

Received
16 June 1877

British Columbia

Memorandum by The Indian
Reserve Commissioners upon an order
of The Canadian Privy Council
dated 23rd Feb: 1877, respectfully
submitted for the consideration
of The Honourable The Superintendent
General, as requested in Mr. Meredith's
letter of 9th March 1877, addressed
to Mr. Sproat, the Joint Commissioner.

The Commissioners are
somewhat in doubt whether they
are expected to express their
views generally upon the above
order, or simply upon the procedure
which, in their judgment, should
be adopted, so far as they are
concerned, in giving effect to
that order.

In this uncertainty it may
be convenient that they should
interpret Mr. Meredith's request in
the broader sense, particularly
as they are about to proceed
to the interior of the mainland,
and may there be, during intervals,
beyond the reach of regular

2

postal communication.

The Commissioners are not called upon to offer any opinion, from a Provincial point of view, as to the probable effect of the prospective arrangements under the order in Council.

The cost of the whole Commission has proved to be much less than any estimate of its probable amount that was formed in this Province before the Commissioners had tested the matter by experience.

The Commissioners are of opinion that, with a continuance of good arrangements, enabling them to have means of transport at command and to go straight on with their work, they could complete the whole work in three years.

Whether the time and money thus required for the settlement of the grave and long pending controversy as to Indian lands in British Columbia is excessive, or likely to be entirely

disproportionate to the result attained is a question respecting which the Commissioners do not feel justified in expressing any decisive opinion, depending as its solution, to some extent does, on the resources of the governments concerned, and the value which they place upon the work in progress.

The Commissioners do not observe in the order in Council any direct reference to the wishes or expectations of the Indians, and it occurs to them that it may be specially on this point that the views of the Commissioners are desired.

Their experience during the past winter in daily friendly intercourse with many of the tribes, and conversation with the chiefs on the subject of their land questions, together with numerous letters and messages received by them from the Indians in different parts of the Province, has enabled the Commissioners to understand the views of the Indians and to

14
~~appreciate their feelings in relation~~
to the business which has been
entrusted to the Commission.

The Indians generally
have a tolerably correct notion
of the principles of the Canadian
Indian policy adopted on the
east side of the Rocky Mountains,
and are aware that it causes a
considerable expenditure among
the Indians of that region in
addition to the allotment of
land reserves. The Commissioners,
so far, have been able to arrange
actual land questions in British
Columbia without reference to any
questions involving money payments
for extinguishment of presumed
land title or annuities; but it
appears to them, under these
circumstances, that the minimum
of the just expectations of the
Indians in this Province is that
their land reserves, at all events,
should be promptly and finally
defined and assured to them, and
that they should know, once for
all, what is to be their position

5
for the future.

It is an error to suppose that the work of the Commissioners is only regarded with eager interest and anticipation in the parts of the country where white men and Indians live together. The Commissioners, in carrying out their winter programme of work, much regretted that they had to forbear from visiting industrious and well behaved tribes living in anxiety about their lands, though beyond white settlements, and who, in expectation of their arrival, as the Commissioners were informed, had made preparations to receive them.

It may be noticed of these Indians that, under the restraint of the law, tribes which formerly were constantly engaged in intertribal warfare now live without molesting one another, but the feelings produced by hereditary feuds are only sleeping, and they now are shown in the form of extreme jealousy of any attention

by the white chiefs shown to one people and not to another, whether living within, or beyond, the white settlements. The Commissioners who, in order to facilitate their own work during the past winter, had of course to show scrupulous attention to such feelings, found it impossible to pass beyond any one important tribe, even temporarily, without full explanations. When on the coast of Vancouver Island two months ago messages reached them from tribes far to the north asking when they were to be visited; and lately, the Lower Fraser Indians have informed the Commissioners that they will be much hurt if, as is proposed, the Commissioners pass them by, and visit the interior, which, however, under due explanation, they must necessarily do.

The very considerable intertribal traffic in commodities of Indian production and manufacture which exists generally

1
7
among the natives, and, perhaps,
more particularly among those
living outside the white
settlements, depends largely on
the people being permitted to
live in certain spots; and now
that the question of adjusting

finally the land reserves
throughout the Province has been
raised, with the accompanying
doubts, as far as the Indians
are concerned, as to their old
rights of hunting and fishing, as to
their possible removal to large
reserves, and as to what land is
to be theirs, they are naturally
disturbed in their minds, and
do not follow the occupations
of their daily life in a
satisfied spirit. The Indians
generally expressed themselves to
the Commissioners in a loyal
manner, and appeared to get
on fairly well with their white
neighbours, but it was impossible
not to notice in some parts that
they distrusted the action of the
government with reference to

their lands. They said that first one chief had come, then another and another, all saying the same things, and all afterwards cutting and carving their lands; and that after the Commissioners had gone, perhaps some other chief would come and undo their acts. In such districts it was only after fully explaining to the Indians that the visit was not a common one, together with the reasons for sending three Commissioners instead of one, that they succeeded in getting that amount of confidence without which business cannot be satisfactorily transacted with these people.

The bearing of the above observations is that, if the feelings and ideas of the Indians are to be considered; and their land questions to be settled authoritatively to their minds, it will be increasingly more difficult to disturb the organisation of a Commission formally

introduced to the notice of the Indians, with assurances of a prompt and final settlement of all their land questions. If the Commission is prematurely dissolved, with numerous applications before it, unattended to, from Indians in all parts the Province, and expectations existing everywhere of a visit from them — which expectations will grow more strongly every day the Commission lasts, the Commissioners are apprehensive that such premature dissolution will have the effect of weakening the authority of their past work, and of leaving a large untouched area of Indian disappointment, if not alarm.

At the same time, the Commissioners, while mentioning what they conceive to be the wishes of the Indians, are aware that the question has to be considered, also, from other points of view, among which that of economy is not the least important.

Notwithstanding what has been said, above, as to the authority given to the acts of the Commission in the minds of the Indians by its present organisation, the Commissioners have always been of opinion that, in some parts of the Province, the expense of a visit of the whole Commission for the purpose of laying off reserves would be burdensome.

The Commissioners, accordingly, had proposed to ask the governments to sanction a plan of work on their part for the future, which, by not requiring the personal presence, under certain circumstances of all three Commissioners at any Reserve, would greatly hasten the completion of their labours, without disturbing the Indian mind by the premature dissolution of a Commission to which they attach so much importance.

The plan of the Commission was as follows—

Upon entering any particular district, whether with

a steamboat or mule train, the Commissioners would decide, so far as they could, what places were of sufficient importance to require the presence of all three. They would attend to these places and afterwards scatter in three directions, either by canoes or horses, as necessary, travelling in the simplest way, each Commissioner undertaking a certain number of reserves with the understanding that, as a rule, the whole Commission would approve his action without however abandoning their right to revise the decision of an individual Commissioner in any possibly exceptional case. This arrangement would enable the Commission to do very much more work within a given time, and consequently economise largely on the gross outlay. The little additional expenditure thus occasionally to be incurred would be very disproportionate to the general saving. The arrangement would be one that could be easily explained to the Indians.

The Commissioners feel assured from their knowledge of the cordial way in which they, as members of the Commission, have hitherto cooperated, that the plan proposed would work efficaciously.

There are, in the opinion of the Commissioners, if they may be permitted to express an opinion on Departmental matters not strictly within their cognizance, grave practical objections to the proposal of imposing upon the Indian Superintendents the duty of apportioning the lands remaining unallotted by the Commission.

The duties of the British Columbian Indian Superintendents are of an increasingly onerous character, and the performance of these duties cannot be impeded without injustice to the 30000 or 40000 Indians in this Province who it may be remarked, are a self-supporting people, contributing largely to the revenue of Canada and to the business of the Province.

Within the area passed over by the Commission during the winter, there are pressing questions connected with the interior surveys and subdivisions of the lands, the organisation of the tribes under the Indian Act, and the adjustment of numerous Departmental matters of great importance to the Indians, which, it may fairly be said, are sufficient for a year to come, to tax to the utmost the energies of the Department in Victoria, and indeed, afterwards, would require for their thorough solution as bearing on the progress and well-being of the people, the assistance, additionally of resident sub-agents. The Commissioners expect to find the same state of matters in the Interior of the Mainland.

It is impossible that a Superintendent can attend to these matters, while acting in distant places as a Land Reserve Commissioner, and if he does not act in the latter capacity until it is convenient, or practicable, for him to go to these

places, there will be an undesirable postponing of the adjustment of their land questions which the Indians generally have been told, in a formal manner, was to be speedy and final.

The Commissioners do not deem it necessary to submit any observations on matters of detail, and in conclusion, have only to add that they will do their best, in consultation with the Indian Superintendents — to each of whom a copy of this Memorandum will be given — to carry out whatever instructions may be sent to them by the governments, and, in the meantime, will give full effect to what they conceive to be the intention of the Order in Council of the 23rd Feb: 1877.

(Signed) A. C. Anderson

Domn: Commissioner

" A. McWinlay

Provl: Commissioner

" G. M. Sproat

Joint Commissioner

Victoria, 7th April 1877.