

PROGRESS REPORT No 3

OF THE

ROYAL COMMISSION ON INDIAN AFFAIRS FOR THE PROVINCE
OF BRITISH COLUMBIA

To the Honourable

W J ROCHE, M D,
Superintendent-General of Indian Affairs,
Ottawa, Canada

Sir —

On behalf of the Royal Commission on Indian Affairs for the Province of British Columbia, I have the honour to report as follows concerning the field and inside work of the Commission during the period subsequent to the issuance of Progress Report No 2 and my assumption of the Chairmanship

The active work of 1914 may be said to have been inaugurated on April 22nd, when Mr Commissioner Carmichael took his seat upon the Board and I assumed the Chairmanship of the Commission. From that date until the inauguration of the tour of visitations and inspections in the Lytton Agency, on the 2nd instant, there were held 159 formal meetings of the Commission at the Board Room and upon various Indian Reserves, two or more meetings in a day being not unusual during the progress of work in the field. At the Board meetings above referred to, correspondence of varied character was received and dealt with, the volume of such correspondence including 346 letters inward and 395 letters outward, in addition to Interim Reports, etc, etc

During the period now under review the time of the Commission at various meetings here was largely occupied in passing upon Reserves of the West Coast and Kwawkwewlth Agencies (by confirmations, reductions or additions), subject to final revision, and to the direction of the work of tabulating all such dispositions of Reserves of these and other Agencies visited to date, for purposes of convenient reference. To effect economy of time, a ready reference index was also prepared, shewing such dispositions and also covering Department Files maps, plans, railway applications and applications in behalf of Indians, evidence, exhibits, memorials, etc

Incident to the general inside work of the Commission since its last report of Progress, the Commission, upon the request of the Department of Indian Affairs of Canada in each instance, and with the object of facilitating action where an expeditious disposal of public business was obviously necessary, has passed and transmitted to the two interested Governments sundry Interim Reports, as follows

No 30—Confirming Barnston Island I R No 3 of the Katzie Tribe or Band, New Westminster Agency,

- No 31—Confirming Tsawwassen I R of the Tsawwassen Tribe or Band, New Westminster Agency,
- No 32—Recommending the granting of right-of-entry in and upon Bella Coola I R No 1 of the Bella Coola Tribe or Band, Bella Coola Agency, to the Pacific and Hudson Bay Railway Company,
- No 33—Recommending the granting of right-of-entry in and upon I R No 2 of the Langley Tribe or Band, New Westminster Agency, to the Western Canada Power Company Limited,
- No 34—Recommending the granting of right-of-entry in and upon 35 Anderson Lake I R's Nos 1, 2 and 4, of the Anderson 36 Lake Tribe or Band, and Seton Lake I R's Nos 2 37 and 6, of the Seton Lake Tribe or Band, Lytton Agency, 38 to the Pacific Great Eastern Railway Company,
- No 39—Confirming Cowichan I R No 1 of the Cowichan Tribe or Band, Cowichan Agency,
- No 40—Recommending the granting of right-of-entry in and upon 41 Quesnel I R No 1 and Rich Bar I R No 4, of the Quesnel 42 Tribe or Band, and Alexandria I R No 1 of the Alexandria Tribe or Band, Williams Lake Agency, to the Pacific Great Eastern Railway Company,
- No 43—Recommending the granting of the application of the Department of Public Works of Canada for permission to construct a wharf upon Mission I R No 1 of the Squamish Tribe or Band New Westminster Agency,
- No 44—Recommending the granting of right-of-entry in and upon Sloss (Sha-Lalth) I R No 1 of the Seton Lake Tribe or Band Lytton Agency, to the Pacific Great Eastern Railway Company
- No 45—Recommending the granting of right-of-entry in and upon Soda Creek I R No 1 of the Soda Creek Tribe or Band, Williams Lake Agency, to the Pacific Great Eastern Railway Company,
- No 46—Confirming Semach I R No 2 of the Nahwitti Tribe or Band Kwawkwalth Agency,
- No 47—Confirming Fishery I R No 5 of the Hope Tribe or Band, Lytton Agency,
- No 48—Recommending the granting of right-of-entry in and upon Kamloops I R No 1 of the Kamloops Tribe or Band, Kamloops Agency, to the Corporation of the City of Kamloops,
- No 49—Recommending the granting of right-of-entry in and upon I R No 2 of the Fort George Tribe or Band, Stuart Lake Agency, to the Grand Trunk Pacific Railway Company,
- No 50—Confirming Mayne Island I R No 6 of the Saanich Tribe or Band, Cowichan Agency,

- No 51—Recommending the granting of right-of-entry in and upon Williams Lake I R No 1 of the Williams Lake Tribe or Band, Williams Lake Agency, to the Pacific Great Eastern Railway Company ,
- No 52—Recommending the granting of the application of the Department of Customs of Canada for permission to erect a Customs House upon land contained in Tobacco Plains I R No 2 of the Kootenay Tribe or Band, Kootenay Agency, and
- No 53—Recommending the granting of right-of-entry in and upon Chuchummisapo I R No 15 of the Nitinat Tribe or Band, West Coast Agency, to the Canadian Northern Pacific Railway Company

Under and by virtue of Paragraph 8 of the Agreement attached to the Commission, the Commission has also specified certain parcels of land as lands which it is deemed necessary and desirable that the Provincial Government of British Columbia should reserve and withhold from any alienation until the Commission has passed upon applications that these lands be added to the reserve lands of Indian Tribes or Bands of the West Coast, Kwawkewlth, Kamloops, Williams Lake, Stuart Lake and Kootenay Agencies, for the purpose of more effectually providing for the reasonable and necessary requirements of such Indian Tribes. Care has also been taken to ascertain at the outset, wherever possible, the exact status of all such parcels of land applied for and specified for non-alienation until final action has been taken by the Commission upon applications therefor.

In many cases it has been found impossible to secure necessary technical descriptions of such lands applied for, owing to the territories affected being as yet unsurveyed, and instructions have been given for the making of necessary surveys by Mr Ashdown H Green, B C L S, Technical Officer to the Commission, whose work in this connection is now very well advanced.

During the months of May, June, July, August, September, October and November the activities of the Commission have been largely afield the reserves and peoples of the Tribes and Bands of the West Coast, Kwawkewlth, Kamloops (Nicola), Williams Lake, Stuart Lake, Kootenay and Lytton Agencies being visited and information secured by inspections and testimony as to some 555 reserves.

The field work of the Stuart Lake Agency, which was programmed to follow that of the Williams Lake Agency in August, was necessarily postponed until next season, after the Blackwater and Fort George Tribes and their reserves had been dealt with, protracted and exceptionally heavy rains having made ingress to the reserves of the Stony Creek, Fraser Lake and Trembleur Lake Tribes or Bands not only impracticable but impossible.

The Commission in early September divided, the Chairman with Commissioners McKenna and Macdowall taking up the field work of the Kootenay Agency, and Commissioners Shaw and Carmichael visiting that portion of British Columbia covered by Indian Treaty No 8, investigating the land requirements of the Indians therein, and reporting thereupon to the Commission, with recommendations of the creation of sundry Reserves, the lands required for which have been duly specified to the Government of the Province of British Columbia for non-alienation pending action by the Commission

Miscellaneous Much general work of importance to Indian interests in British Columbia has also been accomplished by the Commission during the past six months

The Game Act of British Columbia (Cap 33 B C S, 1914) and the special rights and privileges thereunder of Indians, hunting exclusively for their own food requirements, have been the subjects of special consideration and investigation, a report in relation thereto having been made to the Commission by the Chairman, after analysis of the Act and all regulations promulgated thereunder, and steps have been taken to secure more effective co-operation between the Provincial Game Warden's Department and the Agents in British Columbia of the Department of Indian Affairs, with a view to educating the Indian population as to the game laws and their value to the Indians as well as to the whites as a factor in preservation of the wild game asset and to the simplification of the regulations for the benefit of Indians hunting under permit for food for themselves and families

The correction of survey errors of the past has called for attention in several instances, the important project (international) for the reclamation of the Kootenay Flats (in the success of which the Indians of the Kootenay Tribe are vitally interested), the projects for dyking which embrace improvement of the Barnston Island and Musqueam reserves of the New Westminster Agency, the due protection of Indian interests in wharf construction at North Vancouver, the securing of a special valuation of lands at Bella Coola I R No 1 so that the Indians may obtain adequate compensation for such lands as are required by the Pacific and Hudson Bay Railway Company, and numerous other subjects of importance to the Indian people in British Columbia have been the object of special inquiry and recommendations which, it is hoped, will be of advantage to the Indians and in the public interest. Especial care has been taken in passing upon all applications by railway companies for rights-of-way allowances through Indian reserves, the insistence by the Commission upon proper certification of all supporting plans having in several instances been abundantly justified, as in the case of the application by the Comox Logging & Railway Co for right-of-entry in and upon Pentledge I R No 2 of the Comox Tribe, Cowichan Agency, investigation disclosing that this applicant

company, operating under a Provincial charter, had failed up to date in compliance with the statutory requirements of the British Columbia Railway Act

The Commission has also given special consideration to the question of the Water Rights of Indians in and for the several reserves in British Columbia. All evidence bearing upon Indian water requirements has been assembled and transmitted to the Chairman of the Board of Investigation of the Water Rights Branch of the Lands Department of British Columbia, for consideration by that tribunal prior to its adjudication upon water records throughout the Province, a duplicate resume of this evidence is also being transmitted to A O Cochrane, Esq, barrister, of Vernon, B C, for his information, Mr Cochrane having been retained by the Department of Indian Affairs to represent the interests of the Indians before the Water Board. The existing water records for British Columbia Indian Reserves, as shewn by the Official Schedule of Indian Reserves 1913, have been closely checked and a table prepared giving all available information as to the status of each such record—its grade and the approximate quantity of water reasonably available thereunder for the use and purposes of the Indians. Data has also been compiled as to numerous Indian records not as yet scheduled, the status of each of which is now being investigated, and, in specifying to the Government of the Province of British Columbia lands which the Commission desires to have withheld from any alienation pending action upon applications therefor in behalf of Indians, the Commission is also specifying the available water necessary for the utilization of such lands wherever these are found within the arid or semi-arid areas of British Columbia.

The transcription of evidence and the tabulation of statistical information in respect to all reserves of the Province is at this writing complete to date, and all tables intended for inclusion as appendices in the Final Report of the Commission (insofar as reserves already dealt with are concerned) are in the printers' hands and well advanced.

I have the honour to be,

Sir,

Your obedient servant,

N W WHITE

Chairman

Victoria, B C,

November 25th, 1914