and I have no powers therein from the Provincial Government.

Indian questions are settled up to Comox and Jarvis Inlet on the two sides of the Gulf of Georgia. There are scarcely any white men beyond

these places, and it would enable me to carry on my work vigorously and cheaply as circumstances might permit were the Provincial Govt to give me, now, authority to deal with Indian questions anywhere up the coast of the mainland and on Vancouver and any other islands, as I have been authorized to do in the district of Yale.

I may mention that the Indians much desire to own islands, but I do not think it right to give islands to them entirely as the effect is to strengthen the tribal system, and to encourage habits of savage seclusion.

I should not consider it right either, to make an Indian Reserve of choice sawmill locations without reference to the Provincial Government though on the other hand I think it would be wise to give hand-lugging pieces of land on the coast to some of the tribes, who not having, and not being able to get agricultural lands might continue this useful industry with their fishing occupation.

* The Klath. horses and Ali. am. moss - I was told by the Burnard Inlet-sawmill people and by Comox traders - they do their shopping at Comox - got out a good many millions of feet of logs yearly by hand-lugging and as they have to sell them at the regular prices, this addition to the sawmill supplies of the Province got from places never likely to be ceased by any white men is very useful apart from the encouragement of industrious habits among the Indians.

* In giving me authority (should the Govt agree ^{with} my views as to "islands" and logging) they might limit my powers, so that I could not give the whole of islands above a certain size to the Indians - do not make this dependent on a reference to Victoria or my successful work might be checked - Indians sometimes have villages or graves on small islands, make if you like.

160 acres or so the limit - only make it an absolute prohibition that except these small islands no whole island shall be given, and leave me to arrange details of what on the islands shall be kept for whites and what for Indians according to the descriptions of islands and the habits of the people - and then about the timber - leave me to free to give without reference, fair hand-logging pieces of land, which generally are steep places on which the timber grows scattered -

Jan 21 1878

S^d. L. M. Spruce J. R. Plon

The Hon,

The Chief Com^r Lands & Works
Victoria -

The cost of transporting the Reserve Commission on the coast is so great that it is necessary to have as few 'references' or 'servants' as possible. I therefore mention above what I think would be fair as regards the position of the two Gov^s respectively.

Yours L. M. S.

Indian Reserve Commission

Stops 21 Oct 1878

(Copy address
Post Master Galt)

Sir

Mr Powell has written to inform me of disputes between the Klakihorse and Sli. am. mon Indians respecting the cutting of timber in the neighbourhood of their villages, and of the Indians having taken possession of logs which the white men had 'got out'. He further has stated that you think it best to leave the question over until I get back to Victoria -

The case of these Indians has been mentioned to the Provincial Government in the letters of the Indian Reserve Commission as per Margesi { 27 April 1877
17 July 1878

I have no intention of returning to Victoria being under promise to adjust the land questions in the New Westminster District, but were I authorised to act by the Provincial Govt., I might during my work in that district, find time to go up the coast to see the Klah. house and Shiam. mon huts.

It is a pity that they should think it necessary to take possession of logs which have been cut as such irregular action has not a wholesome effect from any point of view, and as the sawmillers want to collect, no doubt, all the logs they can before winter.

You are aware, however, that I have no authority to act in that part of the Province.

If you sent me authority, I will soon settle any question there may be there, on an opportunity offering to enable me to go up the coast.

I am Sir or

Yr. Obedt. Servant J. L. McLean

The Hon.,

The Chief Com^r Lands & Works
Victoria.

Indian Reserve Commission

Stope 21 Oct 1878.

(Next address "Post-Master
Tale")

Sir

I have received your letter of the 12th inst. informing me of disputes between white men cutting logs, and the Klah. house and Shiam. mon Indian huts on the east coast of the Gulf of Georgia - the Indians in one case having seized the logs which the white men had got out - and stating, further, that you had conferred with the Attorney General who considered it best to leave the matter in abeyance until I returned to

Victoria.

I have no intention of going to Victoria being under promise to the New Westminster district Indians to examine their land questions.

Had I the requisite authority from the Provincial Govt, I might find a week or two during my work in the P West district to take a small steamer and go up the coast to settle with the St. am. men and Klak horse people, who, I have been told are industrious Indians.

It was with regret that the Commissioners in 1876 & 1877 were compelled to stop at Jarvis Islet without attending to the affairs of these two tribes.

I enclose copy of a letter which I have written to the Chief Commissioner of Lands on the subject of your communication.

I hope you have succeeded in getting the timber privilege for the Sackell-Indian which the Commissioners recommended that they should have, and which, while encouraging a deserving tribe to pursue the industry of 'logging' would have interfered with nobody.

W. Powell
Indian Superintendent - Victoria

I am Sir, &c.
S. G. M. Spruce J. R. M.

Sept 22 Oct 1898

Sir,

I omitted, in my letter of the 19th to remind you that it will be necessary for you to avoid interference with the fishing rights of the Indians as regards fish ascending Meadow Creek in any arrangements you may be making for your mill.

Messrs O'Keefe & Greenough
Okanagan

Yours truly
S. G. M. Spruce
Indian Commissioner

Mem, Cheques forwarded for payment
of supply Bills to the undermentioned parties this
22 day of October 1878

Paul J. Gillie	24. 28
Clapperton & Valz	67. 10
P. Killroy	20. 75
H. Cornsaff	63. 54
S. M. Kelso	30. 40
Geo. Coe	50. 08
E. P. High	78. 00
James Campbell	27. 00
F. J. Barnard & Co	73. 00
Opferbeimer Bros.	144. 61
Do Do	30. 00
	174. 65
	711. 35

J R L.

Brit. Col.

Hopew.

1878 26 Oct

Sir,

I beg to enclose a general report on the work
of the Indian Reserves this year so far.

I do not propose to go into winter quarters but
to continue the work until forced by the weather to relinquish
it doing necessary clerical work as best I can.

I may have various matters of administrative
and general interest to refer to suggested by further study
and experience of Indian Affairs in this Province

L A Marshall Esq

I am Sir &c

Deputy of the Minister

D J M Sprout

of the Interior Ottawa

Yours Res Comd

S. H. B.

Bait. Col. Hope

26 Oct 1878

6425-
Surveys

Sir

Following my letter on the subject of the 29th July last I have now the honor to enclose two reports of yesterday's date from Mr. E. McMahon to me on the subject of the surveys of the Ind. Res. now being made by the West Party under charge of Mr. A. Green and the Interior Party under charge of Capt. Jernutt.

I have nothing to say specially at present as to this work which you will derive from Mr. McMahon's reports is being carried on now in an economical manner. I may report generally on the subject when the survey season closes as the whole work then can be better reviewed.

I have &c.

The Hon. Sup. Gen.
Ind. Affairs Ottawa.

D. G. McSpreat
Ind. Res. Comm.

Enclosure

S. H. B.
Surveys

Fort Hope 25 Oct 1878.

Sir,

I have the honor to report for the information of the Hon. Sup. Gen. of Ind. Affairs upon the progress and expenditure of the Interior Division Survey Party Capt. Jernutt - Surveyor in charge.

This gentleman is at present surveying Reserves in the neighbourhood of the Shuswap lakes about forty five miles east of Kamloops, and on the 2nd inst informed me that he had completed the surveys of all Reserves, fishing stations &c. as far as the Little Shuswap lake. He has made good progress though he has encountered some unforeseen difficulties, principally arising caused by the absence of the Indians from their Reserves during the fishing season which has rendered it a troublesome matter in some instances to procure packhorses for moving camp when required.

The work has also in some cases proved of a heavier description than was anticipated.

It is expected that this party will reach Spillimachee early in Nov^r and it is not probable that snow will fall in sufficient quantities to stop the work before December.

With regard to the expenditure incurred by this Party, Capt Jewett's balance sheet shows an outlay for the month of July of \$608.30 and for the month of Aug^t of \$530.98. The balance sheet for September has not yet come to hand. It is however gratifying to observe a marked decrease of expenditure since the date of my last report, and I have every confidence that Capt Jewett will avail himself of every means in his power to carry on the work both economically & efficiently.

I have &c

J. McPherson Esq,
Incl Mrs. Brown

W. H. Brown
Surveyor to H. B.

Enclosure

J. M. B.
Surveyor.

Fort Hope 25/Oct/78.

Sir

I have the honor to report for the information of the Hon^{ble} Secy Gen Incl Affairs upon the progress & expenditure of the Coast Division Survey Party, Mr. A. H. Green Surveyor in charge.

This gentleman under date of the 4th inst reports the Cowichan and Chemainus River together with the Kuper Island and Oyster Harbor Reserves as surveyed.

At the date of his report he was engaged upon the survey of the Sishamun and Chemainus Reserves, and I trust has by this time reached Nanaimo. He has however failed to report as to the date about which he expected to complete the Sishamun & Chemainus Res. so that I am somewhat in the dark as to his movements.

With regard to the expenditure incurred by the party, the balance sheet forwarded me for the three months of July, August and September, shows a total expenditure of \$1352.01. or an average per month of \$450.67. This amount shows a gratifying decrease of expenditure, and I am now sanguine that the total cost of the Ind. Surveys in this Province will at the close of the season be found not to have exceeded the estimate.

I have &c

E. McSprouit Esq
Ind. Sur. Commr.

McSprouit

S. H. B.

Hope B. C.

26 Oct 1878.

Sir,

I beg to inform you that before leaving, Nicola 20th Sept I secured formally all the unoccupied lands in the Similkameen valley from Princeton to the Frontier anticipating that the adjustment of Indian question in that valley, & especially in the lower part of it near the frontier would present many difficulties, the Indians having had no reserves assigned to them and most of the preemptions near Kamloops having been recorded since Confederation.

A Frenchman named I think Edward Daigneault went to record while I was at Kamloops a piece of land essential to any settlement of the Indian question there, and I gave him notice that any such record even if recorded received would be invalid.

I am desirous of finding some means of adjusting Similkameen Ind. question without raising questions which might disturb existing interests & cause differences between the two governments & I am not without hope of being able to effect this but to do so it is necessary for the present to keep the land in general in the valley temporarily unoccupied of which please to take notice.

The Assistant S. Commr.

Okanagan

Yr obed. Servt &c

E. McSprouit

Ind. Sur. Commr.

J. M. C.

B. C. Hobbs

26 Oct /78.

Sir

I beg to enclose for your information copy of the census of the Indians in the valley of the Similkameen.

The state in which I found the land affairs of these Indians was not satisfactory, there in the lower part of the valley having had no reserve at all assigned to them. Most of the presumptions about Reserves have been recorded since Confederation and I am afraid that serious questions might arise between the settlers & the Govt were not some means taken to effect a compromise which should leave the Indians in a reasonable position particularly considering the manners of the lower part of the river to the frontier.

With this view I have temporarily reserved the valley in general, and the best thing now to be done is to get each male adult Indian upon a piece of land which shall be his farm say about 20 acres to each. The farms being as much as possible together though the nature of the available lands may cause many of the farms to be separated and in different parts.

In this way if you would take a little trouble to arrange the matter informally, the adjustment might be advanced and afterwards I could decide as to the grass land. If this cannot be done I would have to revisit the valley, but I think it would be for the interest of the settlers as well as the Indians if the course I mention could be taken.

I shall be glad at any time to hear from you on the subject.

The Indians should take possession of the land formerly occupied by M. Carey, and while avoiding any act considerable in law as a personal assault should exercise their right as the recognized occupants of the land to prevent intrusion upon it or the occupation of it by any white man pretending to have a title to it.

I enclose copies of sections 12 & 16 of the Indian Act 1876 shewing the steps to be taken in case of the continuance of intrusions upon Ind. lands.

I am Sir &c

B. Price Esq.
Keremans.

P. G. M. Sprout
Ind. Res. Comm.

Victoria 11 Nov. 1878

Dear Sir,

Mr. Haigrens has called upon me respecting his record of the piece of land next Mr. Francisco. He says he has stated his case to Mr. Walkem but I have not seen the latter on the subject. He further states that he goes up to morrow on his way to Keremans when he intends to take possession of the land and hold it. Whether he does this on Mr. Walkem's advice or that of any other person I do not know, but it is not likely that Mr. Walkem would give such advice on an ex parte statement and without mentioning the matter to me. Under any circumstances I think the Indians should peaceably occupy and hold the land on their part and avoid the determination of the question by the authorities.

B. Price Esq.
Keremans

I am Sir &c
P. G. M. Sprout
Ind. Res. Comm.

Indian Reserve Commission
British Columbia

Sept. 24th Nov. 1878.

Francis Walker

Sir,

Referring to conversation in Victoria I have to state that the Indian Reserve Commission did not by any act or decision of theirs take away any land of Mr. G. Walker Thompson River.

They thought it would be well if his land could be included within the Reserve of the Adam Lake people, and the Dominion Commissioners asked the Hon. Secy to buy it on an offer of Mr. Walker to dispose of it for \$400⁰⁰ but the Hon. Secy. refused to do so, stating that it was primarily the duty of the Prov. Secy. to provide land for the Indians.

The proposal therefore fell to the ground, and the only further official act of the Com^{rs} in relation to the matter was a letter from Mr. McKinlay and myself to your predecessor dated 8 May 1878 (as per copy enclosed), recommending or suggesting that it might be well to give Mr. Walker land elsewhere in lieu of his land on the Thompson as he was inconveniently placed there.

It was left to the Land Office to consider this suggestion, and to ascertain the particulars of Mr. Walker's holding on the Thompson River. The Commissioners did not ascertain these particulars, as they themselves did not propose to take any action in the matter beyond submitting the above suggestion to the Prov. Secy. which was done on the eve of the dissolution of the Com^{rs}.

I may add, however, that I myself, but of course unofficially (being 1 of 3) wrote a private letter to Mr. Vernon, sometime before the above official

letter of 8 May 1878 pointing out that Mr. Walker was inconveniently placed on Thompson River and that it might be well if his land there were exchanged for land elsewhere. This letter of mine had no official character.

What the Indian Res. Com^r officially did in Mr J. Walker's matter is stated above.

I enclose for your information copies of the following letters.

Letter to C. Com ^r	5 June 1878
Mr. Kinlay & Sprout to ditto	8 May -
Sprout to J. Walker	27 -

In conclusion I may say that since you spoke to me on this subject I have obtained copies of Mr J. Walker's land records on the Thompson River, and enclose these for your information, but not having examined his position I know no more about it than appears on the face of these documents.

My opinion still is that any white settler would be inconveniently placed on that land, and that as a matter of public policy, it would be well to obtain the surrender of it from Mr Walker, if he legally holds it, giving him an equivalent elsewhere, and assigning his Thompson River land to the use of the Adams Lake Indians. These Indians who number 150 have less than two acres of arable land per adult, but the Commissioners could not find any more for them in the neighbourhood, without disturbing Mr Walker which they refused to do.

The Adams Lake tribe is industrious and well behaved, and I am certain that if they had Mr. Walker's land, they would cover it with crops immediately. Any arrangement by which this could be effected and Mr Walker placed fairly elsewhere is therefore worthy of consideration.

I enclose

copy of Capt. Seimette's sketch who has lately surveyed the Indian Reserves and squared up Mr. Walker Thompson's land.

The Hon:

The Chief Commissioner
Land & Works - Victoria.

Your faithful servant
Gilbert Malcolm Sproat
Ad. R. Commissioner.

Hope 25 Nov 1878

Dear Sir,

In reference to the balance \$50 due on Voucher for \$850 signed by you towards which you were paid \$350 by Cheque 28 Oct 1878 I have to say that the said \$50 will be paid to you on finishing the reports as to land and water records &c in the neighbourhood of Clinton and Selkirk.

Yours truly
G. M. Sproat.

John Lane Esq.,
Victoria.

Ad. R. Commission
Bristol Columbia

In Camp below Hope
25 Nov 1878

Sir

The Lower Fraser

I have the honour to report to you that the result of my examination of Indian questions, so far, on the Lower Fraser - that is from Yale (the head of navigation) to the mouth of the river, discloses some confusion and considerable difficulty and makes me glad that no further delay is to be incurred in adjusting them.

Some of the questions date from early times, others have arisen since confederation.

The whole district is so much settled up or owned by non-residents that it will be extremely difficult to extend the reserves in many places should such extension prove to be necessary.

For your information I have directed that a colored map of the district showing the lands owned by whites and also the Indian Reserves so far as the latter appear in the Prov. Land Office shall be sent to you in a separate cover.

As the Indians on this lower portion of the river are one people, and, though claiming to belong to particular villages, move about constantly from one place to another, and as many Indians come from outside places to the Lower Fraser in search of employment at sawmills and canneries, I propose before assigning land to any of the tribes, to ascertain who are Lower Fraser Indians, and to take a view of the people as a whole.

I may mention a few of the questions which already have arisen to show you their character.

A mass of the Indian houses with gardens have for many years been upon land in the town of Yale, which the Land Office at Victoria states is the private property of a gentleman now in Canada.

I have an impression that the Land Office must be incorrect, and hope that this may prove to be the case.

In the town of Hope, the Indians have made gardens and built many houses and a substantial church, principally on the main, front street of the town, and partly on town lots sold long ago. The town, for many years, has been unprogressive, but any day a suit of ejectment might be raised against these Indians, if they took a turn.

That the Indians are upon the highway, and upon private property, according to what is known as the official map of the town is certain, but the difficulty is that Gov. Douglas, on a reference made to him from the Lands Office in 1860 as to what was to be done for the Indians at Hope, who then were said to have two villages there, ordered the Chief Com^r of Lands to lay off 10 acres around each village within the town. The Chief Com^r, it is further on record, ordered Capt. Lempriere R.E. to lay off the town and in reference to the Indians, enclosed for his guidance copy of extract from Gov. Douglas's instructions.

I have not been able to find Cap Lempriere's report as to what he did, but the town map which afterwards appeared, shows no Indian lands within the town. Capt Lempriere perhaps made his report to the Chief Com^r in conversation.

Greenwood Island, opposite Hope is in the list of Indian Reserves given to the Com. Sec^y by the Prov Sec^y but it appears to have been sold to E Croft in March 1861.

There is a large Indian reserve, with fields and houses, just above Murderers Bar, about 3 miles on the right bank of the Fraser below Hope the country reserves in fact of the Hope Indians - but this is not in the above mentioned list of reserves and there is no account of it at the Land Office that I can find.

Somewhat lower down the river, a Mr. Cerby representing a company engaged in an important enterprise, authorised by an act of the Local Legislature for dyking low lands on the Fraser, has used to the extent, he wanted, two Indian reserves without asking permission of the Indians or of the Department.

The Department at New Westminster does not appear to know this fact.

When Mr Derby was getting his bill through the House of Assembly I wrote to the Local Govt to ask them to see the bearing of the Act on the Lands of the Indians.

Mr Derby, who is an American states he did not know what was necessary in the case of Indian lands.

I have informed him that the Dominion Govt is bound by law to attend to the interests of the Indian and that such high handed proceedings on the part of his company with respect to old Indian Reserves formally assigned to the Indian by the Crown will be viewed with regret, but that I cannot say more until I have personally examined the ground.

In the meantime it is manifest that the Indians are a little confused by these occurrences.

The Crown, long ago, they say, gave them land and by and bye a white chief came along, and said they had too much land, and cut it down. They heard some years ago that their wishes were to be listened to, and a chief to look after the Indians was appointed, but ever since that white man has continued to take land until it is now nearly all taken up and Mr Derby, who may or may not be a "chief," has used their land.

This is their statement and I, of course, will look into the matter, and report to you on it, and on other questions on the Lower Fraser, in due course.

It is possible that Mr Derby's work may do good to the reserves.

I hear of other questions up and down the river, and the evident need of their discovery and adjustment reconciles me to the extreme discomfort of continuing the work in the rainy winter season.

Transport

see mine
30 May 1878
23 Aug 1878

I have not been able to charter a steambout for this work. The small screw boats such as the *Leonora* which the Commissioner formerly had upon the coast, are unsuitable in the shallows, rapid water of the upper portion of the Lower Fraser and the stern boats are too expensive. Moreover even with a steamer, canoes are required to go up the numerous sloughs, and some of the tributaries. I have therefore had to fall back upon canoes as the cheapest but most uncomfortable way of travelling in this season. The cost of canoes, well manned as they have been in the rapid Fraser, exceeds the cost of transport in the interior, but in order not to increase the charge upon the Govt under this head under the head of expenditure voted upon as regards the interior of the country, I have told the Indians that they at least must convey me from one village to another, and in this way I may avoid any increase of cost. The Indians have been accustomed to receive pay for services rendered to officials coming to see about their lands, and I cannot break up the custom altogether, as in practice it would throw a burthen on individuals of small tribal influence or weight who would be ordered by the chief and vicer to do the work but I think I am justified at least in asking them to do a little, if the Govt. Commission works among them in the winter season.

Capt. Semmelt reports that one of the tribes of the Shuswap people, not a sach. tribe, insisted on furnishing transport for him, and also cutting firewood.

I should

be glad to be authorized to send the chief, who is called Chellikowah of the Adams Lake tribe, some little recognition of the independent and proper feeling.

The Hon.
The Supd. Genl of Ind. Affairs
Ottawa

I am Sir &c &c
J. E. M. Sprunt J. R. Com

Indian Res. Commission
British Columbia

In Camp near Hope
26 Nov 1878

Confidential

Sir

I am very sorry to feel, after two years and a half of the Reserve Com^{rs} work, constrained to say that the indifference and inaction of the Prov Govts are great difficulties in the way.

It is uphill work to get anything whatever attended to with which Indians are concerned, though for some time past the Prov Govts have paid all the expenses, and though I use every possible ingenuity and effort to adjust questions on the spot, and to limit the number of those referred bet. Prov. Secs, and though, in the cases of the latter, I not only collect the facts laboriously from every source of information but try to ascertain the law on particular points so as to minimize the labour of the Prov. Secs.

They will simply do nothing, but oppose a passive resistance. One Govt is the same as another. They all are manifestly influenced, (I dare say unconsciously) by deep race prejudice, as is shown by the fact that prompt attention is given to any letter of a white settler and any report on it quickly reviewed, while

letter after letter from me on Indian matters of great importance are left for indefinite periods without answer, or even acknowledgment.

This might be expected in Indian work, perhaps, but it may become serious if it should interfere with or unnecessarily prolong the efforts now being made by the Hon. Sec^y to adjust these Indian questions.

A certain degree of loyal co-operation with Canada on the part of the Province might surely be expected in the adjustment of questions affecting the majority of the Provincial population, and - as every week's investigation shows - so nearly touching the honour of the Crown.

After having written again and again on particular questions without eliciting any replies I have to day addressed a letter as per enclosed copy, 26 Nov., to Mr Walker the Chief Com^r of lands, enclosing a list of Indian matters unattended to, and asking him to attend to them.

I have been careful not to manifest any impatience with the Sec^y, though ^{if I had to say anything I could} ~~strongly~~ ^{strongly} express what I feel with respect to their unbusiness like conduct. I merely keep up a steady fire of requests, but hitherto without avail.

I beg your serious attention to ^{the} present position of the irrigation & water question. I was careful to bring the question before the Sec^y as early as April 1878 - before 1878 Session of the Local Legislature House. The question was not dealt with - now the year is passing, and the time of the meeting of the Local House approaches, say in Feb^r or March 1879 - and I believe the question has not yet received careful consideration, probably none at all. It will be shuffled past the 1879 session and then the need of consulting the assembly of 1880 ^{pleaded} ~~is an~~ ^{and so on -} urgent question and a large one, It will affect

A whole future progress of the adjustment of the Indian land question, for water questions exist all up the wagon road from Lytton.

As I have already, have stated before on the hearing of this water question, in the following letters,

1878. April 24 - August 15 - etc

The question of O'Keefe at Okanagan

- see mine to you 1878

May 6 - Aug 15.

and the enclosed printed copy of my report (manuscript already in your possession) remains I believe where it was.

The late Chief Com^r as good as told me that my views were correct, but that owing to the approach of his election in the district he could not act.

Mr Walker now Chief Com^r of lands is a lawyer, and ought to be able to make up his mind as to whether he will exercise the judicial powers vested in the Chief Com^r, or as to what should be done to settle a matter that ought to be settled.

The Indians came to see me about this, when I was in Nicola Valley. They have behaved very well. I told them that you would be pleased to learn that they continued to exercise patience however trying. In the meantime Mr O'Keefe claims the land and states that he is abetted by his lawyers in Victoria (who know nothing about the facts or the district) to hold it by force, and to prevent the Dominion Survey by force. This seems to be great folly. If the Indians were under advice of that kind, they would clear out the population of that district very summarily, but they have behaved very well, with commendable

restraint and compulsion in the settlements.

It is not pleasant to see a single man, without any legal title, browbeating a whole tribe of Indians and preventing them from a whole year from using land properly assigned to them and which they much wish to use.

The question is how long is this to continue.

Then, again, there is the question of the Chenamen who have intruded on Indian lands at Spaptsem Flat (see mine before with Field Minute 1878 Aug 18) the Indians are in great expectation that justice will be done in the matter.

Mr. Walker, perhaps, may take the view that his powers under the Land Act do not authorize him as Chief Com^r to settle such questions, but if so, surely it should not take much to inform one of his opinion, so that the Dominion Govt may consider what should be done.

It seems, however, very plain by the Land Act that the Chief Com^r has, for instance, in Okapi's case power to cancel a claim not properly occupied.

The difficulty is that while the Provincial Govt. maintain a passive attitude, and neither say what they will do, or will not do, both discussion and action are suspended.

In the case of the Chenamen at Spaptsem Flat, who acquired land by making a false declaration that no part of it was an "Indian settlement" it might perhaps appear that the Chief Com^r has no power by law to cancel their records, but he should say what his opinion is.

Land and water records are made as usual, notwithstanding my presence in districts, though some of the local recorders refuse to receive them and I am afraid that

The Dominion Govt will have a crop of settlement suits if the Prov. Govt do not change their attitude and give evidence by action almost, if not so, beyond the law, that will show they recognize the moral obligation which they are under in regard to the whole business.

It will give an instance of the trouble caused to the Dom. Govt by the ill-considered action of Local Recorders. I will report more fully on the case.

Finding 150 Indians without any Reserve at the foot of the Similkameen Valley, close to the frontier, almost touching an American Reserve 75 miles long, a disagreeable contrast as between Canadian and American Indian. I made reserves at once, and in particular one place which would grow crops without irrigation. All the running water was taken up by white settlers. This place, after I had reserved it, was recorded by the Local Recorder, living 100 miles off, who knew I was in the valley adjusting Indian affairs and who could not know what I had reserved and what was open.

The consequences of this foolish proceeding will probably be that I may again have to cross the Hope mountains at very considerable expense to readjust matters, and the Govt of the Dominion may have to raise a suit of ejectment that is to say, if the Prov. Govt will not cancel the man's record, which as Indians are concerned they are not likely to do though I cannot suppose they could approve such conduct on the part of the local recorder.

The man went from Similkameen to Victoria, and passed here on his way back. I explained to him as I had reserved the land before the date of his record, his record was invalid, but he said he intended to occupy and hold the land, and the Canadian Govt might try to eject him, if they

pleased.

I will ask the Prov. Govt to cancel the record and make a formal report to you on the subject.

I begin to think that people here believe that Indians have no rights, and that they cannot acquire them.

Such acts as the above, and the calmness with which Mr. Sutton builds his sawmill on the Indian Reserve at Cowichan, Mr. Chapman ^{at Lytton} makes a flume through a dam on the Indian Reserve there and with which Mr. Herby uses his reservoirs in his dyking scheme (see my letter of yesterday), without even communicating with the Dept are calculated to strengthen that impression.

In case the Hon. Govt. have to eject trespassers it is, I suppose, a legal question whether they can do so before the lands are surveyed and formally conveyed from the Province to the Hon.

They probably will prefer to raise suits before the regular tribunals rather than give powers under the Indian Act to an official agent of your own, though, indeed such cases as that above at Smith's River would seem to call for very summary action.

As regards the courts here, I think it would not be advisable to have Indian causes connected with land heard in inferior Courts. I think none of our Stipendiary Magistrates are lawyers.

I would also remark that, supposing the case of O'Keefe at Okanagan to be decided by a competent court against the ^{view of the} Court and in favour of Mr. O'Keefe that would settle the Okanagan Indian question as between the two Govts. It would simply unsatisfactory for the Indians must have that area to make up their agricultural land and there is no other available land in the neighbourhood.

A. H. H.

"We do not want your presence or your help; we want your reply." "We do not want your presence or your help; we want your reply." "We do not want your presence or your help; we want your reply."

pressure would the Hon. Gov. then be able to put upon the Prov. Gov. to obtain the required land.

The most difficult question ahead ^{however} is that of the water. It is hopeless to expect that the Province, except under some judicial decision, will buy out rights which white settlers have acquired for irrigation purposes. A long correspondence on the subject would probably only end in the Local House refusing to vote money for such purposes. I do not see how it can be settled, but there must surely be some remedy available in such cases of neglect of duty on the part of the Crown towards the Indians in times gone by.

In speaking above of rights to water under records made by authority of our Land acts, beginning in 1861 as the first act that regulated the acquisition of water, I should perhaps have modified the expression for it is open to question whether the record of the water is anything beyond the nature of a licence to use water which licence probably the Local Gov. might at any time revoke.

Another plea against the action of the British Columbian Gov. in regard to the water might be that water for any length of time, necessarily belonged to 'Indian settlements' and with the land, was by Provincial Law, withheld from prescriptive purchase or acquisition.

The enclosed letter of mine to the Chief Com^r, Nov 26, showing the inattention to the few simple Indian questions referred to the Prov. Gov., some of which have been before them for nearly two years - is a striking commentary on the request once made by the Prov. Gov. that all questions should be merely reported on and referred to the Prov. Gov. for their opinion and action.

If the above delays which have arisen under Gov. Gov. may be taken as a sample I am justified in stating that during the past 6 months

I have selected upon the spot, by compromise, smoothly, questions that under any plan of "reporting" to the Gov^t would have taken many years to adjust.

I venture to say that the Hon Sec. should, during the whole progress of the work, insist upon Indian questions being adjusted on the spot whether by one or more Commissioners.

Any other arrangement, will simply mean postponement and useless expense.

A Com^r so well always so glad enough to refer to head quarters such wide reaching questions as for instance the irrigation water question.

I am, Sir, &c &c
 St. J. M. Sprunt J.R. Cox

To Hon^r:
 The Sup^r Gen. of
Indian Affairs Ottawa.

Copy
 Sent to Sup^r Gen. Indian Affairs, & Ottawa.

Yrs. Res Commissioner.
Burbot Cohen

In Camp near Hope
 26 Nov 1878.

Sir.

I beg to enclose a list of matters requiring attention by the Hon^r Gov^t as explained in letters at different times upon the particular subjects.

These are a few of many questions, the great majority of which, I, fortunately, was able to adjust at the time of my visit to the places.

It is very

desirable that these questions should be completely settled, and I hope you will be able to give them your immediate attention, particularly those respecting water for irrigation and the intrusion of O'Keefe and the Chemamen on Indian lands at Okanagan and Thompson River.

The Hon. I am Sir &c &c
The Chief Comr. S. M. Sprout J. R. Comr.
of Lands & Works, Victoria

Copy
Indian Res. Commission

Matters unattended to by the Prov. Govt.

(Enclosed in S. M. Sprout's
letter to Chief Comr. Lands
& Works 26 Nov 1878)

Case of Robert Stokes. See letter
of A. McKinlay and S. M. Sprout
24 April 1877 to the Hon. A. C.
Elcott - Attorney General

19 months before the
Provincial Govt.

Timber privilege for the Es. Shell
Indians Service Inlet. See letter
of S. M. Sprout to Prov. Secy dated
Dec 1876 and copy of Com. or Journal
page 13 sent to the Prov. Secretary

2 years before the
Provincial Govt.

Case of Cornelius O'Keefe Okanagan
brought before the Attorney General
by the Ind. Res. Com. in Jan 1878
and referred to in letter of S. M. Sprout
to Ch. Comr. Lands & Works 4 May 1878
and in other letters & telegrams

10 months before
the Prov. Govt.

describes that these questions should be completely settled, and I hope you will be able to give them your immediate attention, particularly those respecting water for irrigation and the intrusion of Okeefe and the Chinamen on Indian lands at Okanagan and Thompson River.

That is,

The Chief Commissioner
of Lands & Works, Victoria

Sd,

I am Sir, &c &c
S. M. Sprunt J. R. Com. &c

Copy
Indian Res. Commission

Matters attended to by the Prov. Govt

(Enclosed in S. M. Sprunt
letter to Chief Com. Lands
& Works 26 Nov 1878,

Case of Robert Hughes - see letter
of A. McKinlay and S. M. Sprunt
24 April 1877 to the Hon. A. C.
Elliott - Attorney General

19 months before the
Provincial Govt.

Timber privilege for the Esquimalt
Indians reserve. see letter
of S. M. Sprunt to Esquimalt dated
Decr 1876 and copy of Com. Journal
page 13 sent to the Prov. Secretary

2 years before the
Provincial Govt.

Case of Cornelius Okeefe Okanagan
brought before the Attorney General
by the Ind. Res. Com. in Jan 1878
and referred to in letter of S. M. Sprunt
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and in other letters & telegrams

10 months before
the Prov. Govt.

Irrigation water question see letter of
 G. M. Sprout to Prov Secy 22 April 1878
 and to Ch. Com^{rs} of Lands 24 July 1878
 (particularly of Field Minutes enclosed
 in the latter) and see other letters
 say to Prov Secy 28 July. 15 Aug 1878

7 months before the
 Prov. Govt.

Case of water Record of Mr P Parks
 Buck Cr. see letter of Sprout to
 Ch. Com^{rs} 28 July 1878

4 months before
 Prov. Govt.

Case of Chinamen who have intruded
 on Indian lands at Spatsmish Flat
 Thompson River, see letter of Sprout
 to Ch. Com^{rs} of Lands 18 Aug 1878.

3 months before
 Prov. Govt.

Powers required by Ind. Res Com^{rs}
 for districts about to be visited. see
 letter Sprout to Ch. Com^{rs} 3 June
 1878 also 21 Oct 78

5 months before
 the Prov. Govt.

Settlement of account with G. M.
 Sprout as Joint Com^{rs}, see his
 letter of 7 July 1877 to Minister
 of Finance and subsequent corres-
 pondence

16 months before
 the Prov. Govt.

Policy of making land and
 water records

"subject to Indian
 requirements" until the Reserve
 Com^{rs} has passed over the
 ground. see letters on this sub-
 ject 28 July &c

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 by McSproul to Prov Sec & 22 April 1878
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Powers required by Ind. Res Com^{rs}
 for districts about to be visited. see
 letter Sprout to Ch. Com^{rs} 3 June
 1878 also 21 Oct 78

5 months before
 the Prov. Govt.

Statement of account with P. H.
 Sprout as Joint Com^{rs}, see his
 letter of 7 July 1877 to Minister
 of Finance and subsequent corres-
 pondence

16 months before
 the Prov. Govt.

Policy of making land and
 water records

"subject to Indian
 requirements" until the Reserve
 Com^{rs} have passed over the
 ground, see letters on this sub-
 ject 28 July &c

Indian Res Commission
British Columbia

In Camp near Hope
Nov 27. 1898

Sir

Accounts to 30 Sept.

I have the honour to enclose the accounts vouchers &c as per Annexed list for the expenditure of the Commission to 30 Sept last, which I hope you will find in order.

I did not arrive from the mountains until some time after the above date, and I thought it desirable immediately to examine the Indian question in the upper portion of the Lower Fraser but I should be shut off from working there by ice which sometimes comes early, though so far, the season has proved to be mild and rainy.

The above explains why the accounts were not sent sooner.

As in the populous part of the Country, carrying on work by means of Canoes, the current expenditure has to be met by Cash payments; I shall be glad to be placed in funds for the quarter now passing by telegraphic credit as per estimate sent - I have used private monies for the expenditure in part - not wishing to ask you for a remittance, until I had rendered the last quarter accounts.

I have the honour to be

Sir

Yours obedt Servt,
J. B. McPherson,
In R Commr

The Hon
The Secy Genl
Indian Affairs
Ottawa.

Indian Res. Commission

List of Documents forwarded 27 Nov 1878

- 1/1 Cash Statement to 30 Sept 1878
in duplicate
- 1/2 Vouchers in duplicate
- 1/3 Notes on Accounts
- 1/4 Estimates for Oct Nov & Dec 1878

Indian Res. Commission
British Columbia

In Camp near Hope
27 Nov 1878

Sir,

I have the honour to inform you that I settled in Nicola valley, among other matters a troublesome dispute between Indians on the Lower Nicola and Mr John Duball a farmer there by awarding that Mr Duball should pay £12⁰⁰ to the Indians, and I considered that 18⁰⁰ might be paid to the Indians by the Hon Gov.

I paid the Indians £30⁰⁰ and received through the hands of Mr John Murray, Spences Bridge, £12⁰⁰ from Mr Duball (see Voucher No 11 Sept. Quarter Aps) charging the balance £18⁰⁰.

I am aware that, strictly, money so received on account of the Indians should be paid directly to the Department, but the merit of the settlement was partly in its promptness, and as Mr Duball could not pay the £12⁰⁰ at the time

I paid the \$30⁰⁰ to the Indian, and got the 12⁰⁰ afterwards; and the Indian were satisfied.

The dispute was a title ownership of a piece of land which the Indian had cultivated and fenced. Mr Duball contended it was within his pre-emption, and I am inclined to think it was, but to ascertain that would have required a survey which would have cost more than the land was worth.

I thought Mr Duball was wrong in not having promptly objected to the intrusion, and it therefore made him pay something.

I do not say that it happened in Duball's case, but I am not clear that settlers occasionally - mean men of course. have allowed Indians to clear, cultivate and fence portions of land to which they had a legal title unknown to the Indians, and have suddenly, after a time, said to the Indian, "clear out."

I have the honour to be
Yours faithfully
J. E. M. Sprout & R. G. Jones

The Hon
The Sup^r Gen.
of Indian Affairs
Ottawa

(Private)

Indian Res. Com^{rs}
British Columbia

In camp near Hope
27 Nov 1898

Dear Sir

Being in a little doubt as to whether the Sup^r Gen. would wish the unpaid Aps at 30 June last made the subject of a supplementary Aps at that date, or made a first charge on the Sept^r quarter I send them in both ways.

the 'first-charge' one in the official letter, and the 'supplementary' plan herein enclosed - all in duplicate as required by your Circular 19 Augt. No 10. 185.

I am Dear Sir &c

Sd G. M. Sprout. S.R.C.

L. VanKoughnet Esq;

Dep. Sup. Gen. of Ind. Affairs

Ottawa

Hopk 27 Nov 1878

Dear Sir

Please pay \$11.50 to Bank B.C. to credit of Receiver Gen. of Canada, and get a voucher from Bank, and enclose said voucher in the enclosed open letter from me to the Sup. Gen. of Indian Affairs - Ottawa
and oblige

Yours Truly

Sd G. M. Sprout

Respectfully
Victoria.

Indian Res. Com. Co.

British Columbia

In Camp near Hopk
27 Nov 1878.

Sir

In reference to the item of \$11.50 mentioned at the end of the "Notes on Vouchers" (for acct to 30 June last, forwarded 26 Aug. 6. last), as having been overcharged, I beg to say that I have paid the amount to the Bank of B.C. Columbia to credit of Receiver Gen., and I now enclose the Bank Voucher.

I am Sir, &c

Sd G. M. Sprout
S.R.C.

The Hon
The Sup. Gen.
of Indian Affairs
Ottawa Canada

Indian Res. Com^{rs}
British Columbia

In Camp near Hope
27 Nov. 1878

No 10. 1878
Circular

Sir

In reference to your circular of 19 Augth.
requiring among other things, that

"A statement of the month's transactions
"and vouchers must be forwarded regularly at
"the close of every month, and the balance
"shown in the statement must be the balance
"of the credits or credits estimated as they then
"stood in the bank"

I respectfully beg to
say that owing to the nature of the work of the
Commission it will not be possible entirely to
carry out these instructions.

Having been for a
considerable time practically beyond postal
communication in the interior of the country,
I did not receive your circular - for instance,
until the end of October when I emerged from
the mountains - nor until then did I know of
your remittance of £6000⁰⁰ Sep 18-

It being undesirable that I should
carry much cash in camp, I give cheques for Indian
employed or traders accounts in the interior, and
these pass from hand to hand, and may not reach
the bank at Victoria for some time.

Along the coast, I should be
still more beyond communication, and remote
from any opportunity of comparing bank balances
at the end of each month.

Under the arrangements
now made ^{by} which for a lump sum I pay for
the great bulk of the expenditure, it may be possible

to conform pretty closely to the instructions of the Circular while I am engaged near Victoria, and I will endeavour to do so, as far as practicable - for instance by drawing few degrees towards the end of the month, or in such other way as experience may suggest.

I am Sir &c
J. M. Sprout JRC

L. H. Koughat Esq
Dep. Secy Gen.
of Indian Affairs - Ottawa - For P.S. see Page 321

Notes on Accounts of the Indian Revenue
Com^r, P.C. for the quarter ending 30 Sep 1878
forwarded 27 Nov 1878

There does not seem to be any comment required on these accounts, in explanation of what is shown on the face of the Vouchers.

The payment of £1800
to Chellou the Indian is the subject of a separate letter 27 Nov.

The expense of copying records and making maps for the New West District is heavy but unavoidable, some of the questions go back 20 years, and the land holdings in the district are very numerous, as you will see from the map forwarded.

The
reduction of expenditure by abolishing the office of Assistant Surveyor does not tell in the Sept quarter.

J. M. Sprout
Indian Res. Com^r

The Hon
The Secy Gen., Ind. Affairs
Ottawa

Estimate of Expenditure by the J. R. Com^{tee} B. C. for the months of October November & Decr 1878.

Accounts and Vouchers rendered to 30 Sept 1878

On hand \$ 410²⁵

To the following, under the old arrangement
of \$ 30 per day in full of Field expenses but not
including expenditures in respect of Messrs Blenkinsop & Ashburn
1878. 1 Oct to 16 Nov 47 days @ 30 per day 1410.00

note. The 16 Nov is the date of the abolition of
Attendant Surveyor see Mr Sprout's letter of 16 Nov 1878
to the Hon. the Sup. Gen.

To expenditures of Messrs Blenkinsop & Ashburn
to above dates of 16 Nov 1878

E. Blenkinsop 1 Oct to 16 Nov 1 mo ¹⁶ ~~47~~ days @ 120⁰⁰ - ~~188⁰⁰~~
a month's pay - 184

Board ⁴⁷ @ 175 82²⁵

Transport 47 - 2 - 94⁰⁰ - 364⁰⁰ 25

E. Ashburn

1 Oct to 16 Nov 1 mo ¹⁶ ~~47~~ days @ 180 282⁰⁰

Board ⁴⁷ @ 175 per di 82²⁵

Transport 47 - 35⁰⁰ per di 164⁰⁰ 528⁰⁰ 75

From and after the above date of 16 Nov see letter
of the Sup. Gen: No 10.348 14 Oct 1878

The following, under the amended arrangements
for reducing total expenses.

J. R. Com^{tee} 17 Nov to 31 Dec 1878 ⁴⁷ 45 @ 42⁰⁰ per di 1890.00
Messrs Blenkinsop and Surveyor not included

Extra

C. G. Cogan further copying records, at Land
Office, Victoria, for the Green Fraser District and
C. Cridge, for making maps of towns of Lake
Hope and other places in said District say

275⁰⁰

J. M. Sprout

\$ 4468.00

(Ind. Res. Com^{tee})

Suggestion for future

that \$ be placed in funds each month to enable conformity to circular
as to monthly acc^{ts} / see my letter to Mr. Vancouver 27 Nov 1878 J. M. S.

Copy

Estimate of expenditure by the J. R. Com^{rs} B. C. for the months of October November & Decr 1878.

Accounts and Vouchers rendered to 30 Sept 1878

On hand \$ 410 25

To the following, under the old arrangement
of \$ 30 per day in full of Field expenses not not
including expenditures in respect of Messrs. Blenkinsop & Ashmun
1878. 1 Oct to 16 Nov 47 days @ \$ 30 per day 1410.00

note. The 16 Nov is the date of the abolition of
Attendant Surgeon see Mr. Sprout's letter of 16 Nov 1878
to the Hon. the Sup. Gen.

To expenditures of Messrs. Blenkinsop & Ashmun
to above dates of 16 Nov 1878

E. Blenkinsop 1 Oct to 16 Nov 1 mo ¹⁶ ~~47~~ days @ \$ 20 = ~~188.00~~
a month pay - 184

Board 47 ^{days} @ 1 75 82 25

Transport 47 - 2 - 94 00 - 367 25

E. Ashmun

1 Oct to 16 Nov 1 mo ¹⁶ ~~47~~ days @ \$ 20 = ~~282.00~~
^{days} 276 -

Board 47 ^{days} @ 1 75 per di 82 25

Transport 47 - 3 50 per di 164.50 528 75

From and after the above date of 16 Nov see letter
of the Sup. Gen: No 10. 348 14 Oct 1878

The following, under the amended arrangement
for reducing total expense.

Jas. E. Com^{rs} 17 Nov to 31 Dec 1878 ^{days} 45 @ 42 per di 1890.00
Mr. Blenkinsop and Survey ass't included

Extra

C. G. Cogan further copying records at Land
Office, Victoria, for the Lower Fraser District and
R. Cridge, for making maps of towns of Lake
Hope and other places in said District say

275 00

J. M. Sprout

(Ind: Res Com^{rs})

\$ 4458.00

Suggestion for future

that it be placed in funds each month to enable conformity to circular
as to monthly acc'ts (see my letter to Mr. Vancouver 27 Nov 1878 J. M. S.)

Form No 2
Supplementary a/c
30 June 1878

<u>Dr. Cash</u>		<u>Contra</u>	
H. R. R. Commissioner		S. M. Sprout in a/c with R. R. R.	
1878 To amt brot from?	4408. 57.	1878 By amt brot from?	4260. 61
Sep 30 - Portion of Remitt ^{ce}		Sep 30 - Paid	
of 6000 Aug 9 & Sep 18		Field a/c	
for Ottawa applied to		on r. r. r.	
pay unpd a/c June 30	1276. 00	, see page 318,	1276. 00
		Balance 30 June	147. 90
	<u>\$ 5684. 57</u>		<u>\$ 5684. 57</u>
July 1 To Balance	147. 90	By amt. credited at	
		Ottawa see from?	
Hope B.C. 27 Nov 1878		Buckingham's letter	147. 90
S. G. M. Sprout		10 Oct 1878	
J. R. Com ^{rs}			

Form No 2
Quarter ending 30 Sep 1878

1878	Aug 9 To Remitt ^{ce} for Ottawa	500. 00	1878	Sep 30. By paid the follow ^g amt ^s	
Sep 18	do	do		6000. 00	
		<u>6500. 00</u>			
	Less applied to			Field a/c	2760. 00
	pay June a/c	1276. 00		on r. r. r.	828. 00
		<u>\$ 5224. 00</u>		, see page 318,	900. 00
					325. 75
				Balance 30 Sept	410. 25
Oct 1 To Balance		<u>\$ 410. 25</u>			<u>\$ 5224. 00</u>

Hope B.C. }
 27 Nov 1878 }

Signed S. M. Sprout
 J. R. Com^{rs}

Indian Reserve Commission
British Columbia

Victoria 4 Nov 1878.

Sir

I have received instructions from the Sup^t General of Indian Affairs to abolish the office of Attendant Surveyor to the Commission as soon as, in my judgment, circumstances permit.

The arrangement which it is proposed to substitute is, I believe, that the Commissioner shall employ such assistance in the Survey Branch as he may find he requires, without having a professional gentleman of high standing on continuous pay.

I have decided that the 15th of the month will be a suitable date for the cessation of your employment as Attendant Surveyor, and I accordingly notify you of the same, and beg that you will send in all necessary documents or ~~draw~~ sketches to the Com^r by that date, and deliver to Mr Bentinck or to his order any Govt property you may have with a list of the same.

This will draw a clear line as to the date of the abolition of the office of Attendant Surveyor, and the cessation of your employment in that capacity.

I have had pleasure in expressing to the Sup^t General my appreciation of your services in that employment, and he approves of your being in the meantime employed at \$1500 per month, in full, to plot the surveys of Cap: Semine to and Mr Green should you not be employed by the Reserve Commissioners under the above mentioned substituted arrangement, or, during the time that you are not so employed.

E Mcken Esq. C.E.
Victoria

I am Sir &c &c
Ed Smith Esq. In Res Com^r

P.S. To Letter L. Vancouver to Esq. 27 Nov 1878.

Were I placed in funds at the beginning of each month which might be done on the footing things are now to be, the amount being the days of each month multiplied by 42, I could very closely inform to the requirements of the Circular and if there were a few extras I could hold ^{them} over and make a charge for them before the end of the financial year

Yours S.M.S.

In. Res. Com^{rs}
British Columbia

In Camp near Hope
16 Nov. 1878.

Sir,

In pursuance of the instructions in your letter of the 14 Oct., I have reduced the expense of this Com^{rs} by abolishing the office of Asst Surveyor at this date. The arrangement in future to be that I employ a cheap survey assistant (whose cost shall not exceed that mentioned in my letter of the 23 August) and a professional surveyor, only, when absolutely necessary.

I may mention that I have explained this arrangement, in conversation to Mr. Dewdney M.P. who, as a professional man, can give you information on the subject. The object is to save the hitherto continuous pay of a regular surveyor, by taking advantage of the effect of my own experience in the Indian Reserve work, which enables me, to some extent, to dispense with the need of constant advice.

I have instructed Mr. Mohun to undertake the plotting of the field notes of Cap Semmette and Mr. A. Green, now in charge of survey parties in the field, and the preparation of the maps which will be required in conveying the Reserves from the Province to the Dominion.

his pay to be the usual rate here for such work \$15000 per month, and I have told him that up to this date I will settle with him from Indian Res. Com. funds, but that, while engaged in the survey work, he should apply for his pay &c to Dr Powell, the Paymaster for surveys as the funds of the "Indian Res. Com." and the surveys are kept distinct, and Dr Powell deals with the latter.

These arrangements are made in pursuance of your letter of the 14 Oct sanctioning the economical proposals made in mine of the 23 August last.

The field notes of the two survey parties must be plotted, and I am told that it is advisable that this should be independently done. It is of importance that the Reserves should be conveyed from the Province to the Dominion as soon as possible, so that no doubt should exist as to the right of the Dominion to eject trespassers, and this cannot be done without having correct maps to be attached to the grants.

The two survey parties are instructed to keep out as long as possible, but to report themselves at headquarters as soon as it is evident that the weather would prevent good work being done for the money.

On the return of the parties, survey expenditure will cease, except as to the cost of plotting their work with the object above mentioned, and I would ask to be permitted to suggest to you the manner in which two survey parties next year might be employed, in reference not only to the essential matter of getting, speedily, a conveyance of the Reserves from the Province to the Dominion, but as to utilizing the surveyors for objects of great administrative interest which I have been considering, but have not, in my own mind, matured, wishing partly, first, to know the views of the Hekla. Kap. a. muk Indians at their proposed meeting next spring -

Moving

about in the extensive and somewhat rough country is so expensive, that a public servant has to appreciate the advantages of forethought and combination of purposes, if he wishes to do good and economical work.

In the meantime as regards the plotting of the 1878 surveys and the preparation of correct maps for the legal conveyances, if you will instruct Mr Powell, as Paymaster, to take my certificates as to Mr Brokens' employment in that work from the date until finished, I will see that the work is faithfully done.

I presume I will have to examine the surveys and certify to you that the maps show the actual decisions of the Indian Reserve Commission. I can do this well during the winter - I may be anywhere next summer.

Will you have the goodness to instruct me as to what maps you will require for Ottawa? The maps attached to the conveyances from the Province to the Dominion will be on a small scale. Will you, at Ottawa, require for office use any other than these? The Department in the Province will, I should think, require maps of the Reserves on a larger scale for office use.

I am Sir &c &c

The Hon,
The Sup^d Gen of Ind. Affairs
Ottawa.

Sd Lt. M. Sprout J.R. Com

Ind. Res. Com^{rs}
British Columbia

16 Nov 1878.

Sir

In pursuance of instructions received by me from the Sup^d Gen of Indian Affairs Mr Brokens ceases to-day to fill the office of Attendant Surveyor, and undertakes

the work of plotting the surveys of the survey parties of Cap-
Semmett and Mr A Green, and preparing the maps of reserves
which will have to be conveyed by the Province to the Dominion
at the rate of \$150.00 per month.

I will settle with Mr

Ingham up to this date and I have informed him that
henceforward while employed on the survey business it
will be proper for him to apply to you for his pay &c as
the accounts of the Ind. Res. Com^{tee} and of the Indian
Survey branch are distinct and you deal with the latter.

I am Sir &c &c

Col. Powell

Sd by M. E. Spence Ind. Res. Com^{tee}

Ind. Superint^{de} - Victoria.

Ind. Res. Com^{tee}

British Columbia

In camp near Kapa

Nov 6 - 1878

Proposed meeting of Indians

Sir,

I have the honour to mention to you a request
made to me by a number of Indian tribes in the Interior
of the Province who call themselves the Kikla. Kap. a. muck
"people" or nation.

These are the Indians among whom I have
been working lately - They number about 3000 and their places
of residence, as you will see from the enclosed map, extend
over the Southern interior of the province in such a way as to
make it likely that the Shuswap and Okanagan east of them,
and the Lower Fraser Indians west and south of them,
will follow the example of the Kikla. Kap. a. muck.

It is therefore desirable to encourage the
Kikla. Kap. a. muck, particularly as they desire to help
themselves.

I am sorry to say that I found, as
my Field Minister shows, that many of the Kikla. Kap. a. muck

tribes had much to complain of. Some of them had no land reserves at all; others had lost old village sites and fisheries; some had bits of land disproportionate to their requirements; others had land and no water for irrigating it. Places very dear to the Indians had been taken from them, and, in several instances, they had been deprived of their cultivated lands without compensation.

Familiar as I have been with the history of this province from an early time, I was not prepared for the state of affairs which my inquiries unfolded, and I much question if the facts were known to any Government before or since Confederation.

I saw quickly that to let bygones be bygones and to seek some bases for compromise were the only courses open in such a scene of distress and confusion. In that way after difficulties and anxieties which I need not advert to, I adjusted land questions, except as to some bare matters referred to the Provincial Gov't.

The Indians very reluctantly for a time but finally with good sense, agreed to that method of adjustment, and I had now to mention a request which they made before I left their country.

I may here say in explanation that, after having discussed land questions with each tribe I could not refrain, in consequence of their injuries, from some attempt to explain, informally, to them the relations which so far as I knew, the Gov't of Canada wished to establish between itself and them.

I said generally that the heart of the great Chief at Ottawa towards them was what the heart of Sir James Douglas had been; that he wished them to have land to work on, but not land to lie on their backs and look at, that the Gov't wished Indians and whites to be the same, and that all present special arrangements for the Indians were temporary; they could not read nor write, and as

on the account white men might cheat them, the Govt. in some degree intervened and protected them; all talk about the "Great Mockers" I said was "gabble"; the Queen was just and kind to Indians as to whites, but they must not suppose that they were children; they were strong men, and their aim should be to be like good white men. Meanwhile, as they were the old people of the country they got land for nothing and paid no taxes. White men paid for their land and paid taxes.

The Govt. was a kind friend but not an indulgent mocker. Their fate was in their own hands; if they did not work they would die off. The old fashion was passing; they must adopt the new fashion and in doing so they would find that the Queen had one heart for all; and so forth.

These unusual views repeated from one tribe to another, were I could see, well received by the people generally, in fact though I told them that I had nothing as a land chief, to do with such matters, I could see that the informal talk, after the formal land discussions was very interesting to them.

Individuals constantly came to ask me whether it was true that they, simply by hard work could get a piece of land that should be absolutely their own, and with which chiefs or others could not interfere.

The number of questions additionally put as to schools, medicines, churches, "Queen's law" versus "Church" law, in its bearing on questions of divorce, custody of children &c &c would fill a quire of paper to enumerate.

One old chief, with whom the missionaries have been able to do nothing for 20 years told me that he was going to be a Jesus Christ man, now that his land questions were settled, and as a proof he forthwith put away the ugliest of his three wives and she followed me for 100 miles to make repeated inquiries as to the share of the chief's land to which she was entitled.

#

The end of it was that, before I left the Nicola Valley delegates from all the Kikla. Kap. a. smuk tribes met me in a formal Council, and asked me to write to the great Chief at Ottawa, to say that now they had got land, they wished to have a clear understanding with the Govt. as to all matters, and they wished their minds to be known. With this view they left it to me to call a meeting at Lytton which they said was the most convenient place either this year or in the Spring. I told them that it was beyond my "papers" to deal with such matters and that they should get a Clergyman or Mr. Lenham to write to Ottawa, as I had other work to do, however they insisted that I should be the medium to communicate their wishes, but it is a curious proof of their independence that they said they wanted me merely to be on the spot when the meeting was held to advise them what to discuss, and to tell them what was within the law, and afterwards to communicate with Ottawa; the discussion itself they wished to conduct in their own way.

I fancy the discussion would embrace the whole Indian Act - schools. Contributions for the poor; presents from the Govt. the holding of lands, inheritance, and in fact everything.

Indians are changeable but if they remain in the mind in which I left them, I imagine that the proposed meeting of the Kikla. Kap. a. smuks at Lytton is worthy of your attention, and might be memorable as a step taken entirely by the Indians themselves to make the Govt. acquainted with the views of a very important section of the native population of this province.

I therefore at the special solicitation of delegates from all these tribes, mention their request by you that I should be empowered to call a meeting of these tribes at Lytton next Spring and that I should attend the meeting as Special Comr. to advise with them and report their views on all matters to yourself.

I might select a time in the spring while my pack train was getting ready which would not much interfere with my more special work as Reserve Com^d.

The Indians in the meantime have chosen my interpreter Michel, (one of their own people) to be the chief of the whole people under some arrangement which, not interfering with the dignity of the old hereditary Chief is, as they think, calculated to secure to themselves the benefit of Michel's supposed acquaintance with the Queen's mind derived from his having been in such close relations to the Com^d.

As I have been much out of the way of information I shall be glad to be informed whether there have been any amendments of the Indian Act 1876, also what parts of it are suspended temporarily in this province, further, whether there are any points connected with the Administration of Indian Affairs to which in the event of the proposed Indian meeting being held, you would wish the minds of the Indians to be directed.

I may mention that I have an idea that they might agree to some light burden upon the allotments of land to individuals within the Reserves, for their own schools or as contributions to a poor box.

They seem to like the notion of partly managing their own affairs.

I have the honour to be Sir

The Hon^r:

The Sup^t. General of
Ind. Affairs - Ottawa

St. G. McSpencer Ind. Res. Com.

Ind. Res. Com^d

British Columbia

In camp near Hope
Nov 6 - 1878.

Sir

I have the honour to enclose a report on irrigation made to me by Mr. McKim C.E. 25 Oct 1878.

You are aware that water is required in Agriculture in the extensive portion of British Columbia east of the Cascade Range, and that a difficult question has arisen with the Prov. Gov. respecting a supply of irrigation water for Indian Reserves which the old Colonial Gov. neglected in many cases to provide.

This question does not advance towards an adjustment, and I may have to write to you again in a short time upon the subject.

The Report herewith sent deals only with the practical, and, as you will see, different question which will come up as to the quantity of water necessary for the reserves both new and old.

I will have to state what quantity this should be for each reserve, and the water right will have to be conveyed to the Hon. Gov. by the Prov. Gov. together with the land.

It is difficult to know what water will be required at the different reserves, but I must do what I can in the matter.

I have the honour to be, Sir,

The Hon:

The Sup't Gen. of Ind. Affairs }
Ottawa.

Yours faithfully,
Edw. Sproule S. R. C. Secy.

No-
9.756

Mr. Res. Commissioner
British Columbia

At Camp near Hope
Oct. 1878.

Sir,

I have to acknowledge receipt of your letter of the 15th Oct last enclosing for my information copy of a letter from the Minister of Marine and Fisheries dated 13th July 1878, left setting forth the advantages to be derived by Indian and whites by an adherence to the laws in force for the protection of fisheries, and asking

with respect to Indians in various parts of Canada in which particularly the fishery laws injuriously affect the Indians, and what are the specific modifications desired on their behalf.

I have read carefully the above letter (Mr Whittaker to Mr Vancouver 13 Sep 1878) and agree generally with the views expressed in it of the advantages which probably are secured to both Indians and whites by reasonable and necessary regulations. The protection of certain kinds of fish during their breeding time is for the public benefit, and it would, I think, be recognized by the Indians generally in British Columbia, indeed, I may say that having in the course of discussions with them in land questions, had, practically, to discuss also questions respecting fishing and hunting. I have found the Indians intelligent enough to understand that killing young fish or game meant diminishing the supplies of full grown fish and game.

This is not all the point to which I called the attention in my letter of 30 July last. I certainly would approve the enforcement, as far as practicable, of necessary regulation in this country to protect the spawning ground against the injurious action of both Indians and whites. The Indians, themselves, on the matter being explained to them would probably be the best guardians of the public interests in this matter, as owing to the great extent of this country and its scanty population, no effectual supervision of the spawning grounds of salmon, which is the most valuable fish would be possible by white agents at any reasonable cost.

What I objected to, on behalf of the whole Indian population of this province, was that the fishery regulations, forbidding the use of any kind of net in fresh waters, might have the effect (of course unintentionally) of stopping the supply of the principal

article of food, namely the salmon and by the whole native population, and I gave reasons, in my letter of 30 July last, which I confirm, but need not repeat. The value which I respectfully think may be attached to these reasons, is not affected by any of the statements in the above letter 13 Sept from Mr Whittaker to Mr Van Koughnet. This is owing to the special conditions - plain business and real conditions - no "false sympathy" or "pretended Indian sufferings" connected with them, which exist in this country, and which it is impossible for the Indian Dept. to overlook.

Every one connected with Indian affairs here is supposed to be trying to help the people to become civilized, but it is only within the last year or so, that many of the Indians have had lands, and now many of them have land without water to irrigate the land, and a still larger number have no land at all. To expect people so situated to abandon at once their old ways of life, to give up their hunting and fishing, and their dependence upon the products of these pursuits, would not be a wise nor kind policy. I am sure there are no Indians in the Dominion more likely to take steps to support themselves from the land than these Indians, but you must at least give them the time for effecting a great change of life which civilized men would require. It is the fault of the Crown, not of the Indians, that they have not had land long ago, and now that some action is being taken, laboriously and expensively, to redress old grievances and give the people a chance of doing what I think they would always have been willing to do, it would only cause much trouble and expense to the Dominion, if the present policy of the Indian Dept. were cut across and neutralized by applying the policy to this province recommended in Mr Whittaker's above letter to Mr Van Koughnet with respect

to the fishing of the Indians.

I know that uniformity is desirable in matters of administration, but when the facts will not permit uniformity the facts must be recognized.

The Indians express some apprehension as to the effect of the fishing carried on by the cannaries at the mouth of the Fraser in diminishing the salmon in the Fraser and its tributaries, but I have told them that I believe the experience of white men is that the most skilful fishing at the mouth of a river does not so much diminish the supply of fish as destructive practices at the spawning grounds, and that I do not think they have, at present, any reasonable ground for alarm.

I am aware that the encouragement of an export trade in canned salmon is very important, and that the trade here has already reached such dimensions as to justify the watchful care of the Dept. of Marine & Fisheries and I also know that the proprietors of the Fraser River Cannaries wish to have fish hatching establishments (though why they do so, as there has been no proved want of fish, I do not know) but I respectfully submit that the Hon. Sec. is concerned with the food supplies of 30 or 40,000 of the native inhabitants of the province as well as with such encouragement of an export trade as a few salmon cannery establishments will afford, and that the bearing of any fishery regulations on Indian Affairs in British Columbia should be fully understood by the Sup^r Sec. before he gives his sanction to them.

The spawning ground should be protected as against both Indians and whites; the question of Indian fires, which often shut narrow a stream, is a question to be left to the experience and judgment of the Fishery Inspector, the prohibition of all fishing by Indians in fresh

water will never work and would be most cruel and costly, for reasons stated in my letter of 30 July last.

In all matters affecting Indians in this province there is one special consideration which I respectfully think extends in all directions. They have had no treaties made with them, and we are trying to compromise all matters without treaty making.

Had treaties been made, stipulations as to salmon would have been in the front, it is, with absence of treaties, all the more necessary to recognize the actual requirements of the people.

I am Sir, &c &c

Lt Wm Sprunt J R Com

The Deputy of the
Minister of the Interior
Ottawa

Ind. Res. Commission
British Columbia

In camp Gale

1 Decr 1878.

Sir,

I have mentioned the proposed meeting of the Kikla, Kap, &c. creek Indian, with Ottawa representatives, and among them to Mr De Cosmos, whose first step thereafter, is to write such articles in his newspaper as the enclosed.

As this gentleman has, during 20 years past, seldom been outside of Victoria, and is entirely unacquainted with the Indians, and with Indian affairs in the Province, it is not necessary for me to make any comments on what he writes.

Before remark he makes suggests to me that, perhaps, in mentioning the proposed meeting to you in mine of 6 Nov. last, I did not make it sufficiently clear that ^{not} only do the Indians not wish their meeting to cost the Govt. anything, but

am sure they would not take money in connection with it, were money offered to them.

With respect to the alleged complaints of white settlers, the nature of my work might lead any one to expect that there would be many, but some time ago I asked the Prov. Gov: to submit to me for a report any complaints that had reached them.

They have not submitted to me a single complaint. I venture to think that this is the true bot of such statements.

I am Sir &c &c
 St. John's Island I.R. Com^{rs}

Thorton:

The Sup^r. Gen^l. of
 Indian Affairs. (Ottawa.)

Indian Res. Commission
 British Columbia

Stoke 26 Oct 1878.

Sir

I have the honour to inform you that the work of the Ind. Res. Com^{rs} this year, so far, has been along the river Fraser from Gale to above Lytton - along the river Thompson up to Hat Creek, and in the long valleys of the rivers Nicola & Similkameen.

The enclosed rough sketch shows the route of the Com^{rs} in the interior last year. It shows also my route during the summer and autumn of the present year. I have connected my work this year, you will observe, with the place near Osoyoos on the U.S. frontier where the Com^{rs} left off last year and thus am now enabled to report that, with the exception of a few open questions, some of them of rather a serious nature, which await the action of the Prov. Gov^t, the Indian land question is adjusted throughout the whole southern interior of the mainland of the province for about two

hundred miles back from the frontier. Rock Creek, Fort Shepherd, and Kootenay are the only places near the frontier which have not yet been visited. There are said to be only 300 or 400 Indians altogether at these places. They are difficult places to get to.

I estimate roughly ^{that} since June last, I have ridden between 2500 and 2600 miles. I have visited every part of the country which the Indians wanted me to see, and have kept my tent open to hear their desires and complaints.

The Census will show that the Indians already dealt with by me this year number about 3000. I hope to be able to add very considerably to this number before the end of the year.

As regards the feelings of the Indians, I am glad to be able to report to you further that, in all the districts visited, the Indians appear to appreciate the just policy and kind intentions of the two Governments. Some of the chiefs of tribes whose land questions were adjusted last year visited me this year and expressed their satisfaction with what had been done, and with what was being done, in adjusting the land questions of the native population. I find that what may be called a strong "national" or "race" feeling exists among the Indians generally, at least as regards their relations to the white people. Each tribe expects that justice will be done to all the other tribes.

I am now engaged in the important district of the Lower Fraser, and hope notwithstanding the rain that prevails (giving this month the excessive rain fall of about 13 inches) to finish the work in the district before the end of the year.

In view of the discontent and suspicion in the minds of the Indians it was a question with some persons in this country, before I started on my campaign

last spring, whether the Indians would be disposed to deal with a single Com^{dr} undertaking the work which formerly was entrusted to three Com^{drs}. Upon this I have only to say that the Indians have not asked any questions respecting the change. Dealing with one white chief is I think more in accordance with the ideas of the Indians, than dealing with three white chiefs whose respective duties and positions on the Commission they did not quite understand. ~~in the composition of the Commission.~~

As a matter of fact, this year, every tribe after having stated its grievances and desires has, in the end, left the adjustment of its land affairs entirely in my hands, though in each case I began negotiations by telling the Indians that I had to care for the interests of the white settlers as much as for the interests of the Indians, and that I was not going to do anything that would turn the country lopsided. Every battle would try to arrange such a reasonable compromise as circumstances permitted showing no favour either to white men or Indians.

In a few cases the chiefs were a little troublesome trying to exhibit themselves as important personages by delaying the progress of the Commission but when I put them on one side and dealt directly with the mass of the Indians who above all things wanted their land questions adjusted, ^{they} came to their senses and resumed their proper positions as spokesmen for the people. I have not given a present to an Indian, not a piece of tobacco - during the whole season - and it is encouraging to find that the Indians generally not only appreciate but seem to like being put on their manhood and having their affairs dealt with on simple business principles rather than on humanitarian principles.

The fair and to me unexpected amount of success, which it would be affectation on my part to pretend that I do not know has followed my work, ^{among the Indians} _{as, I think,}

almost entirely, owing to my having tried to give practical effect to my conceptions of the Indian policy of the late Sir Jas Douglas, derived from a study of his official despatches and acts, and from his own conversation with me as regards the work entrusted to the Ind. Res. Com^{tee}.

My duties to the Indians, however, form only part of my work as a Reserve Com^{tee}, I have to justify the confidence which successive Gov^{ts} of the Province have extended to me by a proper care of the interests of the white settlers who of course form the back bone of our mixed population.

With respect to the attitude of the white settlers generally towards the Indian Reserve Com^{tee} the nature of my work has, of course, exposed me occasionally to criticism from some whose point of viewing a complex question that extends beyond local and personal interests can hardly be expected to be the same as that of ^{the} Gov^{ts}. It is not easy amidst interests that have grown up during 20 years past to adjust land questions that touch every rural settler in the province and are of the deepest concern to thousands of Indians; but I cannot say that I have been otherwise than well received by the white settlers in the different districts visited. I think I may venture to say that the great majority recognise that I have done my best to avoid any needless disturbance of existing interests or the necessity for correspondence between the two Gov^{ts} respecting questions which obviously could be solved in no other way than by compromise. The whole work of the Com^{tee} continues to be increasingly a work of compromise. Probably twenty questions, of a more or less formidable character have been settled on the spot for each one which I have been forced to bring to the notice of the Gov^{ts}, as insoluble by any effort of mine notwithstanding my extensive powers from the Prov. Gov^{ts}.

The details of my work so far, during this year, which has been more intricate and difficult than any yet encountered by the Commission, having been contained in the Field Minutes which I have sent from different places, I will confine myself in the present condensed report to some observations of a general nature connected with the work in hand.

The proper management of Indian Affairs in this province is a difficult practical problem, but so far as the assignment of land reserves is concerned the broad lines to be drawn are in my judgment very obvious. The same policy might or might not apply to the case of the Indians east of the Rocky Mountains. I have no personal knowledge of these Indians.

The first requirement is to leave the Indians in the old places to which they are attached. The people here do cling at present to these places that an advantage coming to them from residence elsewhere would scarcely them to change. It is the plain truth that during last summer I have had Indians kneeling to me with lamentations and praying that if the Queen could not give them soil, she would give them stones or rocks in the old loved localities now possessed or at least occupied by white men. The British Columbia ^{Indian} ~~Chief~~ ^{Chief} in his way and in a degree as much of a particular rock from which his family has caught fish from time immemorial as an Englishman thinks of his home that has come to him from his forefathers.

This strong feeling which is well known, but the force of which I did not until this year fully appreciate, cannot be justly or safely disregarded.

The next point is to interfere, as little, as the controlling necessity for settling up the country with white settlers permits, with the favourite resorts of the Indians, their old camps, their councils and gatherings and their intertribal traffic.

This needs fine judgment where everything around is in a state of transition.

Very essential is it also that there should be no restriction on the locomotion of the Indians. I regard this as of the first importance. The Indian should be permitted to go where they please, up and down the country, to work for whom they please and within the law, to do what they like. Leave a man alone and for instance he may stay within the limits of his parish for his life time. Forbid him to overstep its limits, and he immediately wishes to wander. This is the torment of human nature - that we may not go.

The above are the absolute requirements and the first requirements, of any Indian policy on the Pacific Coast (and probably in other parts of the Continent) that is to have a chance of success. Much more of course has to be done, but the above are essentials.

The American Govt., in their Indian arrangements generally, have gone as directly in the teeth of these essentials as could be done by legislation and the whole power of the Govt. and the result is known. The blunder is irremediable. Intense bitterness of soul, hideous murders, ever recurring wars and enormous expenditure have been the fruit of it.

I have said above that "more" has to be done - what this should be, cannot be better stated than in the following words of the late Sir James Douglas.

"Every family should have a
" distinct portion of the reserved land assigned for their
" use, and to be cultivated by their own labour, giving
" them, however, for the present, no power to sell or
" otherwise alienate the land; ~~that~~ they should be
" taught to regard that land as their inheritance;
" ~~that~~ the desire should be encouraged and fostered
" in their minds of adding to their possessions, and
" devoting their earnings to the purchase of property apart

"from the reserve, which would be left entirely at their own disposal and control; ~~that~~ they should in all respects be treated as rational beings, capable of acting and thinking for themselves; and, lastly, ~~that~~ they should be placed under proper moral and religious training, and left, under the protection of the laws, to provide for their own maintenance and support"

The above general principles of Indian policy, reflected in the United States, have, I believe, been largely recognised in the Indian legislation of Canada. I may remark here in passing that the success of the Indian policy of Canada is sometimes ascribed in common talk in the United States partly to the small number of Indians with whom the Canadian Government is supposed to have to deal. The fact is that Canada has many more Indians in proportion to the non-Indian population than the United States. The Indians in Canada are 2 1/2 p.c.t. of the population; in the U.S., they are barely 1 p.c.t. The difference in results is a question of management. Canada gets on well with the Indians because her Indian policy is based on sound principles, and is honestly carried out. That policy, however, has not yet had a fair chance in British Columbia. The existence of the land dispute has hitherto prevented Canada from establishing any very satisfactory administration of Indian affairs in the province nor has it as yet been ascertained how far the details of the Indian Act of 1876 are suitable in the management of the British Columbia Indians. This drawback will probably disappear as the progress of the adjustment of the land question opens the field for improved administrative effort.

The clear fact to which attention may be called is that if I should succeed in effecting a satisfactory adjustment of land questions in British Columbia without any necessity

for the Indian title to the soil being extinguished by money payments there will be a broad difference between the position of the British Columbia Indians and the Indians in Canadian territory east of the Rocky Mountains - that is to say - fully one third of the total Indian population in Canada will be in an exceptional position -

The British Columbia Indians will not have received any cash for the surrender of their territorial rights, and they will not enjoy the annuities which are payable under treaties to the Indians in other parts of Canada. This at first sight may seem a hardship to the Indians of Br. Columbia but I am ^{not} sure that it will be so in reality for a different policy would involve a habit of considerable dependence upon the government which is unwholesome and would tend to weaken the feeling and pride of independence largely possessed by the Indians in Br. Columbia from nature and early training. The annual Canadian Parliamentary vote for Indians outside Br. Columbia is heavy, and, if I am not ~~misinformed~~ there already is some misgiving in the public mind as to the effect of the heavy expenditure upon Indians east of the Rocky Mountains. Good results, or a fair hope of good results in that quarter might remove this feeling but it will grow if it should be found that the effect of the expenditure is to make these Indians rely too much on the Gov^t. instead of thinking, acting and labouring for themselves. As regards Br. Columbia the Indians deserve attention from their numbers and character no less than from their large contributions to the general revenues of the Dominion and I hope that the Province may be the scene of sound principles of ^{Indian} administration ~~justice~~ and of an expenditure not parsimonious but carefully made for certain well

considered objects understood clearly by the Indians themselves. The great point is to have the money expended for proper purposes. Niggardliness is less hurtful than lavish, ill directed expenditure.

It is better for ^{the} Indians to be ragged and self-reliant than to be well clad and without power of self-help. The one is an upgrade - a roughish upgrade perhaps; - the other is a smooth downgrade. The moral effect upon the people is to be regarded more than consideration of merely physical well-being.

From these points of view the accident of the Br. Columbian Indians remaining in the exceptional position of non-treaty Indians may prove ultimately not to be a subject of regret. It may save already useless expenditure, and under judicious arrangements may have the effect of keeping the Indians on the upgrade with advantage to themselves and with additional credit, in the long run, to a branch of Canadian administration of which the Canadian people already have reason to be proud.

But, though on a broad view, the actual facts of the training received by the Indians in this province may thus prove to be useful to them as a people under a wise administration of their affairs, and though the present circumstances of their condition are not opposed to and indeed may rather help the introduction of a sound, well considered policy on the part of the Canadian Govt (which cannot yet be said to have been applied here in any degree) I am sorry, as a matter of historical truth, to have to say, that the facts disclosed in several of my Field Minutes, forwarded from different places, are inconsistent with the fair and reasonable attention to Indian business which might have been expected from the Br. Columbian Govt in pre-confederation days and which was enjoined upon the Colonial authorities in repeated

disputates from the Home Gov.

In illustration of this I may briefly refer here to one or two matters which have been elucidated and explained in the Field Minutes.

It is almost unnecessary to say that the manner and customs of the native population must be understood before land reserves can be satisfactorily assigned for their use. Our ways may be good ways but other people, particularly uncivilised people, may not be able to accommodate themselves to these ways all at once. It is an error to suppose that there was no system nor regularity in the old mode of life of these Indians. It was a different life from ours but in its way it was systematic.

Each band brought its duties, and certain portions of the tribal district were at different times of the year the scenes of Indian pleasure making or avocations, these places being linked to the hearts of the people by many associations. None of the rulers of Br. Columbia since Lord D. Douglas left office seem to have appreciated this fact. It is of course impossible to open an Indian country for white settlement without largely interfering with the Indian modes of life — the lines of the Surveyor will run through favorite Indian camping places and berrying grounds, and perhaps will cut the tribal race course in two, — but the effect of the incoming of white settlers may be mitigated in many ways which an enlightened humanity can suggest. Certainly, since Sir D. Douglas left office in 1864, the procedure in this country seems to have been too rough, summary and desultory. The difficulty of weaning an uncivilised people from old ways of life, without needless hardship to them, has not been sufficiently recognised.

The

question of assigning land reserves for the Indians has been dealt with as if it were simply a question of assigning lands for Ontario farmers - so many acres of fertile land to each individual, whereas the fact has always been that if the ways of the people were not taken into account and they were not left in some respects free to follow these ways, acre upon acre of fertile land might be added to the reserves in a vain attempt to satisfy the Indians. I have solved several apparently insoluble problems this year by discovering that what the Indians really wanted was not so much good plough-land as some old place of "fun" up in the mountains or some place of fishing resort where at certain seasons they ~~would~~ assembled by the thousands to fish, dig roots and race their horses. There seems to be no good reason why we should have drawn our civilised horizon across over the feelings & habits of the people nor why the policy of assigning reserves for the use and enjoyment should not have been adopted as far as possible to their desires, so long as what was done did not importantly tend to check white settlement or the progress of the Indians through a transition period to the new fashion of life which may be adopted by their children.

As a sample of what I mean by too summary a procedure I may mention that in assigning a ^{compact} ~~compact~~ reserve in a district proper arrangements do not in all cases seem to have been made to obtain the intelligent consent of the Indians to the change, nor to compensate them for their improvements on isolated holdings which if they went to the new reserve they would have to abandon.

As all the lands not included within the reserve were soon after the assignment thrown open to white settlement, the effect of the occupation of these lands by white settlers was (not to seek any harsh term) in fact the

confiscation, practically, of all Indian improvements on the above isolated holdings. In some cases the reserves were laid off by a magistrate after a visit of a few hours, and in the absence of the head chief and the bulk of the tribe. No proper enquiry was made as to the desires of the people respecting the reserves nor as to their fishing places and favorite places of resort, nor was any explanation offered as to the effect of laying off the reserves upon the Indian gardens and farms in the district. The white settlers who pre-empted land within which these Indian gardens and farms were included did not, as a rule, drive the Indians away at once; some of the settlers had Indian wives, and the labour and perhaps even the company of the Indians were useful and agreeable for a time on the farm, but nevertheless, the white settlers proceeded to strengthen and complete their legal titles to the land, and, finally, a time came when the Indians awoke to a sense of their position.

Clinging as they do to particular localities with a strength of feeling of which, as above said, I have had manifestations that have surprised me, many of these dispossessed Indians did not go upon the reserves, but withdrew to some place outside the white settlers fence to try to make another home within view of the one they had lost. Fresh settlers came in and the process was repeated.

All this time the law existed withholding "Indian" "settlements" from purchase or pre-emption, but in practice it seems to have been taken for granted by every one concerned that the provision was dead in districts where reserves had been assigned, even when they were assigned in the hurried manner above mentioned.

Some of

my hardest work has been to find a way of compromising these questions. The equity in such cases would not, I imagine, admit of much doubt.

The irrigation water question which was touched upon in my last year's report and has been fully explained in my Lytton Field Minute of 24 June 1878 has proved to be as difficult a question as I have had to meet. I have not been able to solve it in some parts of the country and I fear it may, to some extent, impede the satisfactory progress of the Indian land adjustment in the interior of the mainland.

You are aware that irrigation is necessary to produce crops in a great portion of the interior.

The Govt. did not, so far as I can ascertain, specifically withhold from acquisition by non-Indians the water required at Indian "settlements" nor did they assign water privileges to the Indians in giving them land for their reserves. In 1868 a law was made under which only non-Indians could get a right to water for irrigation - the right depending upon priority of record in the books of the Govt.

The consequence has been that white settlers and miners have "recorded" much of the available water in the neighbourhood of Indian "settlements" and "Reserves" and thus many of them cannot be cultivated, or can only be cultivated intermittently, and in part. The Indians feel very sore about this water question. They have followed me about to ask that the question may be settled before next spring. They say they have not been able to get "papers" for water, like the white man, or they would have secured water supplies long ago. It seems to be a hardship, that the Crown should have disabled the Indians from acquiring this prime necessary in agricultural industry and should have enabled non-Indians to secure most of the available water. I brought this irrigation-water question to the notice of the Prov. Govt. on the 22nd April last but they have not yet communicated to me their views upon this subject.

The Hon. The Supdt. General
of Indian Affairs. Ottawa }

Yours obt. Servt
Ed. G. Macdonald
In. Rec. Com.

Indian Reserve Commission
British Columbia

In Camp near
Sto-wallock.
5 Decr 1878.

Sir

I have omitted mentioning to you the reception which the Indians of the Lower Fraser gave me at Hope, on undertaking work amongst them after my late campaign among the heklw, kap, &. snko.

These matters are generally too unimportant to be mentioned in correspondence but as on the occasion of beginning work among a new group of Indians, the people made a considerable effort to receive me well, and, I find, are desirous that their action should be known to you, I feel bound to mention what they did.

In the interior the Indian Chiefs ride up with standard banners and perhaps 100 horsemen, and the Chief begins speaking in loud tones, when he is perhaps 200 yards from my tent.

The practice on the Lower Fraser, where the people have few or no horses, is necessarily different. They copied the ways of the white men in receiving me.

The chief's house was swept and cleaned, and nothing left but the stove. Seats from the Church were placed around three sides of it. At the remaining end were a table and chair for me covered with elaborately ornamented covers made of mountain goat's hair. My chair was under a very pretty arch made of green boughs, flowers and flags which must have cost the Indians some time to make. The room itself was decorated with flags.

Outside, a covered walk of horse hair terminated in a handsome arch of wood decorated with boughs and flags. Here 15 Indians dressed in uniforms which they had picked

up somewhere, stood and fired a salute as I approached.

They then formed on one side of the covered way in obedience to the military command of a fat Indian in a red coat and wearing a sword. When I entered, instead of the military salute of presenting arms, they pulled off their caps and bowed gravely.

I found 60 or 70 chiefs and delegates in the room, who all rose on seeing me, and as soon as I was seated the "troops" filed into the room and took up a position on one side where they remained immovable during the two hours of the interview. Before I left they resumed their position in the covered way, and went through the same ceremony as on my entering.

The whole reception, of course, had its ludicrous side to civilised eyes, particularly the military demonstration which might be considered to partake of the burlesque but outside of that nothing could have been in better taste.

The principal chief explained that they wished to show their good feeling to the Govt. of Canada, and they thought they could not do so in a better way than by copying what the white people did when Lord Dufferin came to British Columbia.

The Indians were all well dressed - better dressed than I was - for they had not informed me of their intended ceremony, and they evidently were very proud of the success of their demonstration.

These people are very observant and acute, and already are far, indeed, from being ~~strangers~~ ^{strangers} savages. The fat man in the red coat gave his orders in English "express" and "dress up" in the most approved style. The whole ceremony could not have been more faultlessly conducted by white men, as above said, except that the men, as above said, did not salute with their guns.

I was successful in maintaining a grave demeanour throughout the Hymn, The Supper Gen.
of Indian Affairs & the

I have the honour to be
Sd. S. M. Sprouty
J. R. Comr.

Indian Reserve Commission
British Columbia

In camp Lower Fraser
3 Decr 1878.

Indians of Yale.

Sir,

These Indians occupy the portion of the town of Yale and its suburbs shown in the enclosed rough sketch.

The railway line runs diagonally across one half of the reserve, and I am told that the remainder of the reserve might possibly be required for purposes connected with the projected railway.

The Indians would be very unwilling to leave the place they now occupy, and it might not be easy to find another place on the right bank of the Fraser, or it might cost a good deal of money to get such a place on that bank, if the present Reserve were taken from the Indians.

The town is laid out on the left bank of the Fraser as well as on the right bank, but is not inhabited on the left bank, though a few of the lots are sold.

The remaining lots on the left bank are within the railway strip.

I do not know how the land within the railway strip is managed, but I think ^{that} until matters are further developed, it would be well to withhold these remaining lots from being acquired by any one, in view of the Govt finding itself possibly in a difficulty as regards the location of the Indians should their present reserve be used for railway purposes.

The Indians of Yale number 276 and the settlement is one of the oldest in the

country having a peculiar value to the Indians from its nearness to the salmon fisheries in the 'Canyons' immediately above Vale.

It would be contrary to the policy of the Department to entertain any proposal to remove these Indians altogether from the neighbourhood of Vale. Under these circumstances I make the above suggestion.

I have the honour &c &c

The Hon.

Sd. G. McSproul J. R. Com. &c.

The Supt. Gen. of Indian Affairs
Ottawa

Indian Res. Commission
British Columbia

In Camp, near Okanil.

Address care of Mr.
Jones Okanil.

5 Decr 1878.

Sir,

I shall be happy to give you any information that I can about the kekla, Kap. a. munks among whom I have been working during the past summer and autumn.

I am trying to adjust land questions in the upper portion of the Lower Fraser before the cold snap comes which is always suddenly possible in that district, say the Vale, Hope, Okanil Popkum and Cheam districts. I do not wish to leave the district without at least finishing these places which may take me ten days or a fortnight yet.

My intention, thereafter, was to work down the Fraser, as long as the weather permitted, but if there is anything of an urgent nature in the matters you write about - say the conversation as to the kekla, Kap. a. munks or the proposed ejection of the Indians from New Westminster by the City Council, I could, on leaving again from you, change my programme and move from say Popkum to New West.

to take up questions there and to talk with your
 good self, after which I could return and fulfill
 my programme, weather permitting, of working
 down from Popkum.

Having a party on pay whom it
 would be inconvenient to discharge for a short time,
 I wish to take my work about with me wherever,
 personally, I may be, so be so good as let me
 know what degree of urgency belongs to the two
 above mentioned matters, and then I will answer
 more definitely, and kindly say if there are any
 special points which you would wish to converse
 about in connection with the Pekla, Kap. & mutes
 and I might meanwhile be turning the matter over
 in my mind -

Jas. Constan Esq.
 New Westminster

I am & & &
 St. F. M. Sprunt Esq.

P.S. The notice from the City Clerk is
 dated 6 months ago. Is this correct, or a clerical error.
 Are they leaving the question over till I get to New Westminster?
 and will they still so leave it? In the end

Jas. Res. Com^{rs}
 British Columbia

In Camp near Ohamile
 5 Decr 1898

Sir

I have the honour to acknowledge receipt
 of your letter of the 2nd inst, and have to thank you
 for the clear statement which you therein make as
 regards the Indians who reside at and who visit
 New Westminster.

I have also received copy of the intimation
 by you dated 20 June last from the Municipal Council
 that it had been resolved by the Council "to remove"

"all Indians now living on Corporation property, outside
the City limits &c."

It appears from your statement that many of these Indians are usefully employed in industries that are of value to the inhabitants of New Westminster and its neighbourhood, but that they have no suitable reserve, and their presence under present circumstances, is in some respects attended by disadvantages to themselves and the Community.

This is manifestly a case that requires attention and very grave consideration on the part of all who are interested.

My programme is to work down the Fraser, but if it is thought desirable to have the New Westminster question, on account of its importance, settled, out of the order of work proposed by me, I will take the earliest opportunity of visiting the place and will see what can be done in the matter, after hearing your own suggestions and those of the Municipal Authorities.

At the same time I may say that for various reasons I would rather follow my own programme of working from village to village down the river, unless it is considered at New Westminster that a change of programme is desirable.

Jas Lenihan Esq.
New Westminster

I am &c &c &c
Sd. Geo Sprout J.R. Coon

Prods Com &c
British Columbia

To Camp, Lower Fraser
5 Dec 1898.

Sir,

I beg to enclose, for your information, extracts from a letter of mine to the Superintendent General

on the subject of a proposed meeting of the
Hekla. Kap. a. Shuks, probably at Lytton, next
spring.

I need not write more, at present,
on the matter as I can give you details when I
have the pleasure of meeting you.

Yours faithfully

Sd Jm Sprunt Esq

Joe Lemkau Esq.
Ind. Supdt.
New Westminster

Mr. Asst. Commissioner
British Columbia

Vancouver B.C. 1878

Sir

I beg to annex copy of letter from the Asst. Secy
Ottawa 19 Oct on the subject of the survey

I note that Mr. Green proposes with
your approval to stop his senior's work at Comox. Please
see that expenditure ceases on account of his party as
soon thereafter as possible. Would it not be well
that he and you should meet to enable you to
ascertain the facts as to Gore, Mackay, Fox &c or, perhaps,
if he is going to winter in Cowichan and you should
have to visit the coast coast to "clean up" the survey
by and bye, it might do for you, then, to confer
with him.

I will think if there is anything to
ask Bennett to do.

Yours &c

Sd Jm Sprunt Esq

Ernest Esq
Kaituma

Ind. Res. Commission
British Columbia

In Camp Down Fraser River
7 Decr. 1878.

Irrigation Water

Sir,

In reference to mine of the 26th Nov. as to irrigation water and other matters, I beg to inform you that it is said that the Local House will meet on the 29 Jan? -

It is too probable that what I said in the above letter as to the postponement of consideration of this matter by the Provincial Gov. will take place.

I have to day an urgent message sent to me by the Indian chief at Lytton, 70 miles distant, reminding me of the good behaviour of his people, and begging me to see that they get water next spring, otherwise they will lose a year.

I hope you will consider whether no means can be taken to hasten the settlement of the question.

Nothing could be more embarrassing as regards any attempt to improve Indian administration in the interior of the Province than continued delay in adjusting the matter.

In all probability the Province will do nothing, unless compelled and it may become a practical question how to compel the Prov. Gov.

The Canadians here do not think much of the Indian "title" in the soil, as opposed to the interests of white settlers holding land or water*
* (I mean, they only hold "water" under what is practically a revocable licence and as to the "ditches" they require to be vested by deed which has not been done)

under British Columbia Land Ordinances or acts, but there must be some means of redressing the wrong caused by the neglect of the Crown to provide water for the Indians.

The object of the present letter is to remind you that as Res. Com^{rs} I have certain powers from the Prov. Gov. by Order in Council 23 April 1878 (sent to you in mine of 29th idem) and that it may be well so to frame my decision as regards the rights of the Indians to water as shall assist the cause of justice and the action of the Hon^{ble} Gov^t in pressing the Prov. Gov. by process of law or otherwise.

I enclose copy of extract from the Com^{rs} Minutes of Decision last year as to water for the Indians, and I will use much the same in my Minutes for this year, unless you instruct me that any other words would be more useful in view of what may have to be done.

There seem to be three pleas on behalf of the Indians

(1) Under their alleged title to the soil, not extinguished nor proposed to be extinguished here

(2) The protection afforded by Provincial Law (see mine of 26 Nov)

(3) The decisions of the Commissioner under his formal powers.

The latter would not amount to much, as against legal rights.

I enclose for your general information a clipping from a Sacramento (California), newspaper showing the difficulties caused

by impolitic water legislation in such a country as that east of the Cascade range in this province, where water is required in cultivation.

The case is not so bad in British Columbia, but the contents of the clipping are suggestive.

I am Sir, &c &c &c
J. M. Sprunt J. R. Com. Sec.

Extract:

"The prior right of the Indians as the rightful owners or occupiers of the soil to all the water which they require, or may require for irrigation and other purposes from --- so and so --- is so far as I have authority in the matter declared and confirmed to them."

The Hon. The Supd. Gen.
of Indian Affairs Ottawa }

Copy
Commission of Canada

Victoria B.C. 23 Dec 1878

\$ 5500 -

Received from the Receiver General of Canada through the hands of the Bank of B.C. Columbia at Victoria the sum of Five thousand five hundred dollars - being of Indian Expenditure Indian Reserve Commission.

Signature J. M. Sprunt

Officer In. the Commission

Recd at Victoria
19 Dec 1878

Hope 8 Dec 1870

Ocuppi

(Ah Tim's Pre-emption
left back above Sister)

The Indians say that this land is theirs.

The Shumamans papers appear on their face to be in order, but still of course not true if he has declared wrongly that the land was not an Indian allotment when he pre-empted it.

The Indians story is something like the enclosed.

I have told the chief & Capt John they had better go up with the Shumamans to see for

Will you kindly say if the Indians story is true?

There is another matter with which I venture to trouble you

In 1875 Dec 27 you gave
I am (Egwa-won Chief) the following

The Indian chief of

How-Ka-wa claims for their use and
occupancy a parcel of land above Union Bar
which is known on the official Map as the
How Ka wa reservation

W. T. F. at But

I have no such place on the map & I think you must have confounded the place the chief wanted with the reservation above the Sisters "Pucka Moal chin" - at least the

chief says that Kowka wa is at the lake
behind Hope a mile or two.

It so happens that the English
Church or W Holmes has land adjoining
both places, which might have accounted
for the matter under the imperfect
explanation given by the Indians.

The importance of the question
as to Kowka wa and its being on a
map consists in there being a dispute
between Mr Murphy & the Indians
as to Kowka wa (behind Hope). Has
Murphy a pre-emption there & for, the date?

The Indians say there is no other
Kowka wa.

Yours
D. J. M. Spook

W. T. Kearney Esq
Yale

me

"The chief said he told Dr. Powell he wanted that land where Ah Tim is and he went to Mr Teague who marked a spot and they put it in a little above where the Chinaman now has his house.

Chinaman went to Mr Teague and said I want a piece of land and he took the Indians land

The spot is lost.

Indians complained to Mr Teague who said I have made a mistake but he says I will make it right.

Let Chinaman stay 3 years

Chinaman & chief were together at Mr Teague's office when Mr Teague said above

Mr Teague said to Chinaman you like to mine you must pay to chief 2¢ a day and \$3 a day if you don't every day pay it.

Chinaman said I had better not mine. I will cut wood and in 3 years will leave the place.

Mr Teague asked chief how much he thought the Chinaman should have for vegetables during the 3 years - The chief said a little piece. Mr Teague said - let him cut wood & work he will be better for you as after 3 years he will leave.

Mr Teague told Chinaman to give the chief every year for above privilege 3 Bays flour: he paid this one year, but none since

Ind Res Commission

To Post-Master

New Westminster B.C.

21 Decr 1878.

Sir,

As I shall be making various reports to the Com: Govt in a short time it will be convenient for me to make at the same time reports upon any action of the Commission during the past season on which the Prov: Govt may wish for information.

I am still without replies from you as to various matters referred to the Prov: Govt during two years past.

I am &c &c &c

St. G. M. Sprout I.R. Com.

The Hon
The Chief Com: & Lands & Works
Victoria

I. R. Com.

B.C. In Camp Chillat
Lower Fraser 21 Decr 1878

Money

Sir

I have to acknowledge the receipt of telegram, as per annexed copy, advising that the sum of \$5500⁰⁰ has been placed at my credit in the Bk. Br. & Columbia for the Indian Res. Com.

I am &c &c &c

The Hon:

The Sup. Gen: Indian Affairs
Ottawa.

St. G. M. Sprout I.R. Com.

Copy. Telegram.

Victoria 19 Decr 1878.

J. M. Sprout.

Indian Land Com: Popkum.

Credit for Five thousand

five hundred received from Ottawa.

St. W. G. Ward

Indian Reserve Commission

Chilliwack 23 Dec: 1878

Sir,

Be good enough to report to me as to the progress made in plotting the field notes of Messrs Green and Semmets on which you have been engaged since the 16th Nov.

The Deputy Minister of the Interior is himself a Surveyor, and it will not be expected that you will exceed the shortest possible time for the above work which is required for plotting field notes of average correctness. Please to state for the information of the Minister when the work may be completed, not including the map.

I do not understand the bearing of your remark that the plans to be made for the Commission have kept you back with your survey duties.

These plans were asked for by me long ago and the 16 Nov. was a date chosen some time ahead to give you time to finish up all work for the Com^{tee}.

Mr B - waits for the list of Com^{tee} property in your hands at the 16 Nov. and any requests you have to make respecting it.

You should advise the paymaster of the cessation of the surveys so that the Minister may not be sending money not required, and it should by this time have been officially advised by you of the same for communication to head quarters at Ottawa.

My experience so far destroys confidence in the map of the District. There has been a waste of money in connection with this map and getting information, which I regret.

S. McKim Esq
Kantoria

Yours faithfully
J. B. McSproul
R. Com^{tee}

Care of Post Master, Gale
1898. 23 Decr.

Sir

I have received your letter of the 7th.
No Indian can cut wood on a white man's land
without permission, but the Indian may cut wood
on the Crown lands, and upon lands given to them
by the Indian Re-commissioners.

If Mr Charters has
presumed to forbid the Indian Locasta from cutting
wood on the Indian or Crown Land he has acted
illegally and wrongly. There surely could
have been little difficulty in ascertaining where the
cutting of timber took place - Mr Charters' land
is known - outside of that land he cannot have
anything to say.

I am Sir &c &c
Jd L M Sprout

The Woodward Co., Inc.
Nicola Valley }

Care of Post Master H. W.
23 Decr. 1898.

Sir,

I have received your letter of the 28th Novr.
If the quartz lead you speak of is upon the Okanagan
Indian Reserve I think no one can deal with it
except by the written licence of the Sup^r Gen^l of
Indian Affairs Ottawa, who will arrange with the
Indians before giving such sanction.

If you choose
to let me know where it is, I will instruct our
surveyor to ascertain the locality and mention
your name as the discoverer to the Sup^r General.

There is a heavy penalty for removing any wood
stone or minerals from Indian Reserves without
licence.

You and your friends are in error in supposing that I have given any land to Messrs O'Keefe and Greenhow.

Any land they have they have acquired from the Prov. Gov^t who are supposed to represent the people and to have charge of what you call the people's property. The above mentioned gentlemen have been encroaching on Indian lands and will have to be ejected.

Yours obed^{tly}

Ronald Campbell Esq;
Okanagan

Sr G. M. Sprunt

Ind Res Com^{rs}

British Columbia
Chilcot River

23 Decr 1878.

Dear Sir

In reply to your letter just received I beg to inform you that as I have no knowledge of the circumstances to which you refer it is not necessary for me to make any comments upon what you ^{state} wrote. It is a rule of the Indian Reserves Commission not to have any dealings or conversation with the Indians on Sundays and this rule has not been departed from at Chilliwack.

Whether the Indians do or do not discuss secular affairs among themselves in their camps on Sundays is beyond my knowledge and must be beyond my control. It is the concern of their religious instructors in which whose sphere of duty I am solicitous not to interfere and whose good work I do all that I can to help.

Sunday is the only day that the Interpreter Michel has to himself and he naturally visits the Indian camps but if his

presence then leads to misconceptions I will tell him
always to withdraw should formal discussions take place
among the Indians on secular affairs.

Yours obed. Serv^t

St. G. M. Sprat

C. M. Tate Esq;
Chilliwack }

Ind. Res. Comm^{rs}

Decr 26 - 1878

Matoguei B.C.

Sir,

I have to inform you that it is the intention
of the Hon. Sec^y to take legal steps against you
as a trespasser upon the Indian Reserves at this
place, and to restrain you from further
similar proceedings with respect to Indian Reserves
at Sumas & Chilliwack.

It is considered that
the "Sumas Repting Act" cannot give you any
authority to touch Indian Reserves. That can be
given by the Sup^r Gen. of Indians alone, acting with
the consent of the Indians.

I have the honor, Sir,

Yours obed. Serv^t

St. G. M. Sprat J.R. Com^{rs}

E. L. Darby Esq;
Matoguei }

Indian Res. Comm^{rs}

British Columbia

Matoguei 26 Dec 1878

Sir,

Being about to consider the question of
Indian Reserves at the city of New Westminster
and in its neighbourhood they have respectfully
to say that I shall be glad to be favoured with the
views of the Mayor and Council upon a subject with
which they, necessarily, are well acquainted, and which is

for many reasons, so important.

As Morrison Esq:
C. M. C. New West

I am Sir

Your obt Servt

Jd, S. M. Sprat, Comr

Charles Comr

B. Columbia New West

16 Jan 1879

Sir,

Mr Krohn sends me salary vouchers for signature with a request that I should send them to you direct, after signing them. I do not do so as I require explanations from that gentleman as to the work in hand -

I expected that Messrs Green and Emmett's notes would have been plotted by this time, but Mr Krohn says that Mr Green's notes have not yet been received by him.

Your obt Servt,

Jd S M Sprat, Comr

To Col. Powell
Victoria

J R. Comr

New West B.C

Jan 16 1879

Sir,

I have received your letter of the 29 Decr to day on my return from the Gulf of Georgia, and observe that you think it probable that the office survey work now in your hands may be finished about the end of February -

You inform me

also that you have not yet received Mr Green's field notes, and that you are not sure that Capt Emmett has sent you all his.

The

delay in the work is very unsatisfactory as the period of its probable completion which you indicate will be inconvenient for my examination and signature of the plans. I do not know where I, then, may be,

As Messrs Green and Semmett have been under your orders, exclusively, it is not necessary for me to examine in what degree these gentlemen, or either of them, may be accountable for the delay.

What it is needful for me now to say is that in appointing you, subject to the approval of the Superintendent General, on the 16th Nov last to plot these surveys and make maps, it was of course understood that, coming on pay ~~at~~ that date you had and would continue to have material for work without interruption by reason of the absence of material which the surveyors should send.

I did not anticipate that the work would be stretched over from the 16th Nov to probably the end of February.

It would be unbecoming on my part to express an opinion on professional matters, but I submit to you that two months is a sufficient time for plotting the work of Messrs Green and Semmett and making maps, and if you think this estimate unreasonable, I shall be glad to have a statement of your views for submission to the Supt General.

The two months have passed already, and the work has not much progressed. This I can believe is not from any backwardness in working on your part, personally, but you must be responsible for what the surveyors under your charge do, or neglect to do, and the Govt cannot justly be expected to incur

expenditure caused by carelessness or indiscipline, if such has been the cause of the delay.

Under these circumstances, and pending necessary explanations and fresh arrangements, I think you must stop all your work, as I do not feel justified in signing pay certificates or admitting that the Government should be liable in respect of this work for so long a time as from 16 Nov to end of February, when, subject to correction from those better informed, I believe that two months would suffice for the whole, which two months have already expired.

I am Sir

E. M. Esq. C.E.
Katyje

Your obt. servt
S^d. Gilbert M. Sprout
Commissioner

Ind. Res. Commission

B.C. New Westminster

1879. January 27.

Sir,

I have received your letter of the 14th inst. enclosing copy of a letter to you from settlers in the Similkameen dated 2 Dec last on the subject of Indian Reserves there.

I am now embodying my Field Minutes and will send you that on Similkameen as soon as I can get sketches made to accompany it, as these will help you to understand the question.

I am &c &c

The Hon.
The Chief Com^r
Land & Works
Victoria

S^d. Gilbert M. Sprout
Commissioner

Indian Res. Commission
British Columbia

New Westminster 27 Jan 4 1877

Sir,

In reply to your letter of the 14th I beg to say that you are in error in addressing me on the subject of Mr Derby's encroachment on the Matsqui reserve - that being now a matter for the Indian Department to deal with.

As I travel much about the country it is found convenient for me to notice cases of trespass by Indians or by white men, and in Mr Derby's case all I have had to do with it was to report the fact of encroachment and notify Mr Derby of his position.

If you have any observations to make on the case I would suggest that you should do so through the Department here, as the Superintendent General, being without local or special information, would probably have to send your statement back to the province for report.

The particulars of the action of the former Reserve Commission in the Kamloops section are stated in their Reports which will show you that you have been wrongly informed as to the effect of their visit.

I do not accept your broad statement of opinion - if I rightly gather it - that Indians have no rights of way outside their reserves, except on government roads, but that is a question of law, with which, I should imagine, the Reserve Commission have no power to deal, and with which I have not attempted to deal. This, also, will be a Departmental affair.

The Hon
The Chief Comr
Lands & Works, Victoria,

Yours truly
J. M. Stuart
Comr

Indian Res. Commission

O.C. New Westminster

1879 Jan 27

Sir,

I beg leave respectfully to enclose a copy of a memorandum showing the position in which I find myself placed with respect to the adjustment of Indian Reserves at Chilliwack, Soanass and Na-t-qui.

I am Sir

The Hon;

The Chief Com^r

lands & Works Victoria

Your obed^t Serv^t

St. E. M. Sprunt, Com^r

Ind: Res. Commission

New West^m, 1879,

Jan 27.

Sir,

I am very sorry that you have got into any difficulty with the Dominion Gov^t. By your having taken possession of Indian lands without licence, but beyond reporting the fact of encroachment, and attesting you of your position I have little to do with the matter. It is a departmental affair.

The usual course is, I believe, for the Superintendent General to place such matters in the hands of the Minister of Justice who instructs his agent in the Province to take the necessary legal proceedings.

In answer to a letter which Mr. Wadsworth has written to me on the subject (under the same misapprehension as that under which you write me) I have suggested to him that any statement on the case which it might be desired to submit to the Sup^t General might, in order to save time, be sent through the Department here as otherwise the Sup^t General, not having local or special knowledge, might have to send the statement back

to the Province, to be reported on.

I am Sir,

E. L. Herby Esq; }
C. B. Sword Esq; }
Malaspina }

Your obed^t Serv^t
Sd Malaspina - Com^r on

Memorandum as to Indian Reserves in the Malaspina, Soaness and Chilliwack Districts of the New Westminster, or Lower Fraser, Country, in British Columbia respectfully submitted by Gilbert Malcolm Sprout, Indian Reserve Commissioner, for the consideration of the Honourable the Superintendent-General of Indian Affairs, in consequence of the appropriation by Mr E. L. Herby of a portion of the Malaspina Indian Reserve, which is one of a number of Indian Reserves that will be affected by action which Mr Herby is taking under a Provincial Act - the "Soaness Dyking Act" 1878 and in consequence of the Provincial Government having granted to Mr. Herby all the Crown Lands near the Malaspina, Soaness and Chilliwack Reserves.

New Westminster
British Columbia
27 Jan^y. 1879

(See rough map)
Reservist

It is unnecessary to refer to the agreement between the Dominion and Provincial Governments as to the adjustment of Indian Land questions in the province, nor to the equitable or legal obligations arising from that agreement, as the subject is well understood.

With the approval of,
and indeed at the request of the Provincial Gov^t the

Indian Res. Com^{rs} was employed upon the coast of the Province in 1876 and 1877 and in the interior of the Country in the latter part of 1877.

The work of the Com^{rs} in 1878 was under the direction of the Hon^{ble} Gov^t solely, as they paid all expenses. It was considered necessary by the Com^{rs} to finish in 1878, the work which had been begun in Yale district, in the interior of the Country by the former Reserve Commission, in 1877.

The Indians of the New West or Lower Fraser District, inhabiting a portion of the Country comparatively well settled by white people, were much annoyed by the fact of the Reserve Commission working outside their district in 1876 and 1877 and going past them in 1878 to visit the Indians of the interior.

Their views and wishes were communicated from time to time to the Reserve Commission, and by the Commission to the Provincial Gov^t for such action, in aid of the work of the Com^{rs} under the agreement between the two governments as the Provincial Gov^t might see fit to take under the circumstances of the Commission being employed elsewhere than in the New West District.

This was done by way of reminder and not as implying any doubt of the willingness of the Provincial Government to do what was called for by the agreement between the two governments.

In the beginning of 1878, there was some talk among the public of a dyking scheme being undertaken in the Lower Fraser district by Mr E. L. Berby, a gentleman from San Francisco who proposed to dyke against river freshets a large portion of land within which were 10 or 12 Indian Reserves (unexamined by the Commission) in consideration of a large grant

of land to be made to him by the Prov. Govt.

It was not necessary for the Indian Res. Commr to remind the Prov. Govt again of New West's district matters, but on the 12 April 1878 Macpherson nevertheless did so in a letter which expressed the hope that the possible wants of the Indians of the Lower Fraser had been or would be considered in connection with any grant of Crown Lands under Mr Darby's dyking scheme.

On the Commr's return from the interior of the Country in the end of November last he began work in the Lower Fraser district - namely from Yale to the mouth of the Fraser, and on reaching Chilliwack, Somass and Matsqui found that Mr Darby had begun work at the latter place, and had without intimation or licence taken possession of a considerable portion of the Matsqui Indian Reserve, and that he proposed running his dyke across the Somass Indian Reserve, and affecting all the Chilliwack Reserves by diverting streams or otherwise.

Mr Darby stated that he had done this under a Provincial Act called the "Somass Dyking Act 1878".

The Commr explained to him that he thought it was open to question whether that Act, under existing circumstances, could give him any powers of appropriating Indian lands for the purpose of his dyking scheme, and that his proper course would have been, and now was to make his plans known to the Sup^d General who on mastering the facts of the proposal would decide as he thought fit, on the request made for the use of Indian lands. In the meantime Mr Darby was known to the Superintendent-General only as an encroacher upon an Indian Reserve, and must be notified, as usual in such cases, that legal steps would be taken to eject him and to restrain him from further unauthorised proceedings.

This is the state of matters so far as Mr Darby is concerned, but on perusing the "Somass Dyking Act" the Commr for the first time learned that the Prov. Govt.

notwithstanding their agreement with the Hon. Sec. as to the adjustment of Indian Land questions, had granted all the Crown Lands near the Matsqui, Somass and Chilliwack Indian Reserves to Mr. Dorby, and had thus practically dealt with the question of the sufficiency of these reserves, which question it had been agreed between the two governments the Indian Reserve Com^{tee} should consider and adjust.

The Commissioner is unable, at present, to say whether these reserves are sufficient, or whether the dyking scheme will benefit all or any of them. This can only be known after proper investigation; in the meantime, the Com^{tee}, in view of circumstances created, thinks it well to send a copy of this memorandum to both governments, and to await instruction so far as the reserves of Matsqui, Somass and Chilliwack are concerned.

It is to be hoped that he may soon be enabled to undertake the adjustment of these reserves, after the long delays which have already taken place with respect to all the reserves on the Lower Fraser, and in view of the fact that he may in a short time be in a distant part of the country.

J. P. Gilbert Esq. Special
Commissioner

Ind. Res. Commission

P.O. New Westminster

1879. Jan^y 25

Sir,

I beg to enclose a memorandum showing the position in which I find myself placed in reference to Indian Land questions at Chilliwack, Somass and Matsqui, on the left bank of Fraser River halfway between this place and Yale.

It is difficult to understand ^{how} in connection with the subject matter of the Memo., the Provincial Govt. has permitted itself to be put into its present unpleasant position as regards its relations to the Dominion Govt. on the one hand, and to Mr. Dwyer, the San Francisco speculator, on the other, and this, notwithstanding my having taken the liberty of reminding the Prov. Gov. of the possible wants of the Indians as long ago as 12 April last, though such a reminder from me was unnecessary in view of the agreement between the two governments for the examination and adjudgment of Indian Land questions generally.

Now it is obvious what the relations of the Dom. Gov. to the native population of this province are, or are to be, if the Dominion Govt. is to be dependent on the will of the Prov. Gov. for the opportunity of considering the sufficiency or otherwise of Indian Reserves, and if the Dom. Govt. is to be interfered with in protecting old reserves from deliberate appropriation by white men.

There are 10 or 12 Indian Reserves in the district to which the Dwyer act applies and among them are the reserves at Chilliwack which place was formerly the principal centre of population of all the Indians of the Lower Fraser.

The following is the census of the Chilliwack Soanass and Matsqui Indians to whom the above reserves belong. There are 521 people,

Names	Adults		Youth		Children		Totals	Cats	Names	Adults		Youth		Children		Totals	Cats		
	M	F	M	F	M	F				M	F	M	F	M	F				
Chilliwack									Soanass										
Skwah	34	30	1	1	13	19	26	58	La. Kah. ab. men	6	5	1	1	2	1	1	8		
Skwah, La	2	2	-	-	1	-	4	-	Skwa, aho	7	8	2	2	3	4	1	6		
Skwah, Kwa, a. h. full	9	9	-	4	1	4	5	19	Kah. Kwa, a. h.	4	3	2	2	3	3	5	5		
Skwah, a, La	8	6	1	1	5	3	13	14	Ka. Kwa, a. h.	12	10	2	0	8	7	27	40		
Aht. sa, a. h.	4	3	-	-	-	1	5	11	Pate. Kwa, a. h.	5	4	0	1	4	1	5	10		
Skwah	10	9	1	1	6	3	2	20	La. Kwa, a. h.	6	4	0	2	1	1	5	9		
So. Kwa, a. h.	18	12	-	4	5	8	18	30	27 Soanass total	40	34	7	8	21	17	44	78		
La. Kwa, a. h.	18	14	-	-	11	8	15	27	323 Chilliwack do	111	94	5	11	45	57	110	189		
Skwah, Kwa, a. h.	8	9	1	0	3	11	22	10	71 Matsqui do	21	19	-	2	6	23	17	67		
323.	111	94	5	11	45	57	110	189	521 Grand total	172	147	12	21	72	97	171	324		

The effect of the dyking scheme on the above reserves requires very careful consideration, in the case of each reserve, and the opportunity of bestowing this consideration, I need not say should have preceded, not followed, the passing of the Act and the beginning of work under it. If embarrassment now results the Prov. Gov. and Mr Derby have themselves to blame. They surely cannot suppose that the Hon. Gov. will be indifferent to the proceedings of a gentleman who, unauthorisedly, and even without intimation to the Indian Department, cuts and carves an old Indian Reserve at will for the purposes of his dyking scheme.

Now that the time of accounting has come it is pleaded by Mr Derby and by the Prov. Gov. that the general effect of the dyking will be beneficial to the existing Indian Reserves. This may or may not be the case. It is precisely this question which the Hon. Gov. have to consider and which they have not had an opportunity of considering.

I would point out further that the sufficiency of the reserves and the effect of a proposed dyking scheme upon some or all of them could naturally be considered together, but, now, it is not easy to see how the question of sufficiency can be advantageously considered when every acre of Crown Land beside and near the Indian Reserves has been granted to Mr Derby.

It is not an unreasonable presumption that if the scheme benefits the agricultural lands of the districts generally, it may benefit those portions which are Indian Reserves. I shall be very glad if this will be so, but I do not think it would be advisable to take it for granted on the ipse dixit of Mr Derby, or of anybody.

The Hon. Govt., as trustees, are in the position of the largest land owners in the districts

affected by the dyking scheme, and the lands under their care, having to be used by Indians are peculiar in their nature, and require special consideration and management. It is for the Dominion Gov. to judge freely of their own duties and responsibilities in connection with these lands.

I have not been able as yet to make any detailed report on the subject not having before me any particulars as regards the scheme of Mr. Derby and having found snow on most of the ground at the time of my visit, but after examining the Matsqui reserve on which Mr. Derby has encroached I had some conversation with the Matsqui Indians and in order to approach the question of the dyke in the fairest way. I assumed in conversation that the dyke would benefit their reserve. They corrected me.

They said in the first place that the reserve was unsuitable and that it had been laid off some time ago without their wishes having been consulted.

Next, they said that Mr. Derby had appropriated a portion of their reserve land which they had used and had made a dyke which they knew would at their reserve be useless because in case of freshets the water rose up inland before it came over the bank of the river and so it would rise up inside of the dyke. I listened to what they said without expressing any opinion one way or the other about the dyke.

Matsqui is the only place where dyking work has been done, and at Matsqui you will observe the Indians statement is that their reserve was unsuitable before Mr. Derby appeared; that he has appropriated land upon their reserve which they had used and has thus made it more unsuitable - that the dyke would not keep the water out - that it was a structure running longitudinally through a portion

of their reserve, and an object of fear to them because they had been told by white men that if they or their cattle injured the dyke they would be put in prison.

This may be exaggeration or it may be nonsense but it is a statement which I was bound to listen to and would have to examine dispassionately if circumstances enabled me to do so with any hope of a practical result.

What the effect of the dyking scheme would be at the other reserves I do not know. Each reserve would have to be separately considered.

My impression is that it will be found that most of these Indian reserves contain sufficient agricultural land though, perhaps, a little addition here and there may be necessary. I would propose to test this practically by subdividing the land among individuals as soon as possible. If the "Dyking-Act" retains force the smallest addition to the reserves can only be made by permission of Mr. Herby.

I am further under the impression that the extent and perhaps more particularly the shape of the reserves or some of them may require amendment to meet the grazing requirements of the Indians in the future. This is an important consideration in itself and worthy of much attention in connection with the dyking scheme owing to the penal clauses of the ^{act} which any humane and well judging man would not wish such people as the Indians to be unnecessarily exposed to.

The reserves might be shaped so as to diminish this risk and so prevent disputes and ill-feeling.

The effect of draining lakes and altering the course of streams touching or near the Indian reserves has also to be considered, in short, the whole question preliminarily requires the well considered sanction of the Dom. Gov. and requires it now.

Mr Kerby has asked the Prov. Gov. to help him in the difficulty he finds himself in, and Mr Mackem the Com. of Lands & Works has written to me to suggest that the matter should be left for settlement between the Prov. Gov. and the Department at Ottawa.

I have said in reply that the procedure under the encroachment is a departmental matter and that if he has any observations to make on the case I think he should do so through the Department here as the Supd General being without local or special information would probably have to send his ^{statement} back to the province to be reported on.

My present remarks may perhaps, however, in the meantime suffice for your information preliminary to a detailed report after full examination.

I have sent a copy of the enclosed memorandum to the Provincial Govt.

I cannot think that any profitable result is likely to arise from direct correspondence between the Govt on this matter for the Prov. Gov. has no special knowledge about these Indians or their requirements, and moreover having granted to Mr Kerby all the Crown Lands near the Reserve the Prov. Gov. cannot do anything that I can think of to put matters right. I would fear that such a correspondence would be interminable and resultless.

In my judgment, the most obvious and useful practical course will be for the Dominion Govt to disallow the "Somers Dyking Act" and inform the Prov. Gov. by telegram of the disallowance, so that the information may reach them during the session of the House of Assembly which begins on the 27th Inst. thus enabling them and Mr Kerby to do what they think the case requires.

At the same time an action of ejectment should be begun against Mr Dorby as an encroacher on the Matsqui reserves.

These proceedings would bring all parties to their bearings, and I could then again visit Matsqui, Somers and Kildinack and adjust the reserves in such moderate fair way as the case required, after which Mr Dorby might go on with his work.

In making these suggestions I only wish that the position of the Rom Gov. relatively to the Indians should be asserted in the face of discourteous and high handed proceedings. I have no desire to recommend harsh measures.

I quite understand that the policy of Canada is not a "dog in the manger" policy and that it would be your wish that matters in connection with these and all other reserves should be arranged as far as possible conformably to the interests of the Community of which the Indians, it is hoped, will soon be an indivisible part.

In conclusion I wish I could assure you that the above is an isolated case. I have just returned from a trip of 200 miles up the coast undertaken in hard weather (during which the steamer was driven ashore and damaged) in order to investigate a complaint made by the three tribes - Niammon, Klahoose and Homalco - that lands near the winter villages which they, not yet in possession of any reserves at all, have been waiting for years to get, had been sold lately by the Provincial Govt.

I am sorry to say that I shall have to make a report to you, also, on this last named subject. The Indians, generally, are not extravagant in their demands, and there is really no good reason why these ^{present} difficulties should be created in addition to those which have come down from the days of the old Colonial Govt.

Yours truly
 (Sd) J. M. Stuart

New Westminster

Jan 28 1879

Sir

I have received your letter of the 22 inst. and note its contents.

It seems to me inconvenient and it is unnecessary to open a correspondence on the questions raised when you are within 12 miles of this place.

I think you probably could explain matters better by word of mouth. When you asked me if living at Ekartie would be inconsistent with the work you have in hand, I thought it would not, but I find it is impossible for me to do what I have to do as regards your work when you are so distant.

I must therefore beg you to come here and remain at your own expense, till the existing questions are settled and the work either resumed by you, or placed in other hands.

I have not sufficient knowledge at present to know whether there has been needless delay in the work since the 17th Nov. All I want to know before signing certificates is that there has been no delay that could have been avoided. I express no opinion on professional matters.

I am sorry to disturb you, but business must be attended to, and now that I am here for a week or two your absence is inconvenient and detrimental to affairs that are in my care.

E. W. Egan
Laird

Yours &c
J. B. Sprout

Indian Reserve Commission
British Columbia

In camp near New Westminster
27 Jan'y. 1879

Progress.

Sir

In further reporting progress generally I have the honour to state that since arriving in the district of the Lower Fraser from the Thompson, Nicola & Similkameen valleys, as mentioned in my general Report to the Department I have, notwithstanding the season of the year visited about 30 reserves between Yale and the mouth of the Fraser inhabited by about ²⁰⁰⁰ ~~4800~~ Indians with all of whom I have had conversations and of whom I have taken a census.

I have also been up the coast to take up the work left 2 years ago north of Herby Inlet, among the Cheamow, Khehose, and Homalke Indians who principally dwell in Malaspina, Toba, Bute and Loughborough Inlets. From there I crossed the Gulf to Cape Knappe to have an interview with the Quilatanas, but finding that many of these latter were absent at a great feast at Kamoms, and that others were unwilling to move about in such weather, and as the steamer was driven ashore and broke her rudder, I could do no more in that direction. I am now at work at this place, and am examining proposals made by Mr Lenihan with respect to the New Westminster Indians, and am also continuing work in this district to get as much as possible done before spring.

I beg leave

respectfully to mention that since last ~~May~~ ^{June} I have negotiated with about 4800 Indians, and ^{have} ~~also~~ made a

considerable step forward with the work as regards the numbers dealt with, and I may add that the districts in which these Indians live are important ones.

What impedes progress, and what I am apprehensive may do so, and in some degree indispose the Indians to appreciate the adjustment, is the unfortunate inability of the Provincial Gov^t to attend to the few questions which I thought it proper to refer to them.

The Hon.
The Supt. General
of Indian Affairs. Ottawa.

I have the honour &c &c
J. M. Sprunt Com^r

Ind. Res. Com^r
British Columbia

In Camp near New West
27 Jan^y 1878

Sir,

*Originals
and
deposited* I have the honour to enclose account and vouchers for the expenditure of the Com^r to 31 Dec^r last, which I hope you will find in order.

The Balance then in hand \$1443²⁵ will as you state in your letter - No 10785 - 18 Dec^r be more than sufficient to carry me to the 31st of this month.

If I pay out nothing more this month - as is my intention in order as far as possible to conform to your circular of 19 August - there will be in my hands or rather at the credit of the Commission in the Bank of Br. Columbia at 31st of Dec^r the sum of \$1441²⁵ and accounts showing that balance, with vouchers, will be sent immediately after the close of the month.

The division of items as for 'Commission proper' and 'Survey Branch' made in your

Letter No 10185 18 Decr from the Vouchers forwarded is correct, and it notes your wishes in respect thereto.

The office of 'Savoyor in attendance' having been abolished for economical reasons, the expenditure under the head of 'Savoy Branch' connected with the Commission will only appear, as a smaller charge, on occasions when it is found to be absolutely necessary to employ such a professional assistant.

If placed in funds month by month I will do my utmost when within reach of Victoria and New West to conform to the requirement of monthly accounts. When far away, it will hardly be possible to do so for reasons already stated.

I have the honour to be

Sd, H. M. Sprout, Comr.

The Hon;

The Supat Gen: of Ind. Affairs }
Ottawa }

Cash Statement 31st Decr 1878

Dr Cash

Cntr

C.

Ind Rev Com^{rs} in c/c mch Decr 4th 1878

1878

Oct 4 Balance \$ 410.25

Dec 19 Cash for Ottawa by
mre } 5500.00

1878

Dec 31 By paid

Commission proper

G M Sproat

Nov 1. Ind. Rev. Com^{rs} in field 3300.002 Ind. Rev. Com^{rs}

Board & transport

in the field, Cent. 176.25

3 Geo. Blenkinsop Salary 184.00

Sunday a/c

4 C. G. Logan \$ 174.00

5 J. F. McCright \$ 35.00

6 L. H. Wilton \$ 8.00

7 L. H. Wilton \$ 19.00

Survey BranchNov 1 Ind. Rev. Com^{rs}

Board & transport

in the field Ab. Sur^{rs} 246.75

2 E. McKim Salary \$ 276.00

3 Reeds Cridge \$ 48.00

Balance 31 Decr 1443.25

\$ 5910.25

\$ 5910.25

1879

Jan 1 To Balance \$ 1443.25

New Treasurers
27 Jan 1 1879Signed
G M Sproat

***THIS IS THE JUNCTURE AT WHICH SPROAT'S AND
MOHUN'S LETTERBOOKS END. PAGE 385 IS THE LAST
PAGE OF MOHUN'S LETTERBOOK.***

J. K. B.

Sir,

Hoping

21 Oct 1878.

Sir,

I have the honor to inclose you herewith
certified vouchers in triplicate received from Haptyferment

I have &c

Yours

H. Moffatt Esq.

Servant to J. K. B.

Ind. Dep. Victoria

told them that Mr. Mahoney's and Mr. Love's farms were not included within the Reserve

I have &c

A. H. Green Esq

Albion

In charge Coast Survey Party.

Serv- to S. M. B.

P. S. Address me of Postmaster, Yale.

S. M. B.

Survey.

Camp. Douglas Lake.

19 Sept. 1878.

Sir,

I have the honor to acknowledge the receipt of your letter of the 11th inst. in which you report the completion of the surveys in the neighborhood of Crossloops.

With regards to your vouchers, Colonel Powell having arranged to forward them to me it will be unnecessary for you to procure and transmit a fourth copy of each to me as stated in my letter of the 21st ult^o, and you will forward them in triplicate direct to him.

I have &c

Albion

Capt. Summitt,

Surveyor to Land Res. Comm^{ty}

Land Res. Survey Interior Division.

S. M. B.

Survey.

Fort Hope

19 Oct 1878.

Sir,

I have the honor to acknowledge the receipt of your letter of this 3^d instant with the accompanying ^{triplicate} vouchers which I now return duly certified

I have &c

Albion

St Moffatt Esq

Surveyor to S. M. B.

Ind Dept

Victoria

is obvious that a serious mistake has been made either by Mr. Mahoney or myself, you have not thought it incumbent upon you to ascertain and furnish me with the facts.

You also report that a portion of Mr. Rogers' new house is on the Reserve, and have again failed to state whether that gentleman makes any, and if so what claim to the land included in the Reserve.

I have further to inform you of which I did not suppose you to be ignorant, that it is not within the power of the Indian Reserve Commissioners to hand over to the Indians, or to include within a Reserve, the property of private individuals; and that in making the surveys entrusted to you, should any claim be made to land you have been instructed to include within a Reserve, and should such claim be supported in your opinion by proper evidence, your obvious duty is to report fully and immediately on the subject, and at the same time endeavor, without delaying the survey, to postpone, as long as you conveniently can, running the boundaries of that portion of the Reserve.

You will immediately on the receipt of this ascertain to what land Mr. Mahoney's records prior to 17th Feb/77 entitle him and forward me copies of same.

In the event of finding that Mr. Mahoney's improvements are on the land so recorded by him, you will immediately rectify the boundaries of the Reserve, so as to exclude from it such properly recorded land.

You will further rectify the line between the Reserve and Mr. Dove, so as to cut off from the Reserve the south east quarter of S10 R VII Grimsby Dist, the land purchased by Mr. Dove.

You will procure an interpreter, and through him you will explain clearly to the Indians that these pieces of land were not given to the Indians by the Commissioners and that the alterations are necessary in order that the Reserve may coincide with the decision of the Commissioners who expressly

send one copy of each to me at the end of each month, with a statement similar to that enclosed in your letter of the 7th inst. which I am glad to say is very satisfactory.

I have &c

Moham

Surveyor to S. D. B.

A. H. Green, Esq.

In charge Ind. Res. Survey Party

Recon. Division

S. D. B.

Survey.

Camp Douglas Lake

19th Sept 75.

Sir,

I have the honor to acknowledge the receipt of your letter of the 12th inst. and have certified and now return to you the vouchers transmitted in duplicate with the exception of Nos. 4 and 22 which I return but have not certified as they appear incorrect. The amount of the former should be \$35.42 and that of the latter at the same rate \$24.42.

I have &c

H. Moffatt Esq.

Ind. Dept.

Moham

Surveyor S. D. B.

S. D. B.

Survey.

Camp, Douglas Lake.

19th Sept. 1875.

Sir,

I have the honor to acknowledge the receipt of your letter of the 5th inst.

With regard to your vouchers, Col. Powell having arranged to forward them to me, it will be unnecessary for you to procure and transmit a fourth copy of each to me as stated in my letter of the 24th ulto; and you will forward them in triplicate direct to him.

You state that you find the whole of Mr. Mahoney's farm is on the Reserve; but as you fail to state what sections he has recorded, and whether his improvements are on such recorded land, it is impossible for me to know where the mistakes originated.

I cannot but express my surprise that, in a case where it

of this decision, and you will be hereafter instructed as to what steps must be taken to obliterate the incorrect line.

I may mention that the piece of land in question was never pointed out by the Commissioners to the Indians, who were simply informed that their Reserve should extend to Mr. Panniponak's boundary, which was at that time undefined.

I have &c

Capt. Jernsett,

Stephen
Surveyor to S. R. C.

In charge of Survey Party, Interior Division

S. R. C.

Survey.

Camp, Nicola.

21 Aug^r 1878.

Sir,

You have already been instructed to forward your vouchers in triplicate direct to Col. Powell; it have now to direct you to also forward me, at the end of each month, one copy of each account, and a statement showing the amounts drawn by you.

I have &c

Capt. Jernsett,

Stephen

In charge Incl Res Survey Party

Surveyor to S. R. C.

Interior Division.

S. R. C.

Survey

Camp, Nicola

21 Aug^r /78.

Sir,

I have the honor to acknowledge the receipt of your letter of the 7th inst.

Have the goodness to at once inform me, whether or the ten acres included in the Reserve and claimed by Mr. Love has any improvements and their value if any, also what in your opinion is the value of the land.

You have already been instructed to forward your vouchers in triplicate direct to Col. Powell, you will also

make such survey precisely as he would do, if he were employed by the Prov^t Govt to survey prescription claims.

Hon

I have &c

B. B. L. & Books.

Prohem

S. R. L.

Survey.

Camp Nicol

20th Aug 1878.

Sir,

Mr Green in charge of Ind Res Survey Party, reports to me that in consequence of an error in the instructions furnished him he has included in the Indian Reserve ten acres of the south east quarter of Section ten Range seven Quamichan District, for which you hold a record and certificate of purchase.

While expressing my regret that such a mistake should have occurred, I beg you will inform me whether and on what terms you would dispose of the above mentioned ten acres to the Indian Department as it occurs to me that the probable value of the land might be less than the expense incurred in investigating and rectifying the alleged error.

I am, Sir,

Yr obed^t servt

Prohem

In charge of S. R. Survey.

Mr J. Love.

S. R. L.

Survey.

Camp Nicol

21 Aug 1878.

Sir,

I have the honor to acknowledge the receipt of your letter of the 16 Aug referring to the boundary of Mr Pessumaker's prescription claim.

In reply, I have to inform you that the line which you describe as starting from the post on the west side of the Ravine and crossing the Ravine, &c: is the boundary of the Reserve as decided upon by the Ind Res Comm.

You will be good enough to at once inform Mr Pessumaker

letter of the 5th July, in reply to mine of the 3rd July and 22nd April last. I note that the Prov Gov will accept the Admiralty description of islands awarded to Indians and not occupied by settlers. I gather also from your letter that you do not propose to cause a survey of the unsurveyed claims (mentioned in the beginning of my letter of the 21st April to be made in anticipation of the arrival of the Dominion Surveyors upon the ground, and further that you do not propose to authorize the Dominion Surveyors to survey such claims.

This being so I respectfully beg leave to say that I presume it must be understood that the surveys of the Indian Reserves made by the Dominion Surveyors are to be accepted by the Prov Govt as the Domⁿ Govt could not be expected to go to the expense, by and by, of sending a special survey party to amend surveys in case of any question arising with respect to the boundaries of settlers claims adjoining reserves, which boundaries the Prov^l Govt had an opportunity of ascertaining and agreeing to before the Dominion Surveyors arrived on the ground or when they were there.

I have &c

Hon. L. C. L. & Co.

Prohm

S. A. B.

Survey

Camp Nicolas Rivin

17 Aug 1878.

Sir,

The Ind Res Commⁿ has handed me your letter of the 2nd inst covering one from Mr B. Pempunakun dated 7th July.

I addressed a letter to you on the 21st April last, requesting that the Provincial Govt would take such steps as they thought fit to define the boundaries of unsurveyed claims, when they abutted on Indian Reserves, in anticipation of the visit of Dominion Surveyors, and on the 17 July I addressed you again on the same subject. I instructed Capt Jernett to survey the Reserve at Deadman's Bush according to the decision of the Ind. Res. Commⁿ and with regard to Mr Pempunakun's claim which at one part adjoins the Reserve, Capt Jernett's instructions direct him to

say I do not know anything about him as he never reports at all. And this sort of thing may go to the Minister on whom it depends whether you are employed next season or not.

I am speaking now to you as a friend, for I do not want to play boss if I can avoid it: but pray do not suppose that those instructions were drawn up to be disregarded, they were on the contrary drawn up with the approval of the Minister for the purpose of inaugurating a certain system in the survey, and when from you the Minister downwards everyone is thrown out of gear by your neglect, it becomes a question whether it is my fault or yours, and I assure you I do not feel inclined to shoulder the failure. If I do not hear from you, my next report will have to state that I know nothing about you as you systematically disregard your orders.

You will send your vouchers to Col. Powell direct after the receipt of this. (Which is in fact what you always have done in spite of your orders instructions to the contrary.)

Kind regards to all yrs &c

A. H. Green Esq. C.E.

Moham.

Becher Creek

8 Aug. /78.

Immediate

Dear Jannett

I have just had a telegram from Col. Powell enquiring what amount you had on hand 30th June, and whether you had sent me a statement. You must immediately telegraph Powell. Of course the amount you had on hand at that date should be the amount received from Col Powell by draft or otherwise prior to 30th less the amount expended as shown by your vouchers up to that date see my letter 3rd July, as to unexpended amount

Supt Jannett.

Moham.

J. H. G.

Camp. n. Becher Ferry.

17 July /78.

Sir,

I have the honor to acknowledge the receipt of your

however received information which leads me to believe that such an amount will probably not be required, and I have the honor to submit to you the following estimate

10 days board and lodging @ \$3.00	30.00
10 — " — stabling and horsefeed	15.00
Leave him say 5 days @ \$1.00	5.00
7 days labor @ \$2.50	17.50
7 — " — " — @ \$1.50	10.50
	<u>\$78.00</u>

Mr. J. McIntyre has been good enough to cash an order on you for the above amount, if any further advance is required I will notify you in due course and furnish vouchers in triplicate of expenditure.

Col Powell,
Incl. Sup.

Oswate.

My dear Green

I have &c

Mohean

Surveyor to S. R. B.

Boche Creek

16 Aug. /78.

You have been out there month and a half and in that time I have received no letter from you

Your instructions direct you to keep me posted as to your movements, and to report regularly as to your work, and I want to know when you arrive at a place, what surveys you make and when you leave it for another neighborhood. I have had once before to write to you officially on your neglect of your instructions and I do not for your sake wish to place another on record. I admit you entirely, but now, I do not understand it except on the supposition that you have never read your instructions. I do not know whether I can make you understand the injury you do yourself. For instance Mr. Spratt is reporting to Ottawa and says to me "where is Capt. Jewett?" I am able to say, "He finished Deane's work last week, and will probably finish everything round Marlo's in four or five days when he will go up the M. River." Then comes "Where is Mr. Green?" and I can only

Ind. Res. Commr.
Survey.

Hamleys.

1 June 1878.

Sir,

I have the honor to instruct you (as I have already done verbally) to stake out the lines of main irrigation ditches wherever necessary on the Indian Reserve now under survey.

It is not considered desirable that the fall in these ditches should exceed 1 in 700 or be less than 1 in 1500 as a general rule; but much is left to your discretion in this respect, as probably you will find that from the different contours met with, and the various difficulties to be overcome, no two ditches will have exactly the same grade.

I have also to direct your attention to the necessity of obtaining the following information as to the land to be irrigated by these ditches, 1st its acreage, 2nd its quality and subsoil and 3rd its distance from the head of the ditch and have to request that you will report fully upon the subject on the completion of the survey of each Reserve.

Capt. Jernett.

I have &c

Wm

Surveyor to I.R.C.

I. R. C.

Survey.

Septem 9th July 1878.

Sir,

I have the honor to enclose a copy of a telegram from the Indian Reserve Commissioner to the Hon^{ble} the Secy^t Genl of Indian Affairs and his reply thereto.

I have been instructed by Mr. Stewart to draw upon you for the amount required not exceeding Two hundred and Fifty Dollars, since the date of the former telegram I have

area to include both the building and soil timber will be sufficient to cover the requirements of these Indians who will point out to you the exact locality

I have &c
Capt Jernett
in charge I. R. S. Party. Mohun
Surveyor to Ind. R. Com

Ind. Res. Commission
Survey.

Kamloops
30th May 1878.

Sir,

I have the honor to request that when making the survey of the two lots in the interior of the Kamloops Reserve you will connect with your survey of the exterior boundary of the Indian Reserve.

I have &c

Capt Jernett.
In charge I. R. S. Party. Mohun
Surveyor to I. R. C.

Ind. Res. Commission
Survey.

Kamloops

Sir,

1 June 1878.

I have the honor to inform you that I have selected and staked a site for a dam near the entrance to the slough at the south west corner of the Kamloops Reserve, and request that you will be good enough to take longitudinal and cross sections of the dam before leaving Kamloops. It will be desirable also to ascertain the level of the down side of the small house on the northern side of the Slough, as I am informed by the Indians that in the exceptionally high water of 1876, the water rose sixteen inches above the side.

I have &c

Capt Jernett.
In charge I. R. S. Party. Mohun
Surveyor to I. R. C.

to lay before you a statement of the facts concerning an Indian Fishery, situated at the south end of Mr. Bartlett Newman's prescription claim.

There is no doubt that, under the instructions from the Governments of Canada and British Columbia to the Indian Reserve Commissioner, the Kamloops Indians are entitled to this fishery, which has been used for many years by them.

It is in such a position as to be a continual source of annoyance to the settlers in the vicinity, and it is the only place to which the Indians lay claim between Kamloops and Nicola, they having voluntarily abandoned other spots.

It is of but little value to the Indians themselves and it is believed that for a small money compensation say Fifty Dollars, they would cheerfully give up claim to it.

I have the honor to represent to you that should the Provincial Govt enter into an arrangement to purchase this right of fishery from these Indians; it would free the whole country lying between Kamloops & Nicola from Indian Reservations and would confer a great benefit on the settlers in the neighbourhood.

I have &c

Hon^{ble} Chief
C. of N. C.

William
Surveyor to S. A. C.

Indian Reserve Commissioner
Surveyor.

Kamloops.

Sir,

30 May 1878.

I have the honor to instruct you to survey a tract of woodland for the Kamloops Indians.

This land is situated on the right bank of the North Thompson River about twenty three miles from Kamloops nearly opposite to Mr. B. Foster's house.

You will probably find that there are four hundred

Indian Revenue Commission

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Hambrope.

16th May 1878.

Sir,

I have the honor to enclose you a copy of the Minutes of Decision by the Indian Revenue Commissioners in the Fraser Superintendency, 1877.

I have &c

Bapt-Jennett.

Moham

Ind. Rev. Survey.

Surgeon to Ind Rev Comm -

Indian Revenue Survey.

Hambrope.

25th April May 1878.

Sir,

I have the honor to forward you herewith, originals and duplicates of vouchers Nos. 1 to 9 inclusive received from Bapt-Jennett; triplicates to follow.

I have requested Bapt-Jennett in future to make up his accounts at the end of each calendar month.

I would respectfully submit for your consideration whether it would not be advisable to furnish Bapt-Jennett with printed vouchers, as he is obliged to carry a sufficiency of paper in any case for his accounts, and making out the forms on blank sheets involves a considerable expenditure of time.

I have &c

Ind Powell

Moham

Ind^y Supt

In charge of survey.

Indian Revenue Commission

Hambrope.

30th May 1878.

Sir,

I am instructed by the Ind^y Rev Commission

in every respect in the most economical manner, consistently with the proper prosecution of the work.

I have &c

Ashdown Green Esq B.D.

Moham

Bowdham.

in charge of Ind. Res. Survey

Indian Reserve Survey.

Victoria B.C.

29 April 1878.

Sir

I have the honor to enclose herewith extracts from Mr. Sproats report relating to the Indian Reserve on the Coast assigned by the Indian Reserve Commissioners

You will be good enough before proceeding to Chemainus to ascertain the position and extent of Mr. D. Hughes claim Oyster Harbour and pending a decisive answer as to his title thereto, survey it taking such steps as may hereafter enable the Govt either to include it in or to accept it from the Reserve at Oyster Harbour.

You will as I have already informed you apply to Col. Powell for such advances as from time to time may be necessary to enable you to prosecute the work with which you have been entrusted.

In the event of Col. Powell being unable to spare Louis (the Nanaimo Chief) to accompany you it will be advisable for you to endeavour to procure some other English speaking Indian on whom you can rely, to interpret for you when requisite such Indian should however be employed in the field and his services as interpreter only obtained when absolutely necessary.

I have &c

Ashdown Green Esq

Moham

In charge of Ind. Res. Survey.

DEPARTMENT OF THE INTERIOR,

INDIAN BRANCH.

187*7*

Alex: L Anderson
Ind. Res. Commissioner

14 Jan Victoria
17 Feb. B.C.

Reports, that, "the
 proceedings of the
 Comrs, so far, have
 been attended with
 marked success." Encloses
 copy of a letter from
 the Comrs to the Prov.
 Sec, in re the Pan, a, lat.
 Kut Tribes, and asks
 for a further credit.

18 Jan
17 Feb let from Powell w. encl.
16 Feb let to Alex B. Anderson
15 Feb let from do.
14 Feb " to A B Anderson with enclosure
13 Feb let from W. Anderson

File with 3138

27 Jan let from Anderson w. encl.
15 Feb (filed as No 89, 9)
14 Feb let from H. McLeod.
13 Feb - Act. Form E
12 Feb let from H. McLeod. w. encl.
11 Feb " " do.
10 Feb " " do.

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Columbia were resumed four years ago, and though you will have to examine such portions of the lines as form the exterior boundaries of the present Reserves, and probably replace some posts, it is not considered that a detailed survey of such lines will be necessary the plan and field notes of the old Reserves being now in the Office of the Indian Superintendent.

It is especially recommended that one of your party should be an English speaking Indian, as it is absolutely essential that no misunderstanding on any subject connected with the Reserves should arise between yourself and the Indians; in dealing with whom you will need to exercise all your patience and discretion. In regard to this subject I beg to direct your particular attention to the enclosed Memorandum of the Indian Reserve Commissioner.

I am in communication with the Hon^{ble} the Chief Commissioner of Lands & Works, on the question of surveys where an unsurveyed settler claim abuts on an Indian Reserve, and will shortly inform you of the decision arrived at.

You will procure copies of such field notes and records from the Lands & Works Department as you may require.

I will make arrangements with Col. Powell to supply you with the money you may require, and you will keep a correct account of all receipts and disbursements incurred on the survey, all expenditures to be supported by proper vouchers in triplicate which you will forward me with a monthly statement showing the amounts and for what expended and the balance in hand.

On the completion of the survey of the Reserves for each tribe, you will forward me by post, a report thereon embodying your observations, on its natural capabilities, with any remarks whether referring to the Indians or their lands which might be of service to the Department.

And it is expected that you will conduct the survey

Indian Reserve Commission.

Victoria B. C.

20 April 1878.

Sir,

I beg to enclose you a copy of a letter from the said Reserve Commissioners informing me that you have been appointed by the Dominion Government to take charge of a party to survey under my superintendence the exterior boundaries of the Indian Reserves as decided upon by the Indian Reserve Commission.

I have the honor to instruct you to proceed to Sooke with as little delay as possible accompanied only by your head chainman and interpreter and survey the Indian Reserves there and at Becker Bay employing for such other assistance as you may require the services of neighbouring settlers, as it is not considered advisable to incur the expense of transporting a camp for so short a survey. Upon the completion of this work you will return to Victoria, and having provided yourself with tents, cooking utensils, &c. and having engaged your men, you will proceed up the east coast of Vancouver Island as far as Comox, laying out on your way the various Reserves, decided upon by the Indian Reserve Commission, and more particularly shewn and described on the plans, and in the notes and copies of Minutes of Decisions handed you herewith.

Beginning from Comox to Jewis Inlet, you will then survey the various reserves on the coast of the Mainland as far south as the mouth of the Fraser River also shewn and described as above.

All these surveys are to be carried out in strict conformity with the enclosed "General Instructions to Surveyors".

You will probably find it advisable to purchase a barrow sufficiently large to transport your whole party camp and three months provisions.

At Saanich, Cowichan, Sheshaime, and Nanaimo, the Reserves as handed over by the Government of British

Indian Reserve Commission

Victoria B. C.

April 1878.

Sir,

Referring to the instructions given to me by Mr. Sprat contained in an extract from Mr. Meredith's letter to him of the 11th inst. to the effect that "a statement in detail of the amounts necessary to be advanced each Surveyor before such advance is made" should be furnished you, and with reference further to our conversation today upon this subject in which I pointed out the difficulty of conforming exactly to the letter of the above instructions, I have now the honor to enclose for your inspection a statement respecting the probable expenditures of Mr. Green in charge of the Coast Party made up as well as circumstances permit. This statement shows the divisions of expenditures and the limit that must not be exceeded.

Capt. Jennett in the interior will be in a similar position.

I have &c

Col. Powell

Moham.

Ind. Superintendent

In charge of Ind. Res. Survey.

Ind. Res. Survey.

Statement detailed as far as possible in accordance with Mr. Meredith's letter to Mr. Sprat 11 April 1878. to be advanced by D. Powell to Mr. Archibald Green or Surveyor in charge of Coast Party, during the time the party may be at work.

Surveyor salary from 19 April @ \$150. per calendar month

Salary not exceeding @ \$230 — " — " — "

Provisions not exceeding \$105 per month but advance of 3 months to be made if required when leaving for Spanish or when leaving Borneo for the mainland coast, as it may be cheaper to carry a stock of certain articles with him. Petty cash for purchase of Borneo, wages him, extra labor, steamboat fares &c &c \$300. to be advanced as follows \$200 on leaving for Spanish and \$100 at any time after leaving Borneo.

and easiest mode of transport will be to hire a light wagon when you wish to move camp; and on some occasions you may find it convenient to hire Indian pack horses.

It is especially recommended that one of your party should be an English Speaking Indian, as it is absolutely essential that no misunderstanding on any subject, connected with the Reserves should arise between yourself and the Indian; in dealing with whom you will need to exercise all your patience and discretion. In regard to this subject, I beg to direct your particular attention to the enclosed Memorandum by the Ind. Res. Commr.

I am in communication with the Hon^{ble} the Chief Commissioner of Lands & Works on the question of surveys when an unsurveyed settler's claim abuts on an Indian Reserve and will shortly inform you of the decision arrived at.

I enclose you copies of the field notes of two claims on St. Paul's Creek which you will resurvey, if you cannot find the old lines, in any case the posts must be replaced as defined in the "General Instructions."

You will also require to procure from the Govt Agent at Kamloops, copies of the records of Mr. Pumphreys at Deadman's Creek and Messrs. McRygar & Walker South Thompson River near the Little Lake.

You will hereafter receive instructions as to the levelling and staking out the Main Irrigation Ditches on these Reserves.

Col. Powell will write to you as to money matters and the method of keeping accounts.

On the completion of the survey of each Reserve, you will forward me by post, a report thereon embodying your observations on its natural capabilities, with any remarks whether referring to the Indians or their land which might be of service to the Department.

And it is expected that you will conduct the survey in every respect in the most economical manner consistently with the proper prosecution of the work.

I have &c

Bapt^m Jewett
402 New Westminster

Al Moham
in charge of Ind. Res. surveys.

Indian Reserve Commission

Victoria, B. C.

18 April 1978.

Sir,

I beg to enclose you a copy of a letter from the Ind Res Commⁿ informing me that you have been appointed by the Dominion Government to take charge of a party to survey under my superintendence the exterior boundaries of the Indian Reserves as decided upon by the Indian Reserve Commission.

I have the honor to instruct you to proceed by to Yale by the steamer of the 20th inst. and thence by stage to Kamloops, on your arrival at that place you will immediately procure the necessary assistance, provisions, and camp equipment, and commence work by defining the boundaries of the Kamloops Reserve; upon the completion of this survey, you will visit Deadman's Creek, North and South Thompson Rivers, Adams Lake, Shuswap Lakes, Spellumcheun, and Okanagan, laying out the Reserves shown on the sketches numbered 1 & 2. and partly described in the enclosed extracts from the Minutes of Decision herewith enclosed. Further extracts will be hereafter forwarded you.

All these surveys are to be carried out in strict conformity with the enclosed "General Instructions to Surveyors".

You will be permitted to take your head chairman from New Westminster (who will be paid at the rate of \$50.00 per calendar month) with you, the other members of your party must be engaged in Kamloops or that neighbourhood at current wages.

You will probably find it advisable to procure a boat at Kamloops for transport purposes, by which you will be enabled with trifling exceptions to move your party from point to point as far as Spellumcheun on leaving which place you will be compelled to enter into different arrangements. You will very likely when near the head of Okanagan Lake find that the most economical

Ind. Res. Commission
Survey.

Camp near 100 mile post.
30th July, 1878.

Sir,

I have the honor to acknowledge the receipt of your letter of the 11th inst. suggesting an alteration in the boundary of the Cowichan Reserve.

I have submitted your letter to the Ind. Res. Comm^y and in reply have to inform you that the boundary of the Indian Reserve having been formally declared by the Commission no alteration can legally be made except by the Hon^{ble} the Sup^y Gen^l of Indian Affairs and then only with the full consent of the Indians.

H. Manner, Esq.
Cowichan.

I have &c
D. Edward Mahan
Survey to Ind. Res. Comm^y

survey would from time to time be placed to his credit from which to make advances as required."

From this extract you will see that my instructions expressly direct me to receive the vouchers from Messrs. Jewett & Green, and then forward them to you. The delay in your receiving Messrs. Jewett's vouchers to the 15th of June is one week, as they reached me by last week's mail and are now forwarded.

I have submitted your telegram and letter to the Indian Res. Commr. with the view of having my instructions either modified or confirmed, in the meantime I must most respectfully request you to inform Mr. Green that he is to forward his vouchers to me direct.

I have &c

Edward Moberg

Surveyor to Ind. Res. Commr.

Ind. Res. Commr.

Surveyor

Camp near Indian house

30th July 1878.

Sir,

I have the honor to acknowledge the receipt of your letter of the 23rd inst and copy of telegram of the 21st inst the receipt of which I acknowledged in mine to you of the 24th inst, to which I beg respectfully to refer you.

As the instructions of the Hon^{ble} the Superintendent-General to me are clear, I do not think it would be in order for me to deviate from them or to change the already established routine of business without his sanction.

I have &c

Edward Moberg

Surveyor to I.R.C.

Col Powell

Ind. Superintendent

Ind Res Commⁿ
Surveys.

Camp near 100 mile post.
26 July 1878.

Sir,

I have the honor to enclose you the remainder of Capt. Jewett's vouchers in duplicate to the 30th June. Capt. Jewett informs me that he has no accounts previous to that date outstanding.

I also enclose triplicates of vouchers previously sent.

I have &c -

Wm. Moham
Surveyor to Ind Res Commⁿ

Act Powell,
Indian Superintendent

Ind Res Commⁿ
Surveys.

Camp near 100 mile post.
30th July 1878.

Sir,

I have the honor to acknowledge the receipt of your letter of the 23rd inst enclosing copy of a telegram dated the 21st and received by me on the 22nd inst. The clear and explicit order received by me from the Ind Res Commⁿ from Mr. Meredith compel me most respectfully to decline to carry out your wishes in instructing Messrs Jewett and Green to forward their vouchers direct to you instead of to myself.

The following is an extract from Mr. Meredith's letter to Mr. Sprout dated 21st May.

"I have the honor to acknowledge the receipt of your letter of the 24th and 27th ultims and to inform you that Mr. Superintendent Powell was advised by letter of the 13th ultimo that the accounts connected with the Ind. Res. Surveys should be certified by Mr. Moham and then be forwarded to him for examination as the funds necessary to meet the expenses of

Indian Record Commission
Surreys

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Camp near 100 mile Post
24 July 1898

Sir

I have the honor to acknowledge the receipt of your telegram of the 21st inst. notifying me that you had instructed Messrs Emmett & Green to forward their vouchers direct to you, according to your letter of instructions of April 18th.

Not being aware that the instructions contained in a letter dated 13 April from the Deputy of the Minister of the Interior to you (a copy of which was forwarded ^{and repeated in a letter dated 21 May from Mr. Meredith to Mr. Stewart to me}), had been superseded by others of a later date, and which directed that the accounts connected with the surveys should be certified by me and ^{then} examined by you, I had instructed Messrs Emmett and Green to forward their vouchers to me for transmission to you.

Had I known before of this alteration in the instructions I would at once have notified these gentlemen, as to the course to be pursued by them.

Will you kindly favor me with a copy of the later instruction in so far as they relate to my duty, that I may be justified in deviating from those, which are the only ones I have up to the present time received.

Col. Powell
Indian Super.
Victoria

Yours very truly
J. E. Graham
Sur. Ind. Rec. Com^{rs}

of your letter of the 8th inst reporting on the Survey of the
Deadman's Creek Reserve.

In reply I have to inform you that the Indian
Reserve Commissioner declines to sanction an extension of
the western boundary towards the lake.

With regard to the price of land near the junction
of the streams, I beg to state that it is the intention of the
Commissioner to give the Indians all the vacant land
adjoining Mr Pampersuk's prescription claim on the southwest

As it is now absolutely necessary that the boundaries
of the Indian Reserves should be now finally defined, and
the Provincial Government has not seen fit to cause
unsurveyed claims contiguous to Indian Reserves to be marked
out, it devolves upon the Dominion Surveyors to define
such portions of the boundaries of these claims as also form
the boundaries of the Reserves.

In these cases a fair and liberal construction
should be placed upon the description in the record,
paying attention rather to the intent of the settler, than
to a too rigid and literal interpretation of his description:
and in fact you should make such survey precisely as
you would have done, had you been instructed by the
Provincial Government to define such settler prescription
claim.

It is not considered advisable that any question
relating to boundaries should be left unsettled on the
departure of a Surveyor from the Reserve, since these
surveys are undertaken not for the express purpose
of determining once and forever all such questions.

I have &c

Capt. J. J. M. M. M.
Ind. Res. Surveyors.

Indian Reserve Commission
Surveyors.

Camp at Lytton
13 July 1878.

Sir,

I have the honor to enclose a Memorandum on the subject of closing the accounts for the financial year ending the 30th June 1878.

You will have the goodness to carry out the instructions therein contained immediately, and forward the vouchers and statement required by return mail.

I have the honor to be
Sir

A H Green Esq. C.S.

Ind Res Surveyors.

Your most obed^t Serv^t

Edwards, McManis C.S.

Surveyor to Ind Res Commn.

Enclosure similar to Baptiste's.

Indian Reserve Commission
Surveyors.

Camp at Lytton
14 July 1878.

Sir,

I have the honor to forward you herewith certified duplicates of Mr Green's vouchers.

I have &c

Edwards

Colonel Powell

Ind Sup.

Surveyor to Ind Res Commn.

Ind Res Commn.

Surveyors.

Camp at Spencer Bridge
20th July 1878.

Sir,

I have the honor to acknowledge the receipt

you will have the goodness to carry out the instructions therein contained immediately, and forward the voucher and statement required by return mail.

I also enclose voucher received from Messrs J. N. Hibben & Co. which certify, if correct, and return to me
I have &c

S. Mohan

Capt. Jemmett,

Surveyor to Ind. Res. Comm.

Ind. Res. Survey.

Enclosure.

Special &
immediate attention
required.

Mem: Instructions to Capt. Jemmett in reference to closing accounts at the end of the financial year of the Gov^t of Canada 30 June 1878.

You will on receipt of this forward to me immediately addressed S. Mohan Ind. Res. Comm. the Bayou Road En route between Dytham and Hooks Ferry all paid vouchers, ^{in duplicate} you may have on hand for May and June 1878. not yet forwarded.

Send a statement of the names of persons to whom money was due if any but unpaid at 30th June. State Amounts. Be careful to include everything up to that date.

Should you have any money on hand at 30 June it will be necessary to expend it in paying June accounts: but if all of these have been paid, or if the sum should be of too small an amount to pay the June accounts in full, you must remit to D^r Powell as a special remittance and if you have already paid away for July accounts the said sum that was in hand at 30th June you must nevertheless take the said sum from any money you may have or may have in hand in July, from whatever source, and send the said sum that was in hand at 30th June to D^r Powell.

Fully understand that 30th June is the end of the financial year of the Gov^t of Canada and these instructions must be promptly and literally, carried out or confusion and unnecessary correspondence will be the result.

Dytham

Edward J. Mohan

10th 3 July 1878.

Surveyor to Ind. Res. Comm.

5-

expenses connected with Capt. Bennett's Survey Party
which I have certified.

You will have the goodness to present
them to Colonel Powell, Indian Superintendent, for
payment

I have &c

Edward J. Moberg C. S.

Wm H. Barnard & Co
Victoria

Surveyor to Ind. Res. Comm.

Indian Reserve Commission
Survey.

Sydney

3rd July 1878.

Sir,

I have the honor to call your
attention to a letter, handed to your Department in
the latter end of April last, on the subject of surveying
Indian Reserves in places where the boundaries of
adjoining claims belonging to white settlers are as
yet undefined.

I shall be much obliged if you will favor
me with a reply to that letter at your earliest
convenience.

I have &c

Edward J. Moberg C. S.

The Hon^{ble}

Surveyor to Ind. Res. Comm.

The Chief Commissioner of Lands & Works.

Indⁿ Res. Comm.

Survey.

Camp at Sydney

3 July 1878.

Sir,

I have the honor to enclose a
Memorandum on the subject of closing the accounts
for the financial year ending 30th June 1878.

Indian Revenue Commissioner which, having said, you
will have the goodness to forward

Capt. Jennett

I have &c

Ind. Rev. Survey.

Mohamed C. S.

Surveyor to Ind. Rev. Commr

Ind. Rev. Commr

Survey.

Camp w. Sytton

3 July 1878.

Sir,

I beg to return you enclosed vouchers, which
I have certified for expenditure incurred by Mr. Green

I have &c

Mohamed

Colonel Powell

Surveyor to Ind. Rev. Commr

Indian Superintendent

Victoria

Ind. Rev. Commr

Survey.

Camp w. Sytton

3 July 1878.

Sir,

I have the honor to forward you herewith
originals and duplicates of Vouchers Nos 10. to 14 inclusive received
from Capt. Jennett.

I have &c

Schwarz, Mohamed

Surveyor to Ind. Rev. Commr

Colonel Powell

Ind. Super

Victoria

Ind. Rev. Commr

Survey

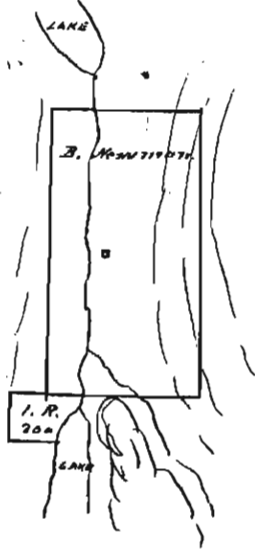
Camp w. Sytton

Gentlemen

3 July 1878

I beg to return you your vouchers for

a piece on the stream, 2 chains x 1 chain which should include the weir or weirs, together with right of access to the same. Should however you find that a camping ground differently situated but equally convenient in all respects as to wood water, and access, would better serve the interests of the white settlers, you will be at liberty to make such alteration.



I have &c

Edwardy Moloney
Surveyor to Ind. Res. Comm.

Capt. J. J. J. J.
Ind. Res. Survey.

Indian Reserve Commissioner
Survey

Camp in depth
July, 1878.

Sir,

I have the honor to instruct you on the completion of the Indian Reserve, situated on the left bank of the Thompson River about three miles below the foot of the Little Lake, to roughly mark by blazing a tract of about fifty acres of timber land; said tract lies on the eastern side of the wagon road and about half a mile southerly from the southern boundary of the Reserve.

An instrumental survey is not considered necessary.

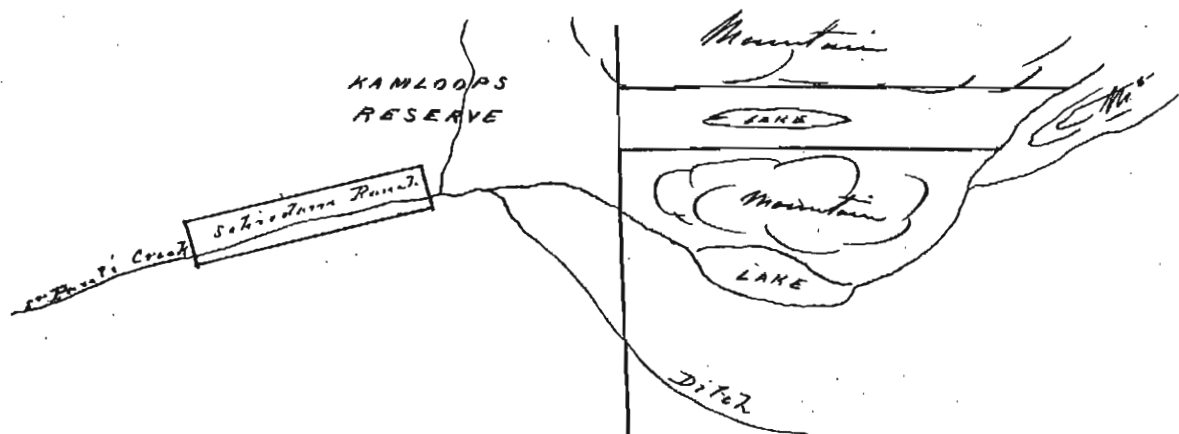
The Indians or Mr. M. Ryan can point out to you on the ground the exact locality.

I enclose for your information an open letter from the

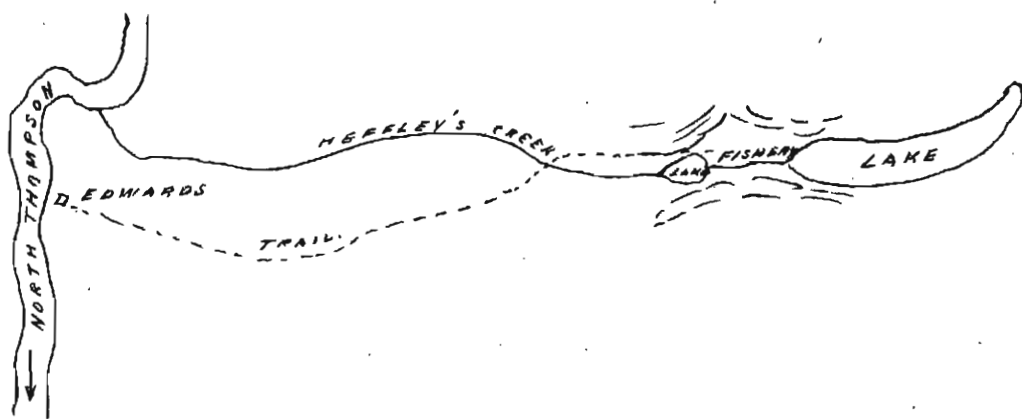
the Kamloops Indian Reserve.

1. A strip connected with the main reserve on its eastern side estimated to be about $\frac{1}{2}$ mile long, and a quarter of a mile wide and bounded on the east by a small stream, one of the sources of St. Paul's Creek.

It is the intention of the Ind. Res. Commr. to include the full width of the small valley, as shown on the sketch.



2. A fishing station situated about seven miles up Haffley's Creek, N. Thompson River, to include the full width of the valley, lying between the head of the small lake, and the foot of the long one as shown on sketch probably containing about 60 acres.



3. A fishing station at the southern end of Mr. Newman's claim, situated about 15 miles from Kamloops by the Nicola wagon road now in course of construction. It is not considered desirable in the interest of the white settlers to give the Indians any cultivable land at this place; and the Indian Reserve Commr. considers that these interests will be best served, and at the same time the Indian rights protected by making a Reserve containing about 20 ac adjoining the lake and connected with the wagon road as a camping ground, and in addition thereto a fine

Sir - Mr. Bowen -
Survey.

Camp in Sytham
19 June 1878.

Sir,

Owing to your not yet having furnished me with reports, &c., up to the present time I am unable to furnish for the information of the Hon^{ble} the Minister of the Interior a statement as to the progress of the work entrusted to you.

I have to request that you will at once report to me on all surveys completed, and that in future you will keep me cognizant of your movements and progress.

You will also have the goodness to furnish me from time to time with statements of expenditures incurred and accounts for which you will require fresh requisitions.

I beg to call your particular attention to a letter dated the 24th April 1878 from the Secy^r Revenue Comm^r to you, in which he endeavours to impress upon you the necessity of your forwarding to me regularly reports, "so that the progress and position of the work under you may be thoroughly known from time to time."

I have &c

Edward A. Moberg

Asks down H. from by L. R. Surveyor to Sir Mr. Bowen -
Sir - Mr. Survey.

Sir - Mr. Bowen -
Survey.

Camp in Sytham
1 July 1878.

Sir

I have the honor to instruct you to survey at your earliest convenience the undermentioned addition to

L. L. d. & L. Surveys. 15th 5. 24.
Parramatta 24. 28.

Hamlets fishing 20.

A. H. Green. Instructions. 16, 18,
Demanding report. 1. 23. 28

Love 27.

Accounts 7

Capt. Jewett. Instructions 13, 20, 22,

Hamlets Surveys. 1

Mr. Bryant 3.

Accounts. 5. 24. 27.

Dradman Creek 7. 26.

Minute Decision 19

Schistum Ranch 21

Hamlets claim 21

Col. Powell. Requisitions. 15. 23.

Konchus. 19. 4. 4. 7. 10.

Accounts 9, 11, 28.

L. J. Barnard & Co. Jewett's transport 4.

Manier H. Lorrachan Res. 12.

I Love 21.