

In Camp. Shawanish River.
Hume Sound. British Columbia
November 27. 1876.

Sir

Referring to the letter of your predecessor 25th Aug. 1876 (No. 6425 T. B.) with the commission and instructions therein enclosed, and to my general memorandum on the Indian land question, sent to your predecessor before the Commissioners began their outdoor work, I have now, respectfully, to make a report, in my capacity of joint Commissioner, upon the proceedings of the Commission since they left Victoria. It may be convenient that you should have as much information as possible at the outset of the labours of a Commission carrying on work under conditions which perhaps, nothing but the result of actual experience will enable anyone to appreciate.

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In Hume Sound
& Lewis Inlet
there are
nearly a
thousand

It was decided to begin work near Burrard's Inlet, on account of the good effect likely to be produced ^{upon} the Indians in the interior of the ~~country~~ by their knowing that we were at work in a part of the Country, not indeed near to them, but between which and the Indian settlements up the river Fraser and Thomson there is means of communication from one tribe to another at almost all seasons. Indians among

The Honorable
The Minister of the Interior
Ottawa.

whom white men are in the habit of working to supply logs for the Burrards Inlet sawmills, but who have never had land reserves assigned to them at all.

By beginning at the mouth of Fraser river, and visiting Burrards Inlet, Howe Sound, Lewis Inlet, crossing then to Comox, and working southward down the east coast of Vancouver Island, we would get over nearly all the ground on the coast of the Province inhabited by white settlers. These appeared to us to be good reasons for the plan of work which we are now carrying out, and hope to complete long before the end of the winter. We are now about to proceed from Howe Sound to Lewis Inlet in the small steamer "Lemna", chartered by the Commissioners at \$14 a day in full of everything. The following is a description of this vessel.

Tonnage under tonnage deck	Tons
	20
Houses on deck	<u>13</u>
Total gross tonnage	33
Deduct for engine room	<u>15</u>
Register Tonnage	18

The boilers can carry with safety 45 to 80 lbs per square inch. They are high pressure, and fresh water must be used, which we get at most parts of the coast easily. Her water tank holds about 2000 Gallons, which is about enough for 12 hours steaming. She steams 7 to 9 knots, and is said to be a good seaboat for the class of vessel.

Her furnace requires about a cord of wood a day, but she can carry coal to steam several hundred miles. She is too small for our party to sleep in, and is only intended to navigate the Gulf of Georgia in moderate weather. A three-ton boat is included in the charter. The "Leonora" is the cheapest and most suitable vessel we could find, though not quite what is wanted for work on the coast.

Since leaving New Westminster on the 6th inst. the land claims of over 400 Indians of the Kuskwam and Shawanish people have been dealt with to their satisfaction. The interests of white settlers also have been duly considered.

The Kuskwam Indians live at the mouth of the north arm of the Fraser river.

The Shawanish Indians inhabit Burrards Inlet, and also the Shawanish river at Home Sound. A most important question is the cost of our work in full. I am sorry that I cannot in this report, estimate this. The days are short, and we have been at work every day from daybreak until night. For a considerable portion of the time we have been in canvas without tents, and with only a canvas covering to sleep under, which imperfectly sheltered us from the rain. To make pencil notes rapidly is all the writing work ^{that} I have been able to do. My impression however is, that so far, the cost of our work will be about \$3 a person, probably a

little less. This must not be taken as any standard for the probable cost of our work in future. The chances of being windbound on the coast, the necessity of going up shallow rivers, the larger or smaller number of people in different tribes, the varying distances in different inlets between their villages or spots which they claim, and other conditions of which I cannot now judge, may affect the average cost per head. The cost may be more, or it may be less than the above.

The names and sexes of the people have been taken by Mr George Blekenisop under our supervision, and appear in the census returns furnished to the Indian Departments of British Columbia. The number of children in the Muskwam and Shewawmish tribes does not show an average of more than about a child and a quarter to each married couple. These tribes however, if not visited by epidemics, will probably ^{and} ~~show~~ ^{proportionally} show an increase of the present ~~population~~ of children to adults. Their physical condition has improved of late years, owing to the employment of many Indians by the whites at Burrards Inlet, and owing to the effect of the teaching of the missionaries, and many marriages have taken place among the young folks.

It will be some years before the governments can accurately know whether the Indians as a whole in the Province are increasing in number.

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or not. The occupation of the country by the whites was attended by one great advantage to the Indians. It stopped the constant intertribal warfare which every year caused the deaths of several hundred men in the prime of life.

In the old times, as many as fifty heads have been taken by a single war party. Tribes numbering over 100 persons have been ruthlessly exterminated in one attack. Other benefits have followed the arrival of white settlers. Many of the Indians have got employment at good wages, and markets have been opened for much of what they produce. The introduction of warm clothing, and new wholesome articles of consumption has also been an advantage to the Indians, though perhaps not an unmixed one at first. Few Indians will abandon their savage dress all at once, and wear civilized apparel constantly. For a time the Indian changes from coat to blanket, and from boots to barefoot, and vice versa. His body is thus rendered more susceptible to the effects of changes of weather and of exposure. Something of the same kind may take place with respect to his use of civilized articles of food to which he has been unaccustomed. But warmer clothing and better food must be good for the Indians in the long run, and it is fair to suppose that the stopping of tribal massacres, and the checking of the ravages of epidemics, together with an increase

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of physical comfort generally, will result by ~~and~~
by in a considerable increase of numbers.

My impression is that the Indians are increasing
in number at the present time. Several tribes
on the mainland coast are known to be
increasing, such as the Skwawwush, Sea-shells,
Mlah-hooses and others. The tribes on the west
coast of Vancouver's Island are increasing in
number.

In this picture there is however a dark shade.
Since the arrival of white people in large numbers,
several tribes have dwindled sadly, owing it is
said, to the effect of an undue use of bad ardent
spirits, and of the spread of syphilitic disease.
It is difficult to determine how far the white
people are to be blamed for this. Towards the
end of last century, Captain Vancouver found
that many many of the Indians were on the
coast were pitted by ~~smallpox~~ smallpox, and
he also mentions that several of the tribes were
in the habit of offering their women - possibly
slave women - for prostitution. This was a
common article of barter by traders who fre-
quented this coast long before white men settled
in the Country. It is certain that ^{Syphilis} ~~Syphilitic~~ King
evil, and other diseases which are aggravated, if
not produced, by unwholesome modes of life
existed here before the colony was established.

What followed upon the arrival of numbers of
^{young} unmarried white men, was a great increase

of the facilities for obtaining ardent spirits by the Indians, and a somewhat unrestrained sexual intercourse between many of them and Indian women. Indian men, never much addicted to labour, found that they could live in idleness, and enjoy what to them were luxuries, by bringing their slave women to the settlements, and pocketing the wages of their prostitution. By and by they brought their wives, nay even their daughters. They practised abortion on their women during the childbearing age, so that their career as prostitutes should not be interrupted. These idle men and unhappy women naturally took to drink, and white outcasts supplied them with bad liquors. The vitality of the Indians who led this life was ruined. A general deprivation of the whole physical system of both men and women took place. Syphilis, scrofula, and consumption cut them off by hundreds. The ~~best~~^{finest} tribes, such for instance as the Nuydahs whose daughters had the fatal heritage of courtesans naturally suffered most from these infamous practices which prevailed among them. They have been sadly diminished in number. I hope that a turning point even in the career of these unfortunate tribes, has now been reached. The Government will do an excellent work if they can succeed in raising the condition of the women. I should think that this work will be greatly facilitated as the men are

* The Musqueam language is much the same as the
language of the Indians on the lower coast from Gal-
litz north and of a considerable portion of the
Inland population on the West coast of Vancouver
Island. The language is commonly called the
Comcheran. The real Shawmish appears to be separate
from, but nearly the same as the Shawmish of the
Comcheran. The collection made by order of Mr. Sprouck
is for the 27th Decr. 1876. (See H. H. H. H. H.)

gradually weaned from idle habits and become
richer. The possession of better houses and of
additional house comforts will increase the
self-respect of the Indians. They must have the
natural desire of man to see children in the
house, and the mother by the fireside. They
will scorn to sell their wives and daughters
to a base and blood-defiling course of life,
and thus will become more open to the lessons
of temperance and chastity inculcated by the
agents of the Government and of the missionaries.
A short account of what is known about
these Kwisquamish and Shawmish people
above mentioned, whose lands have been dealt
with by us, may assist in enabling you to
judge of the sort of work which the Commissioners
have had to undertake, and how far it has
been reasonably within their power to give
effect to the agreement between the Governments
and to the instructions which they have received.

First about their language.*

The Lewis and Clark Indians (Sea Shells) speak a
different language, one peculiar to themselves.
Some of the tribes on the mainland coast,
north of the latter tribe speak a mixture of
Shawmish or Comcheran, and Cowlitz.

Second as to their history.

There were Indians in Burrards Inlet when
Vancouver visited the place in June 1792.

He says he was met by about 50 Indians in

canoes. They appear, from his description, to have lived on the north side of the Inlet, at a place just inside the first narrows, now known as Mah-pil-lah-no creek.

It is not known to what tribe these Indians belonged. Some think they were not Shawamish but Muskwam Indians. Mah-pil-lah-no was a Muskwam chief of half Shawamish blood. In 1825 or 1824 Mr Gale in charge of the Hudson Bay Co. fort at Langley, accompanied Mah-pil-lah-no to the creek which now bears his name in Burrards Inlet to point out to him the best ground for potatoe patches.

This chief lived at that creek in Burrards Inlet until he became old and blind, when he went back to Muskwam, and died there a few years ago.

One difficulty in the ^{way of the} belief that the Burrards Inlet Indians in old times were Muskwams and not Shawamish is suggested by a petition 19th August 1869 signed by a Shawamish Indian chief called Snatt and 65 others, probably drawn up by Father Dureau, which states that before any white men settled at Burrards, ^{Inlet} and before Moody's mill was erected the Shawamish Indians had been in the habit of using the place occupied by them at the date of the petition, which place seems to be the present "Mission" reserve. If this is true, the Shawamish Indians were also in Burrards Inlet

before the white settlers. A letter of Mr Brew
of Burrard's Inlet to Mr Bushby, magistrate at
New Westminster dated 29 July 1869 states
that the Shwamish never entered into Burrard's
Inlet until 1859 & 1860, and that, at the date
of the above letter, the Shwamish were
squattling on every good piece of land about,
and disputing with white men who went to
settle.

Mr Bushby in a letter to the Chief Commissioner
of Lands and works 30 July 1869, stated that
the Shwamish is a troublesome tribe, and
likely to give the scattered white population of
the Inlet a good deal of trouble. The murder
of Conroy, and the recent murder of Perry will
naturally create a very bad feeling between the
whites and Indians, which any disputes about
land will tend to brighten. The general public
opinion in the neighbourhood now appears to
be that the claims of the Shwamish Indians
to land at Burrard's Inlet are not founded upon
ancient occupancy or use. I do not think they
have old associations with the place.

They probably came to the Inlet, and took up
residence there, at a comparatively late date for
the legitimate purpose of endeavouring to make
money out of the sawmillowners established in
business at that place. They now form the
principal resident Indian population of the
Inlet. A good many Indians from various

parts of the Lower Fraser river, also frequent Burrards Inlet to work at the mills, but these Indians generally live in houses provided by the owners of the mills, and they have not asked for any land reserves.

The real home of the Shwawmish Indians is upon the Shwawmish river, which flows into Howe Sound. The history of their coming to Burrards Inlet is supposed by some to be as follows. About 1860, a Mr Smith erected a small sawmill on the north side of the Inlet.

He was one of the first, if not the first, white settler on the Inlet. A few other white men, and also some of the Howe Sound Shwawmish Indians afterwards arrived. The latter soon disputed with white men about land in the Inlet. A larger mill owned by Mr Moody took the place of the mill erected by Mr Smith, and a second mill was established on the south side of the Inlet.

The Shwawmish Indians were sharp enough to see the advantage of living beside the white men employed at these mills. They, therefore, so far as I can make out, while retaining their claims to their old lands on the Shwawmish river in Howe Sound, began to frequent and settle upon lands in Burrards Inlet in considerable numbers. They worked at, and for the Mills, and supplied them with fish and game. When they wished for a change of life and scene, they went back as they continue to

to do to the Skwamish river at Howe Sound. The whole Skwamish people at Burrards Inlet and Howe Sound number about 639 persons.

Of these at the time of our visit, about 314 were resident at Burrards Inlet, the remainder being at the Skwamish river Howe Sound.

I will now say a word or two on the condition of these Burrard Inlet Indians.

In 1492 Vancouver states that they had no European commodities nor trinkets. They had a few ornaments made, apparently of copper. Their arms were bows, arrows, and spears.

At the present time they are well clad in the ordinary dress of the whites, and are apparently well fed. Many of them use pocket handkerchiefs.

The men have strong well formed bodies.

Their average stature is 5 ft. 6 ins. to 5 ft. 7.

A few reach 5 ft. 9 ins. and 5 ft. 10 inches.

Their principal vices are said to be drinking and gambling. I may class also as a vice the foolish custom of giving away property to other tribes for the sake of the praise which such extravagance obtains, but this custom of "potlaching" I was glad to hear, is rapidly falling into disuse.

Some of the women are comely, and all of them are comfortably dressed. Their chastity perhaps, is not unimpeachable, but they are said to be generally faithful to the white men of Sandwich Islanders with whom some of them

live. The homes of those who have lived with white men, and who afterwards have married Indians, often show superior neatness to that visible in the ordinary Indian houses.

A large sum of money, estimated by some as highly as \$100,000 a year, and certainly not less than $2/3$ ds of that amount, finds its way annually into the hands of all the Indians who frequent Burrards Inlet. Many of the Indians are excellent workmen. They are employed in loading vessels, and in general work about the sawmills. Several of them work inside the mills. They receive from 75 cents a day with food and lodging, to \$1 $\frac{1}{2}$ or \$1 $\frac{1}{2}$ a day without food or lodging. A ready market exists at the sawmills for whatever fish and game the Indians bring in.

They are evidently a useful portion of the general population, and the white settlers say, that with a very few exceptions, the Indians are good neighbours. They live in small frame houses, placed generally close to the water.

This may be from old habits of dependence on the sea for their principal food, or from very natural considerations of convenience, and of the advantage of a cheerful prospect. The Indians were very civil and well behaved to us.

Many of the younger men at Burrards Inlet seemed to care nothing about land. They make too much money as labourers, or by selling the

products of their hunting and fishing, to permit an expectation that they will clear and cultivate the heavily timbered land which must necessarily form the greater portion of the reserves. The chiefs and older men, however, showed anxiety to be secured in the possession of the land they had been occupying, and to obtain some additional portions. Their expectations with respect to land at Burwards Inlet were moderate. They knew they could not point to any progress in cultivating the lands they already have, and were well aware that nearly all the lands on the frontage of the Inlet were owned by private owners. They intimated to us however, that they would expect large reserves on the Skwawmish river Home Sound. The Skwawmish people seem to be split up into sections. Their broken residence between Home Sound and Burwards Inlet, the action of the clergy, the high wages enjoyed by many of the Indians who work at the mills, the decay of the custom of "pottaches", and other circumstances have given a blow to Chieftainship among them. The so-called chiefs, who exercise defacts, and in some instances effective authority over sections of the people, are Indians of some force of character, but not necessarily of good birth, who receive the support of the clergy of the different Churches engaged in missionary work among the Indians. The Commissioners

took pains to find out the real wishes of the people, but in formal conferences they addressed themselves especially to the chiefs or old men whom the Indians had appointed to speak for them.

It soon appeared that the Indians were anxious that they should not be taken away from their homes and placed on large reserves. They wished to be permitted to continue to enjoy in common with the white people, the right of moving about freely, and seeking employment or occupation where they pleased. They particularly asked whether they would be allowed to hunt and fish as usual. The Commissioners were very careful to explain to them the advantages of living on larger reserves, where they could have churches, and also schools for the children; where the old people could be better taken care of, and where the sick could probably more easily procure medical attendance than if they were living on little detached pieces of ground troublesome for the Queen's agents to visit. It was also pointed out that farming operations could be better carried on by the Indians on larger reserves. But, at the same time, the Commissioners were glad to be permitted by their instructions to inform the Indians that though the Queen for the good of the Indians, in the respects stated, wished them to be concentrated on larger reserves,

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and to give up their roving habits, and their practice of partially occupying patches of ground, yet having a good heart towards them, and considering specially the feelings of the old people, the Queen had told the Commissioners not to do any needless violence to existing tribal arrangements, and especially not to disturb the Indians in the possession of any villages, fishing stations, fur trading posts, settlements or clearings, which they really occupied, and to which they were attached, and which it was to their interest to retain.

These few observations upon the history and condition of the Indians first visited by the Commissioners, will enable you to judge of the kind of work which it was necessary for them to undertake in the neighbourhood of Burrards Inlet.

It was evident to the Commissioners that a large reserve could not be formed at ^{this} ~~the~~ Inlet. A sufficient area of suitable land could not be found for the purpose. Such a ~~concentration~~ ^{concentration} of the Indians did not appear to be desired by the white settlers, and, as already said, the Indians were disturbed in their minds even at the idea of such a proposal. They are a part, and wish to remain a part, of the general population. So far as I could learn, their present plans of residence are convenient for enabling the Indians to follow

their various avocations in the Inlet.

Another circumstance seemed to me worthy of consideration. The clergy are doing good work here among the Indians. They have helped to discourage whiskey drinking among them, and have endeavored to elevate the condition of the women. This denominational work naturally goes on in separate hamlets or villages. Each clerical Shepherd wishes, if possible, to have his flock under his own eye.

It would not do for the Commissioners to lay out new reserves with any reference to Church requirements, on patches of ground outside those general reserves which they allot to the Indians upon broad conditions considerations, but the actual existence, in situations not interfering with the white settlers of Indian villages, show some marks of progress under the care of the clergy of different denominations, is a fact which, in my judgment, the Commissioners could not disregard. It would probably serve no good purpose, to disturb for the sake of theory, practical efforts of any kind, for the improvement of the Indians.

At Muskewean (near mouth of North Arm, Inver-
reer) the existing reserve was increased by ⁷⁰ or
80 acres of grass prairie. At false Creek we made
a small addition to the Reserve. In Burrards Inlet
we found four heavily timbered reserves, and after
due inquiry and consideration, we confirmed
the whole of them, increased the size of two, and
added a fishing village reserve at the head of the

North Drum.

The Commissioners were careful to explain to the Indians, that all lands confirmed by them, or given by them as reserves were for the people generally, not for any ~~particular~~ ^{peculiar} chiefs or individuals.

They consented however, in a particular instance, at Burrards Inlet, to give the aid of their authority to Mr. Lenihan Superintendent of Indian affairs, at his request, for the purpose of facilitating the settlement by him of several departmental questions requiring solution at that place.

Another matter may also be mentioned.

Thirty or forty Indians of the Skwawmish tribe have lived for several years on the Government Reserve, between Coal Harbour and the first Narrows at the entrance of Burrards Inlet. This reserve was made in the early days of the colony for defensive purposes in the future. Its commanding position may be seen on the map. The Provincial Government on being consulted, agreed with the Commissioners in their opinion that it would be undesirable to have an Indian reserve on this ground. The Indians have no old associations with the spot. Some persons think they were quite aware in settling upon it, that it was a special Government Reserve which neither white men nor Indians could be permitted to possess, but perhaps the charitable view that they acted ignorantly may be the truer view. The principal Indian among these squatters

is a man of some vigour, but one whose abilities have not been exerted in time past for the advantage of society. The site is attractive, and the squatters have made some improvements.

But the Commissioners could not see their way to confirm their occupancy of the place. They included these Indians in their census, and provided land for them in the lands assigned as reserves for the people generally at Burrards Inlet and at Howe Sound. The Indians were told that it was very unlikely they would be disturbed, and in the meantime they might cultivate as usual but they could get no right to the ground, and it would be much better for them to be on land of their own. It was finally agreed with Mr. Lenihan that we should endeavour to make matters easy for these squatters, so that they should not have any hard feelings in consequence of our not being able to give them land out of this special Government reserve. We propose to see them, and to endeavour to comfort their minds on our return to the New Westminster district, by which time through the assistance of Mr. Lenihan, they may have found a place on the reserves at Burrards Inlet.

It seemed to us desirable that the reserves at Burrards Inlet should be immediately surveyed, and we stated our opinion on this point to Mr. Lenihan.

The formal speeches made to us at Burrards Inlet

may be a sample of what the Indians generally will say to the Commissioners. The following is what Joseph chief of the Roman Catholic Mission Reserve in Burrards Inlet said to us. Four other chiefs agreed to what he said.

"He was very glad to see the Commissioners. He had heard they were coming, and had been longing to see them. The Big Governor had been there lately, and had told the Indians that the three Commissioners were coming to see about the Indians lands. God made everything, the sea, the land, and all the animals and birds. God was good, and wished well both to the Indians and white men. The Queen was all the same as God in the world, and the Queen had sent the three Commissioners to settle the land question, and as they were all the same as God. If they would settle the Indian land question the Indians would be happy. If they did so they would be long remembered. He wanted his land settled. God had made everything, and if the Indians only got half of what God gave them they would be happy. He wanted land at Shwamish river. He was very glad to see the three Commissioners, and hoped they would settle the land question. He had shown his heart, and had nothing more to say."

Having settled matters as above stated at Burrards Inlet, the Commissioners proceeded to this place, where they arrived on the evening

of the 18th Nov. 1876. They invited a number of chiefs and others to accompany them from Burwards Inlet to Howe Sound. They went in their canoe. Joseph who though chief of a section, seems to have a considerable say among these Indians, came with the Commissioners in the steamer.

The question presented to the Commissioners at Howe Sound was very different from that presented to them at Burwards Inlet. There are no white settlers in the Skeuawmish river valley. The Provincial Government have before them one application for the purchase of a portion of ground at the mouth of the river, but have refused to permit the purchase until ~~the~~ after the visit of the Commissioners to the place. The Indians occupy the valley for about 17 miles in a straight line from the mouth of the river or 25 miles by the course of the river.

Their occupation consists merely in the existence of about a dozen small fishing hamlets here and there at points on the river. They claimed the whole valley from the salt water to their furthest village, and from mountain to mountain, an area of about 12 square miles or say 9000 acres. There are probably not more than 10 acres cleared and cultivated in the whole ^{village} ~~village~~. The cultivation is very rude, and chiefly confined to potatoes. The houses are the ordinary dirty, smoky hovels of the Coast Indians, and are placed as above said, at intervals on the

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banks of the river, the largest hamlet consisting of nine Indian houses under one roof as usual. The need of cleanliness is the first lesson these people should be taught. Their houses and villages at Burrards Inlet are much cleaner than those at Howe Sound. The Skwawmish river flows through a very mountainous district. Several of the neighbouring peaks are from 6000 to 8000 feet high. The ranges on each side of the river are from 3000 to 4000 feet in height, and they are too steep and rocky to be fit for much pasture. There is scarcely any cultivable land on the right bank of the river. It closely follows on that side the base of the mountains. The river is from 300 to 400 yards in width, with a fall in the channel of about 4 feet in a mile. We had to use battens, paddles and poles in our canoes. The ascent must be much more difficult in summer when the river is full. The bottom of the channel is composed of coarse sand and large pebbles. Immense deposits or "jams" of rocks and trees show how great the volume of water at times must be. Almost the only area of cultivable land in the valley above the mouth of the river, is on the left bank, between the river and the base of ^{the} mountains, a width of from $\frac{1}{4}$ to $\frac{3}{4}$ of a mile, somewhat cut up by "sloughs", and heavily wooded. The soil generally is sandy and gravelly, with a vegetable top soil. In some places I noticed a clay subsoil. Part of the land on the left bank of the river is

overflowed at certain seasons, but a very considerable area is free from this inconvenience. There are several low, partially overflowed islands, at the mouth of the river which yield a coarse wild hay. It took us 2 days and a half to get up to the farthest village. The weather was wet, and we could not take our tents in the canoes. The tops of the bordering ranges were sprinkled with snow.

The Indians said that generally snow begins to fall heavily on the low ground about the middle of December. In many places it lies 4 feet deep.

The river freezes. I could not quite ascertain when the snow disappears. The ducks and geese had not arrived when we went up the river. We heard stories about bears and saw a few eagles and mountain goats. Lame salmon, dead, dying, or fatigued, were seen in the river. We could have killed scores of them with the paddles. The smell of the dead salmon on the banks was offensive. The Indians appear to use portions of them as they were collected in heaps at the villages.

The climate of the Shawanish valley would probably not deter settlers occupying it, but the bulk of the soil, so far as I could judge, is of medium quality. The available area is limited, and of course must be reduced by the Indian reserves. Vessels drawing 6 to 7 feet can with difficulty enter the mouth of the river, and the channel soon becomes shallow.

Though the valley of the Shawanish river is

not generally attractive to white settlers, it has some importance owing to the road from Lillooet being laid out to pass down the lower portion of the valley. It is hoped that this road will lead to a convenient outlet at the Head of Howe Sound for the farming produce of the Lillooet district. The claim of the Indians to the whole of the valley had to be considered in reference to the interests of the white population, connected with the proposed road. The claim was rejected by the Commissioners, and after taking a careful census of the people, they proceeded to visit each Indian village, and to examine the whole valley carefully.

The final decision of the Commissioners with respect to the lands of these Indians agree with the recommendation of mixed "District" and "Tribal" reserves, made in my general memorandum on the Indian Land Indian question, referred to at the beginning of this report.

To give a "District" reserve at Burrards Inlet, was found, as above said, to be impossible. But at the Skwawmish river, Howe Sound, a large reserve has been given to the Skwawmish Indians, generally whether resident there or at Burrards Inlet. It was not, however, possible, even at the Skwawmish river - though no whites are in the valley, to find a sufficiently large portion of suitable land lying together in any part of the valley. The main reserve consequently

is in two sections, distant from one another about 4 miles by the river, and $3\frac{1}{2}$ by land in a straight line. The Indians particularly wished to have all the bay land near the mouth of the river, but the Commissioners did not accede to this desire of the Indians, as they have not given any evidence of industry in farming, or in storing for sale the natural products of the valley, and as the wild bay is a valuable article for use by Sawmill-makers, and moreover would be required for the sustenance of cattle arriving at Howe Sound from the Lillooet District. The Commissioners, however gave the Indians a considerable portion of the wild bay land at the mouth of the river. They also informed them in the possession of their old village sites, burial grounds, cultivated patches, and favourite places of resort. The two sections of the main reserve above mentioned, will appear on the sketches furnished by the Commissioners. One is at the mouth of the river, and contains probably 1200 acres. The other which contains probably 2000 acres is above the junction of the Che-ah-ka-mish and Shwaw-mish rivers, and above the place where the proposed Lillooet road will enter the Shwawmish valley.

The Muskeam and Shwawmish Reserves do not include any mountains, nor what may be ~~include~~ called fictitious acreage. The Indians are too intelligent to wish for mountains or strong

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land unsuitable for pasture. Nothing would be more misleading than to form an opinion about acreage without reference to the quality of the land. These reserves contain as good soil as there is in the district, and have ample water frontages for the purposes of the Indians, but like all the land in the valley of the Skwawmish river, except the low land at its mouth, they are for the most part heavily timbered.

After having spent a rough time on the river and in the woods, and visited all parts of the valley, and listened patiently to everything the Indians had to say, we returned to this camp, and have spent the whole of the day in further conversations with all the principal Indians who are now here. Having stated to them our decision with respect to their land reserves, we asked that they would tell us their hearts through some one or more appointed by them for the purpose. Joseph, whose Indian name is Mah-nah-til-tum was again the spokesman. The others were present. Joseph said "he was very happy today after hearing what the Commissioners had said, and though sorry to think the Commissioners were going away he would not forget their kindness to him and his friends. He knew that the Commissioners were kind men, but he looked to the Queen and was glad the Queen had sent them to settle the land question. God made everything and looked on the Indian the same as the white man."

He had been sorry; his heart had been low down, but he was now glad, and all his friends were glad that their land question was settled, and he would do his best to try to work the land, and would be glad always to have white men near the Indians, and he would follow the good advice which the Commissioners had given to him. That was his mind. We leave in the morning for Jarvis Pulet. I of course in this report, write for myself as Joint Commissioner, and not officially for the Commission.

I have been much pleased with the Indians.

They showed good sense and proper self-respect in all their dealings with us. They gave me the idea of a vigorous intelligent race, capable of considerable improvement, if they are judiciously encouraged in the efforts which they seem willing to make to overcome their old habits. They already contribute largely to the revenue of Canada, and I see no reason why they should not, in a generation or two, become useful citizens.

I have the honour to be Sir

Your very obedient Servant
Gilbert Malcolm Sprat
Joint Commissioner.

1666

British Columbia
Camp. Thunder Bay
Frues Inlet
7th Dec. 1876.

Sir

I made a report to you from Howe Sound
24th November 1876 about the Land Reserves for
the Kuskwam and Shwawmish Indians.

I now write to you about the reserves for
the She-shell Indians who inhabit ~~Frues Inlet~~^{Frues Inlet}.
These Indians until our visit had never had
reserves assigned to them. They were very anxious
about their lands, and sent their chief to
Victoria two months ago to see us on the subject.

The She-shell Indians number now 167,
namely 55 men, 56 women, 7 male and 7 female
youths, 22 male, and 20 female children.
They were formerly more numerous, but many
of them were killed by a powerful tribe to the
north of them. It is said that the She-shells
are increasing in number. In stature and
general appearance they resemble the Shwawmish
Indians. They are stout and well clothed in
in European dress. The children in particular
look healthy and vigorous.

Being struck by this last named fact, and
by some evidence of thrift on the part of these

The Honourable

The Minister of the Interior. Ottawa. Canada.

people such as was furnished for instance by their really patched clothes, I made inquiries as to the cause or causes of this improved condition of the She-shells, and found that they are rather an interesting tribe in several respects. Intellectually they are not a sharp people, but they are industrious and well disposed.

Their most evident fault is rather a full exhibition of the want of cleanliness which is so common a failing among the Indians generally. They do not work regularly at the Burrards Inlet saw-mills to the same extent as some other tribes, but whatever they make by labour there, or by following their avocations in their native place, they put into their stomachs, or upon their backs, or some use.

Previously to about 1868 they were addicted to drink and took their women to some of the settlements for prostitution, but now they take a pride in saying that they have not tasted whisky, for many years, and nothing is more noticeable among them than the modest demeanour of all the women. They are known if not pretty, and I was told that their chastity is proof against any coarse temptations.

The She-shells offer pleasing evidence to the observer how closely the progress of the Indians is connected with the condition and behaviour of the women. The amended life of the She-shell man and woman is attributable

I was informed to the Missionary efforts of the Roman Catholic Church. It has only been effected by severe discipline through Indian chiefs and officers, who are instructed and supported in their duties by the Missionaries. That the condition and life of the people have been improved is abundantly evident, and the fact must gratify every right minded man to whatever religious denomination he belongs, and whatever his opinion may be as to the detailed means employed.

It will not be expected that I should express any views of my own as to the religious lessons which the Missionaries of any Church inculcate. With respect to those means which those Missionaries employ who insist on a severe disciplinary training of the Indians, it may be said broadly that two different views are expressed respecting those means, by persons in the province who take an interest in the welfare of the Indians. Some think that extreme strictness and even severity are necessary to keep the Indians in the path towards the better condition of life which we all wish them to reach. Inveterate evil habits and debasing superstitions have to be fought against.

The sheep of the Church must be separated from the goats and kept within their fold.

An uncivilized people must be dealt with differently from a civilized, or partly civilized people.

On the other hand it is feared that a severe penal discipline may possibly defeat the well meant efforts of the Missionaries by more largely producing an improvement in external actions than an improvement in external of the heart. It may lead to a point from which there will be a falling back on the part of the people into the cavity of a more unrestricted life, which will be grateful to them in proportion to the restraint which they have endeavored to endure. The employment of Indians as monitors or Captains is thought by some to be in ^a degree hurtful, by encouraging a habit of spying and tale-telling which is not compatible with a completely breathful moral tone and condition. Nor is the practice of personal chastisement of the Indians for offences unrecognized by the criminal law agreeable to that large portion of the public which would prefer that such offences should be defined and dealt with in a legal manner instead of on simply ecclesiastical or individual authority. The language of the She-shullo Indians is as was noticed by ~~them~~ ^{Vancouver} peculiar to themselves. It appears to be softer than some of the neighbouring tongues.

The district inhabited by the She-shullo is commonly known as Jervis Inlet.

This inlet consists of Jervis Channel and several long narrow reaches and arms of the

sea, having a salt water frontage of more than 200 miles. The main branch of the inlet is about 2 miles wide. The other branches or arms vary in width from a mile to half a mile, narrowing at a few points to 80 or 100 yards where the tide forms rapids.

The shores of the inlet are very mountainous. The mountains, like those of Howe Sound are too steep and rocky for the pasturage of any domesticated animals. We inspected the shores for hour after hour without finding enough cultivable land for a potatoe patch.

The Mountains are from 2000 to 5000 feet high, a few snowy peaks reaching a height of several thousand feet more. They come close down to the water. We were glad to find small acres of cultivable land in a few narrow valleys, for instance at the head of Narrows Sprung at Deserted Bay and at the ~~head~~ ^{Head of Queen} ~~Queen~~ Beach, as will appear in the Report of the Commissioners.

The She-shell Indians may be described as somewhat specially hunting Indians, though salmon must always have formed a chief part of their food. They have of late years turned increased attention to fishing. They collect dog-fish oil, and take seal and porpoise flesh for sale to the Indians who congregate at the coal mining district of Nanaimo in Vancouver Island.

There are no white settlers on the inlet, and not likely to be any unless mines are discovered.

The owners of one of the Burnside Inlet sawmills have extensive timber reserves here that include nearly all the good timber on the inlet, which it would be worth putting a ^{logging} ~~logging~~ camp into. The Mountains are covered with timber, but here as on the coasts of the province generally, the Douglas fir timber suitable for sawmill purposes is found in comparatively small areas which have the necessary soil and shelter.

A good deal of what is called "hand-logging", that is, procuring timber by the labour of one or two men without the help of oxen, roads and the other appurtenances of a regular "logging camp" is done on this inlet. Stimulated by the example of white men who have undertaken "hand-logging", the She-shall Indians have put into the water last year about a million and a quarter feet of logs which have been purchased on the spot, delivered in the water, as I have been told, at 3¢ per ^{foot} ~~foot~~ board measure (estimated). This is less than has been done by another tribe to the north, but is a gratifying proof of the wish of the She-shall Indians to work like white men. Another proof was afforded by the anxiety of the Indians to get timber leases in the Inlet. As a matter of fact ~~there~~ so far as I could ascertain, there are no timber "claims" in Lewis Inlet outside of white men's timber leases, which are suitable for anything else but "hand-logging". It was not considered

by the commissioners that they had the power of granting timber leases to Indians, and they were of opinion that to give to the Indians as a reserve a large acreage of land that was unfit for tillage, though perhaps fit for being "hand-lagged" by Indians, would be misleading and unworkable. But the commissioners were glad to be able to say to the Indians that they would recommend the Provincial Government - "the big chief at Victoria - to consider the circumstances of the Indians, their general good behaviour, their proved desire and determination to work like white men, and to see if there could not be given to the Indians timber leases for two separate sections of land in the inlet, which the Indians wished to have the right of working upon. I hope it may be possible to give effect to this recommendation. The good timber on these sections grow very scatteringly: the sawmill owners at Barrardo Inlet want all the logs they can get, and their business is one which in the interest of ^{the} Indian it is most important to encourage.

The grant would be in reality a small affair though the acreage may seem large to those who have not examined the ground, and it would stimulate the Indians to continue the work of "hand-lagging".

With respect to the reserves allotted in this Inlet generally, I have to say that we could

have given 10,000 acres readily to the head of each family, but it would have been absurd to have given mountains and rocks to the Indians.

The Commissioners have not given fictitious acreage to the She-shell Indians. It was not easy to find culturable land at all in the Inlet, and the great proportion of the land which appeared fit for cultivation was heavily timbered. But the land given is at all events capable for the most part of being brought into cultivation gradually, if the Indians do generation after generation what white men accomplish by continuous industry on similar locations.

There is one grant of the Commissioners to the Indians in this Inlet which may be especially noticed. One of the arms of Jarvis Inlet about 10 miles from the entrance from the Gulf, extends in a southerly direction, and would give access again to the Gulf from the inlet, but for a low narrow neck of lightly timbered sandy land, about 1000 yards wide, which connects the ^{Secheat} ~~Secheat~~ (She-shell) peninsula with the continental shore. It has been proposed to make a canal through this neck of land for the purpose of enabling Saw logs to be brought from Jarvis Inlet to the sawmills of Burrard's Inlet, without running the risk of towing them 30 or 40 miles in the open Gulf.

The proprietors of one of these sawmills have purchased from a former white settler, or holder of a military grant, the best piece of the neck, extending across from gulf to Inlet. The adjoining portion of the neck was claimed by the Indians, who indeed considered that the neck altogether should have been theirs, but the Commissioners rejected this latter claim which perhaps under any circumstances it would not have been in their power to entertain as a crown grant had been issued.

They gave them however the adjoining portion also extending from the gulf to the inlet.

This land is not likely to be useful to them for cultivation, but they have a village of frame houses with gardens, and a good frame church in it, and they have probably used the neck of land for a long time as a portage for canoes, in order to escape the rough navigation of the gulf at certain seasons.

At the first conference with the She-shell Indians, the speeches of the chiefs were much like the speech of Joseph which was quoted in my report on the Shuawmish Indians. They were more sensible and to the point than any speech made by the Shuawmish Indians.

The speeches of the alleged hereditary chief "Harry", and the Church, and apparently most influential

Chief "Shale", after all our work in the Inlet was done, were as follows.

"They were very happy at the visit of the Commissioners
" who had listened to all they had to say, and had
" gone through the woods and up the rivers to see
" every little piece of ground which the Indians
" wanted. They had not got all they asked for, but
" they would long remember the Commissioners and
" and what they had said about the white men,
" and they were happy at what they had received
" They wished white men to live amongst them,
" and would be glad to see them in the Inlet,
" but they wished to have the chance of working
" like the white men, and the Commissioners had
" made their hearts happy. Some people are Indians
" and some are white men, but they are all the
" same to the ~~Queen~~ ^{Queen} God gave good hearts. The
" ~~Queen~~ ^{Queen} here was the same as God. The ~~Queen~~ ^{Queen}
" sent the Commissioners, and that was why they
" were glad to see them, and why they and all
" the She-shell Indians would not forget what
" the Commissioners had said. The She-shells
" would remember. They would not drink.
" They would be glad to see white men. The
" Commissioners now knew their minds. The
" She-shells would remember all the Commissioner's
" sayings. They had nothing more to say. They were
" very happy." Following the plan chalked out we are now
" going across the Gulf of Georgia to Comox.

I have the honor to be Sir your obed. Servant

Gilbert Malcolm Sproat. Joint Comm.

Comox Vancouver Island
British Columbia
12th Dec. 1876.

Sir

My last report was from Thunder Bay,
4th December 1876 upon the She-Skell Indians
of Jervis Inlet.

We were fortunate in getting across the gulf
in our little steamer on the 8th inst. to Comox.

Being here again among white settlers we were
prepared for difficulties, but I am glad to say,
we did not find them of a very formidable
character. The Indians now known as the
Comox, are composed of the Hunt-latch,
the Comox, and the A-elt-sun tribes.

The two latter came from Comox, which is
near Cape Mudge, to the Hunt-latch (or Kumbledge
or Courtney) river, which flows through the
beautiful district now called Comox.

The Hunt-latches claim to be the old owners
of this district, but with their consent, and
following our own judgment, we decided to
regard the three tribes as one people.

The ~~Comox~~^{Point}-latches number 11 men, 8 women,
and only 3 female children. The Comoxes number
19 men, 15 women, 1 male youth, 5 male and
5 female children. The A-elt-sun tribe numbers

The Honorable

The Minister of the Interior

Ottawa, Canada.

10 men, ⁷ women, and 5 small children - 88
persons altogether in the three tribes. The language
of these people, though containing some words of the
She-Shell and Shwawmish (or ^{Soowichan} ~~Soowichan~~) is more
akin to the language of the tribes living to the
^{northward} ~~southward~~ of them, which will be mentioned in
future reports.

An examination of the country along the
Hunt-lakteh river and its principal tributary
showed that there had been a large Indian
population here at one time. Not very long ago
the Indians of Barclay Sound (west coast of
Vancouver Island) killed ^{Punt-lakteh} 20 or 30 men in a
sudden attack. Indulgence in excessive whiskey
drinking and debauchery have also had the
effect of lessening the numbers of all these tribes.
They are men of good frame, but not so sturdy
and vigorous looking as the She-shells or
Shwawmish whom we have lately left. The
children whom we saw looked well, but there
are few of them. I was sorry to hear that the
women here and, as I was told, along the east
coast of Vancouver Island generally are not so
vigorous as the She-Shells and other tribes
on the opposite mainland shore.

We communicated with the settlers in the
neighbourhood of our camp, and here as elsewhere
found a good feeling prevailing between the whites
and the Indians. We afterwards visited and
examined the reserve. It contains about 250

acres, and has a fine beach and aspect, which makes the frontage of considerable value. The soil is not good. There is a strip along the shore which skilful cultivation might make productive, but for the most part the reserve is ridgy and gravelly and heavily wooded. The village was the most ancient looking of any village we had visited, and nearly every house was adorned with wooden figures and paintings of whales or monsters. The Indians were called together, and we listened patiently to what they had to say. They complained that they had not land enough, and asked us to give them some more up the river where the land was better. We accordingly went up the river with them, and they made claims to several pieces of ground held by industrious white settlers under Crown grants. We examined and rejected these claims, which if permitted, would have had the effect of making the whole district a reserve for Indians, who would simply hold it to the exclusion of white men. This manifestly would not have been for the interest of the public, nor for the interest of the Indians. The chiefs then informed us that they had a dispute with a white settler, who claimed a piece of land which they said included a village site and potatoe patches of old Indian cultivation. We called at Mr. Duncan's house, the gentleman in question - a very industrious and successful

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settler in Council, and in the presence of the Indians told him what they had said to us, and invited him to accompany us with the Indians, to the ground, and explain his side of the question on the spot. The Commissioners found that Mr Duncan had made a pre-emption claim to a piece of ground, and had paid to the Provincial Government a sum on account, and afterwards had caused a private survey of a piece of ground to be made and posts to be put in, but the Provincial Government had not given him a crown Grant. The last named piece of ground which Mr Duncan had caused to be surveyed, was in the judgment of the Commissioners, distinctively an Indian settlement, containing an old village site on the Hunt-Labitch river, and portions of cultivated ground. This was so evident, on examination, that Mr Duncan at once told the Commissioners that he made no claim to that portion of the land, though included in the survey ordered to be made by him. He wished to obtain a grant for a part of the land, and to have it extended laterally so as to include some adjoining land which he stated was unoccupied. This was not a proposal which the Commissioners could deal with. They however, after carefully examining the ground, asked Mr Duncan to bring all his papers to the Camp, - to enable them further to ascertain the true state of matters. This being

done, and Mr Duncan having repeatedly stated his whole case, the Commissioners reserved for a day their decision on the question, and finally told Mr Duncan that with every desire not to cause him disappointment, they were of opinion that three things had been clearly made out. First, that the 100 acres which he had caused to be surveyed were, and are, an Indian settlement, and consequently were never open to pre-emption. Secondly, that the piece of ground which Mr Duncan had caused to be surveyed, namely the Indian lands, was not the piece of ground which he had made a pre-emption claim for, but a different piece of ground. Thirdly, that if no Indian questions had intervened at all, Mr Duncan could not have legally pre-empted land which did not "adjoin" his farm, but was separated from it by a small river. The first fact of course was sufficient to nullify Mr Duncan's claim, and the Commissioners informed him that they were obliged to decide against him, and in favour of the Indians, with respect to this land. They were sorry that Mr Duncan should be disappointed, after his having supposed for several years that he might succeed in getting this land, but he was, as above said, unable to make out his ^{case} claim, and fortunately he had made no improvements on the land. It is some evidence of the land having been

regarded as an Indian settlement, that none of the numerous settlers who came to Conroe seeking land for 6 or 8 years before Mr Duncan made his pre-emption claim, ever attempted to get possession of so desirable a location. Having disposed of the claim made by Mr Duncan, the Commissioners confirmed the original reserve on the bay, containing about 250 acres, and added to the Indian reserves in this district the 100 acres disputed for by the Indians and Mr Duncan, together with an estimated quantity of about 80 acres from Government land adjoining the 100 acres. This addition of 180 acres is for the most part heavily wooded, but it has a frontage on two streams navigable by canoes for much of the year, and includes a small acreage of open land. The soil generally is good. In giving this land to the Indians, we explained to them that Mr Duncan had been obliged to relinquish it in consequence of a mistaken view on his part, and that he had expressed himself in kindly terms of the Indians generally, and that it was expected they would live in the same district like good friends. They promised to do so, and expressed themselves as highly satisfied with the lands allotted to them. The Commissioners found it necessary to make a reserve, or rather to define the limits

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of a reserve of 10 or 12 acres on a spit in Comox Harbour, to include all the graves in an old burying ground much regarded by the Indians. This is a large size for a burying ground, but it could not be made less.

The Indians were recommended to consider whether they could not avoid such dispersion of the graves. The Comox Indians have not cultivated much of their land. They get their living by hunting and fishing, but the Commissioners told them they would now be expected to use the good land which had been given to them. At the time of our visit, 13 of the Comox men were working at a new coal mine lately started at Baynes Sound.

The tribe wished for land also at that place which is distant about 9 miles from Comox, but the Commissioners refused the request, as they think that the reserves should be at the tribal homes, concentrated where possible - and that Indians who seek work away from their homes should be in the same position as white or Chinese labourers. A small Indian camp at a mine or a mill, if made a reserve, is beyond the effective control of the employer, and is practically beyond the supervision of government agents or missionaries. One of the settlers at Comox complained that his potatoes had been stolen by Indians. He lives close to the Bay. The Hunt-Sahitch chief assured us that the theft was not committed by any of the resident

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Indians of Comox, but by Indians who encam-
ped for a night in the Bay while travelling ^{that}
along the coast. The settler appeared to think
this probably was the case.

We leave in the morning for Qualicum,
Na-nasee, (So-oo-us) and the important
settlement of Nequinno.

I have the honor to be Sir

Your obedient Servant

Gilbert Malcolm Spratt

Joint Commissioner.

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Vancouver Island
British Columbia.

20th December 1846.

Sir

I wrote to you last from Comox. The Commissioners left that place on the 13th inst and steamed towards Qualicum. On the way they went close to the wharf at the new settlement Baynes Sound, where, as already stated, the Comox Indians asked for a reserve which the Commissioners refused to grant.

Seeing Indian houses on Denman Island, we went on shore but found they were the temporarily erected houses of a few Comox fishermen.

The Qualicum is a small river which flows from Horn Lake into the Gulf of Georgia. An easy trail, which might be improved into a good road at a moderate expense, leads from this point across the island to the head of the Allurni Canal on the west coast of Vancouver Island. The distance is said to be about 13 miles in a straight line from salt water to salt water, or about 18 to 20 miles by the trail. Had it been summer, we could have gone from this point to Allurni, but at this season

The Honorable

The Minister of the Interior

Ottawa.

our return might have been prevented by snow, and we did not therefore attempt to cross.

There is a small prairie at each side of the mouth of the Quaticum river. About a mile back from the shore the only white settler in this neighbourhood has his holding.

We found three rather well built houses at the mouth of the river, constructed in a style half like an Indian house and half like a frame house. Only about half a dozen Indians were present, the others were at Nanaimo working.

The houses were dirty inside. Externally they looked clean and new. On enquiry we found that these Indians had lived for many years past at Nanaimo. They removed to Quaticum about a year and a half ago. We saw 10 hens and a small patch of potatoes. The Indians who claimed land at Quaticum numbered 8 men, 9 women, 2 youths, (male) 6 male children, and 4 female children; 29 Indians altogether.

No Indian Reserves existed at Quaticum. The question was whether there had been an Indian settlement, and whether it was desirable to make a Reserve at Quaticum. The Commissioners examined the ground, heard all that the Indians present had to say, and determined to make further enquiries, and to consider the matter further at Nanaimo. They finally decided to make a Reserve of about 200 acres, to include both sides of the river at the mouth. Probably

about 30 acres along the shore are clear of trees. There is some fair soil on this reserve.

The considerations which influenced my mind in agreeing to this decision were the following.

It did not seem to me to be clearly made out that Qualicum was an old Indian settlement.

The appearance of the ground favoured this view, but there are signs of ancient residence by Indians along the banks and shores of so many rivers and ~~beaches~~^{bays} in this Province, which have not been occupied by Indians within the memory of man, that too much weight must not be given to this description of evidence.

The Indian population was probably more numerous at one time than it now is.

I could not find that any one had seen at Qualicum within ten years past, Indian huts of at all a permanent character. The somewhat exposed situation of the mouth of the river on the open shore of the gulf; the difficulty of landing in stormy weather; the smallness of the river, which, though an excellent trout stream, and frequented by Salmon, cannot afford any large supply of the latter fish, were against the probability of ~~Qualicum~~^{Qualicum} having ever been a considerable permanent Indian settlement.

A village at Qualicum moreover, would have been ^{peculiarly} frequently open to the attacks from the tribes on the west coast of Vancouver Island. On the other hand, the Indians claiming

Qualicum, vehemently asserted that the place was an old Indian settlement, and that they were entitled to the place, partly by descent, and partly by intermarriage, and they said that lately they had been working for white men at Nanaimo and elsewhere, but that they and their fathers had been accustomed to use Qualicum for a place of residence as well as fishing.

It is possible that some of the claimants may be descended from, or may have intermarried with, the descendants of Indians who were in the habit of spending a considerable part of the year at Qualicum. The Nanaimo Indians on being questioned, said this was the truth, but the most respectable Indian evidence on such a point is not very trustworthy. The Indians may have gone lately to Qualicum from Nanaimo or Comox, and may have built houses and cultivated a patch simply to strengthen the claim which they proposed to make to the Commissioners for land there.

These various considerations kept my judgment in suspense for some time with respect to this matter, but I think the reserve made at Qualicum may be useful, both to the Indians and to the public generally. Comox and Nanaimo are 61 miles distant, and the Indian reserves at both places are not larger than is necessary. There will not be, except at Qualicum any Indian reserve between them. We refused, as already stated,

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to give the Comox Indians a reserve for Comox
labourers working at Baynes Sound, which place
is about half way between Qualicum and Comox.
It is useful to white settlers, and to employers
of labour generally, to have Indians within
reach, living somewhere outside of the settle-
ments. They carry messages, act as labourers, and
bring game and fish to market, or ought to do
so, did not their laziness prevent them. It may
be convenient, in many ways, to have Indians
near the place on the east ~~shore~~ coast of Vancouver
Island, from which the west coast is most
easily communicated with, particularly as the
place does not offer much inducement to white
settlers. It was too dark to go into Nanoose when
we passed it, and we consequently ran on to
Nanaimo and encamped, and returned next
morning to Nanoose (or Ino-no-us as the real
Indian name would appear to be). It was very
foggy, and we had a difficulty in entering the
harbour, but finally succeeded, and found a
village of 4 or 5 houses, and 2 or 3 enclosed
garden patches, but no Indians could be ^{found} seen.
It was said by one of the crew of the steamer,
that they were hunting at Larguete Island,
but the fog, and the uncertainty of finding
them, prevented our going to Larguete, which
was fortunate, as it proved afterwards they
were at Nanaimo fishing for winter salmon.
We examined the ground carefully for some

distance on all sides near the village, sketched it, and laid off a reserve for about the number who we supposed would inhabit the tract, in such a manner as to enable us to increase or decrease it when the exact numbers should be ascertained. We then returned to Nanaimo. Having found the Nanoose Indians there, numbering 5 men, 5 women, 3 male, and 4 female children, 14 Indians altogether, we explained to them what we had done, and showed them the sketch of the reserve which we had laid off for them at Nanoose, with which they were satisfied, so that it was not necessary for us to return again to Nanoose. The place is clearly an old Indian settlement. This reserve includes the old village, cultivated patches and burial ground, and should contain altogether about 140 acres. It forms a narrow strip along the shore of the Bay, with a small stream running lengthwise through part of it. The land between the stream and the shore, and between the mouth of the creek and the village, is open land, gravelly, with a thin surface soil, bearing a coarse grass which the cattle seem to like. In some parts we saw the cactus, which is rarely seen in Vancouver Island. There is a small alder swamp in the north east corner, and a small patch of good, but heavily timbered land in the north west part of the reserve. We were informed in Nanaimo

after our work at Nanooce was finished, that two gentlemen proposed taking up squatted claims at Nanooce Harbour, and had employed a surveyor to make a private survey of their proposed locations, who was in the neighbourhood of the Commissioners when they were walking over the ground. The Commissioners did not see either these gentlemen or their surveyor. I have been told that the lines of the surveyor acting for these gentlemen, include part of the reserve laid off by the Commissioners for the Nanooce Indians.

There is the finest beach at the Nanooce village that I have seen anywhere. The Indians expressed apprehensions as to encroachments on the part of the white settlers. So far as I could learn, this arose merely from their cattle frequenting the grassy shore-land near the village. No reserve had been laid out at Nanooce before the visit of the Commissioners. The Metlacium and Nanooce Indians speak a dialect of the Caribian language.

I am Sir

Your obedient Servant
Gilbert Malcolm Sproat.
Joint Commissioner.

British Columbia
Nanaimo Vancouver Island
20th Dec. 1876.

Sir

My last was about the reserves at Qualicum and Nanaimo which lie between Comox and this place. The present is on the subject of reserves for the Nanaimo Indians.

Nanaimo is a thriving town supported by the coal miners who work at the mines in its neighbourhood, and by a considerable Indian trade. It has also some dealings with several of the farming settlements on the east side of Vancouver Island.

The surrounding country is mountainous, and covered with trees. The soil is gravelly and thin except in a few places. It is not likely there will ever be any extensive farming settlement in this district.

The Nanaimo Indians number 85 men, ⁷⁵~~70~~ women, 5 male youths, 7 female youths, 31 male and 20 female children - altogether 223 Indians. They speak a dialect of the Lower Fraser and Cowichan language. A comparison of our census with one taken by Mr. Michm, surveyor, in 1874, shows a decrease of the number of the Nanaimo Indians since that time. The tendency

The Hon.

The Minister of the Interior.

Ottawa. Canada.

to decrease may be partly owing to their having been in a state of transition as regards dress and food, and may perhaps be checked in the future.

They are of good appearance, but I noticed a greater variety of stature among them than among the mainland coast Indians whom we had lately visited. They were comfortably dressed in civilized garments. No doubt they had put on their best on the occasion of our visit.

The ^{Indians} Nananis may be described as a fishing people, but many of them work in the coal mines, and a few have learned such trades as carpentering. An Indian carpenter whom I saw, and who can speak English fluently, gets \$1½ a day, which will be increased when he becomes more skilled. The pay of labourers in the coal mines depends on what they can pick.

An Indian has been known to make \$2½ a day. I ~~was~~ ^{was} told that the Indians generally are stronger, and in some respects more intelligent labourers than the Chinese. They are not so steady however for all kinds of work. The Indians like the work connected with sawmills better than underground work at coal mines. Several young Indians at Burrows Inlet have worked so steadily about the sawmills, that they do not know how to shoot or fish after the manner of their tribal companions. But as a rule, the Chinese plods on month after month, and the Indian works with the object of getting a

certain sum of money, and then he takes a rest. The first reserve which we visited was the small reserve of 46 acres which forms a strip along Narraim's harbour. The land has a pleasant frontage and beach.

This is the Indian's townside, and contains their houses, church, school, burial ground, &c. Most of the Indians live in large houses built of cedar planks in the old style. These dwellings are far from being tidy. A few of the Indians have put up neat cottages, forming a street with the Methodist Church at one end.

These cottages have a pleasing appearance, and are remarkably clean within. They are occupied by young men who work in the coal mines, and it is worthy of note that during our visit several of their wives were engaged in household duties in a wife-like way, whilst others were knitting and making articles of clothing for their families. There are 48 houses and cottages on this reserve, and I should think about 10 acres are fenced and cultivated, consisting of small gardens round the cottages, in which potatoes and other vegetables are grown. A few of the gardens have fruit trees.

Our conference with the Indians was, at their request, held in the Church. They said they wished to retain their village site which I have just described, as it was very convenient for their work at a coal mine near it. The site is not

an old one, and it is ~~advisable~~ undesirable to
leave an Indian village almost within a town,
but their wishes were so strongly expressed, and
from this point of view so reasonable, that it
was clear to the Commissioners that they could
not remove them without considerable injustice
and disturbance of praiseworthy industrial
occupations. In a few years the mine in which
many of these Indians now work, may not
require their labour, and a time may come when
it will be in the interest of both the Indians and
the citizens of Nanaimo that some arrangement
should be made for the sale of the 46 acre village
site, and the transference of the village to some
other convenient locality in the neighbourhood.
Having fully examined the village site and
houses, and taken a census, and heard all that
the Indians had to say with respect to this part
of the Indian property, we asked the chief what
more the Indians had to say. They stated that
white people had not only encroached upon, but
had built houses upon their reserve at the
Nanaimo River. They also said they wanted more
land, and particularly a portion of land, opposite
the island at the mouth of the Nanaimo river,
on its left bank, owned by the Vancouver Coal
Company. The latter piece of land is held
under a Crown grant, and the Commissioners
explained to the Indians that they could not give
it to them without its owners consent. It might

be a good location for the village if it should ever be moved from its present site.

The Indians were so urgent in their desire for this piece of land that the Commissioners consented to mention the matter to the Indian Department at Victoria, but explained carefully at the same time, to the Indians, that they could hold out no hope to them that the Department would succeed in meeting their wishes with respect to this ground. The Commissioners proceeded in the company of about 35 Indians to examine the boundaries and the nature of the reserves near the mouth of the Nanaimo river which are about 2 miles from the town of Nanaimo. These reserves consist of 382 acres. The reserve on the east bank of the river is for the most part, open land, and though like the deltas of many rivers in this Country, subject to partial inundation at the time of high spring tides when the river also is high, the soil generally may be said to be of very good quality. It yields in its wild state, a considerable quantity of coarse hay. This portion of the reserve would be a valuable farm in the hands of an industrious white settler. It is offensive to see so fine a piece of good land lying almost uncultivated close to a growing market. There are three houses only permanently occupied at the reserves on Nanaimo river. Many of the Indians, however, from the reserve at Nanaimo town (above mentioned) reside

at the Nanaimo river reserve during the fishing season, and also when they are planting their potatoes. There are irregular patches along the river front, fenced in and cultivated for potatoes and other vegetables, but on the whole, little use has been made of this valuable reserve. It is but fair to the Indians, however, to add that they stated to us that their backwardness in cultivating their Reserve, arose from alarm in their minds as to what land they might consider to be their own.

The farming stock of the Nanaimo Indians is as follows.

3 Horses
29 Head Cattle
3 pigs
141 Geese
6 ducks.

The reserve on the west side of the Nanaimo river contains 114 acres, and though of fair quality is timbered throughout, rather heavily in some places. Salmon are abundant in the Nanaimo river, but game is becoming comparatively scarce in the neighbourhood. Having carefully examined the boundaries, and the nature of the reserves, the Commissioners proceeded to investigate the specific complaints of the Indians.

They stated that a piece of the north west corner of the reserve was occupied by a white man. The Commissioners accordingly went to this place

and with the assistance of the surveyor Mr. Brown came to the conclusion that probably 4 or 5 acres of the Indian Reserve are now in the occupation of a white settler.

A comfortable house, with barn and the usual outbuildings of a homestead had been built. There were also a garden and small orchard. Leaving the Indians outside the gate, the Commissioners entered the house, and had an interview with the Mistress. The whole place inside and outside was attractive, and afforded the clearest evidence of industry and thrift ever pleasing to witness after the slovenliness and filth of the Indian habitations which had been lately visited.

The story of the mistress was as follows.

She had been the widow of a Mr. Barton who had been killed by an accident near Nanaimo. He was the father of several of her children.

She was now the wife of Mr. McHenry who worked in the coal mines. Mr. Barton she believed, had bought from a Mr. Nicol the farm adjoining the reserve, including the portion on which the homestead had been placed.

After her husband's death she had supported her family by hard work on her farm and garden. Before marrying Mr. McHenry she handed over the farm which Mr. Barton's death ~~had~~ placed in her hands, to Messrs. Wall and Christ, Nanaimo as trustees for her children by

Mr Barton, and these trustees now had every-
thing to do with it. Since Mr Mohun's survey
of the Indian Reserve some years ago, she had
learned that there was a difficulty, as to owner-
ship of the site of the homestead, and her mind
had been greatly troubled. She did not understand
the matter, but was sure her late husband
had paid cash for his farm. She referred the
Commissioners to the above named trustees,
and hoped the question would be settled now.
The Commissioners accordingly requested the
Trustees to favour them with an interview at
their camp, and, in the mean time they made
inquiries which satisfied them that Mrs Mc
Thilay's (formerly Barton) statement was
correct in the main, and that her late husband
had not intentionally encroached on the Reserve.
The adjoining ^{farm} had been originally pre-empted
about 1862 by Mr Whit manager of a coal
company at Nanaimo, and it is believed that
he bought the piece of land in question
(which was outside of his pre-emption & cut
into the Reserve) from the Indians, and
built on it with their consent. The land in
question was dry, and his farm was rather
too wet for a homestead in most parts.
This purchase from Indians was of course
illegal, but many persons in early days,
made such bargains under a misapprehension.
The land afterwards, passed through several

hands, until it came into the hands of Mr. Barton
an innocent purchaser. The case was not
a case of a "grabber", but was a case of unintentional
encroachment by successive owners during their
supposed rights from Mr. Nicol under the circumstances
stated. The result of a conference with the trustees
of the children, was an agreement on their part
to leave the whole matter to the Commissioners.
It was stated to the trustees that the Commissioners
had no other duty than to make a report of the
facts, which would result in an action of ejectment
by the Dominion authorities, and that nothing
else could be done, either by the Commissioners
or by the Dominion Government, except with
the formal consent of the Indians, but under
all the circumstances of the case, the Commissioners
would ask the Indians what they wished to be
done, and would report the wishes of the Indians
to yourself, who doubtless would confirm what
the Commissioners recommended as regards the
matter, provided it was in accordance with the
wishes of the Indians.

The Commissioners having called a meeting of
the chiefs, and of other Indians who wished to
come, at their camp at Git Passage, Nanaimo,
explained to them the facts of the case, pointing
out clearly to them that the land was theirs, and
that the ~~Queen~~ ^{Queen} would uphold them like white
men in all their rights, but in this case of Mr.
McMurray, there had been in our judgment,

a mistake, and the land on which valuable houses had been erected, was now supposed to belong to the young children of a white man who was dead. The Indians were asked to declare their minds. After a consultation the chiefs with good feeling and good sense, said that they did not wish to break up Mrs Mc Neilay's home, but would be satisfied if she gave them a piece of her land to be added to the Reserve equal to that now occupied by her upon the Reserve.

The Commissioners told them this was a serious matter, and brought out their book of record, and told the Indians they would put what was said into their book. The Indians said they had stated their minds.

The Commissioners accordingly agreed to report to yourself that the above would be a good settlement of the question, and they so informed Messrs Hall and Herist the Trustees for the children. The next matter which had to be investigated by the Commissioners, was one which came under their own notice. It was not mentioned to them by the Indians, who strangely seemed not to appreciate its importance. There were two rolling ways for logs on the western bank of the Nanaimo river within the Reserve. These were the termini of disused logging roads leading through the Reserve. The question was by whose authority were these roads made; also were such roads made to convey logs that were cut on, or

have cut beyond the Reserve?

A third rolling way for logs was formed on the same side higher up the river. Part of this way was on the Reserve, as also was part of a logging road, a cabin erected by the logging camp foreman, and a portion of a sleeping house made for the men of a logging camp, who at the time of our visit, were carrying on ^{their} ~~this~~ work at this place.

The Commissioners considered that the expense of their staying to inspect the reserve, with the view of ascertaining the amount of the trespass would have been unjustifiable. This work was the duty of the Indian Department.

They observed the facts, and requested the logging camp foreman to come to their camp. This gentleman arrived at the Commissioners camp towards the evening, and stated that he had acted innocently, that the Indians had made no objection, and that he was employed by the owner of a sawmill at Niamains Mr Carpenter. This gentleman was accordingly sent for, and his explanation was that the Indians had permitted him to make two new disused roads through the Reserve, and that he never wished his foreman to cut any sticks on the reserve, or place a cabin there. It was explained to him that under the Indian act of last session, he had placed himself in an uncomfortable position, and that the Commissioners had satisfied themselves that they must

report him as an encroacher upon the Reserve.
They recommended him to ascertain the actual facts of the case, and wrote to the Superintendent of Indian Affairs, Victoria, to give what explanation he could of his acts, as the matter properly was Departmental affair. I have only to add for myself, that my opinion ^{is} that Mr Carpenter is a ^{who} man desirous of doing what is right, and ~~that~~ he much regrets that he has been through his servants, placed in the position of an encroacher upon ^{an} Indian Reserve. He has lately started in business at Nanaimo, and has been busy with his mill, and stated that he had not lately visited his logging camps. He is willing to pay for any damage he has done, and will take good care that no encroachment will take place in future on the Reserve, so far as he or his servants are concerned.

There are about $\frac{3}{4}$ of a million of good saw logs obtainable from a portion of the Reserve on the west side of Nanaimo river.

The Department should consider whether they will permit these to be cut now, under licence. Good standing timber near Nanaimo, must increase year by year, in value but there is always the danger of fire. The rolling way thirdly above mentioned, included the spot that should have been marked by a post as one of the corners of the Reserve. The post could not be found, but its position was found by the witness

trees. On mentioning this serious matter to the
owner of the sawmill, he positively affirmed,
after examination, that no person in his
employment had removed the post, but that
probably it had been inadvertently removed by
a road party, who had been working here a
short time ago. I have no acquaintanceship
with Mr. Carpenter, and do not wish to appear
as his apologist, but I am disposed to think ^{that}
he is not chargeable with this serious offence.
It was not found to be practicable to make
any considerable extension of the reserve for
these ^{Managers} Indians, as most of the land in the
neighbourhood is owned by the coal companies,
or occupied by white settlers. The advantage of
giving them rocks and mountains at a distance
would not be ^{apparent} ~~apparent~~ to the savage mind,
besides which they have plenty of fish, and
also good opportunities of employment in mining
and other occupations in the neighbourhood,
and a large portion of their reserve is open
land lying ready for the plough close to a
growing market. A reserve is not the point;
the questions are what is the nature of the
soil, and what are the opportunities for
employment, and the surroundings of the people
generally. A reserve of 100 acres ~~covered with~~
timber of open fertile land, is one thing;
a reserve of 1000 acres covered with timber
which would cost \$45 an acre to clear off

is another. Indians, like white men, must take the country as they find it. The Commissioners confirmed the three existing reserves, but they could not find any available land which enabled them to make an addition of more than 200 acres. This addition adjoins the reserve on the east side of the Nanaimo River, and is for the most part, ridgy, wooded land, but there are in it 20 or 30 acres of good slder bottom land, and 10 or 15 acres of open grass land. What the Indians most of all wanted, was the price of land already mentioned owned by one of the coal companies, at the mouth of the river. We could only do with ^{respect to} this desire what has been already mentioned. With the exception of their disappointment as to this price of land, the Nanaimo Indians, appeared to be well satisfied with the action of the Commissioners. At the closing conference with them the Indians voluntarily took off their caps and gave three hearty cheers in bidding good bye. The Commissioners had arranged several little matters for them, not worth mentioning in a report. Before leaving Nanaimo, an old Nanaimo Indian asked us to visit the south end of Gabriola Island, where he said there were Indian houses, in one of which he lived. The Commissioners were of course disinclined to favour the making of a small reserve so far from the other reserves, but as the Indian

begged them to go, and said that a white man had knocked down Indian fences, and other information received at Nanaimo, seemed to make a visit desirable, they promised to make a visit to the scene of dispute as soon as possible.

Their arrangements permitted them to visit the place on the 22nd Dec. They did not find the settler Mr Martin there on their arrival, though he had been working on the spot immediately before their steam launch came in sight. We saw a good log house, and saw that somebody, who we supposed to have been Mr Martin, had been cutting and burning. The place was a narrow point. Four Indian houses were at a beach at the end of the point. In these houses lived 4 Indian men, 3 women, and 2 children. Behind the houses was a good patch of land, showing traces of having been cleared and cultivated by the Indians. Portions of a fence of old wood were lying on the ground, and we saw old cuts in stumps of trees, in which the fence had been fixed.

Farther back was Mr Martin's house, partly surrounded, as above said, by evidences of his vigour and industry in the shape of felled and burning trees.

Not being able to see Mr Martin, the Commissioner left a letter for him to say they would call again the next day, though his place was 15 miles from their camp. In the meantime

they took down the old Indian's ^{Statement} ~~rationale~~
which was as follows. "I am a Nanaimo Indian,
with a wife, a girl, and a boy. I am old and
not strong, and cannot work land much.
I am a fisherman, and get food and clothes
for my family by catching fish and selling
them. I have been here since I was a boy, and
my father and grandfather was here too, and
are buried on this little Island. I like this place
because it is a good place for catching fish.

I go to Nanaimo ^{River} to catch the winter salmon.
Three other men do the same, but this is our
place. One of these men's wives is buried on
~~in this~~ ^{that} Island. What I say is true, you can
see that the houses are old, and you can ask
the white men. I do not want much land.
I want you to say that I may have the houses
and a small piece of land for potatoes. I have
grown potatoes here. I cut down trees, and that
fence was mine, and was put up across there.
A short time ago, a white man came and
began to cut down trees, and when I asked him
what he meant to do, he said he was going
to build a house. He built that house, and
felled and burned trees, and then knocked
down my fence. I said I would speak to Dr-
Powell; the white man said Dr-Powell was no
chief; he was all the same as an Indian.
Dr-Powell told me to wait for the Commissioners.
You can see that my fence is old wood. I did

not use my gun, because I knew the law, and I wanted. I do not know the white man's name. He was working here near his house when your steamer came." This was the Indian's story. It was, as usual with these Indians, quite an interesting story, and very well put, but was received by the Commissioners with the discount usually allowed on such occasions. I have noticed with regret during our visits to Indian villages, since leaving Victoria, that all the Indians do not seem to understand that the Commissioners would prefer that the statements of facts of today should measurably correspond with the statements of facts of yesterday. The Commissioners went back most day 15 miles, to Mr Martin's place, and found him awaiting them at the beach when they arrived.

The statement of the Indian as above, was read over to Mr Martin, in the presence of the Indians. He at once admitted that he had cut down trees, and had knocked down the old fence of the Indians, but he did not think he had done wrong, as he had been told by the agent of the Provincial Government at Nanaimo, that there was no Indian Reserve at this place.

The little point here was good land, and he wished to have it. He said the Indians did not always live at this place. He had not used any disrespectful language about Dr. Powell. He had not been long in the country, and

did not understand the Indian language well, and they must have misunderstood him.

The Commissioners examined the ground very carefully, and formed an opinion that the place was an old Indian settlement, and as such, could never have been open to legal occupation by white men. They explained to Mr Martin the degree of protection afforded by the law to Indian settlements, not recorded as reserves, and pointed out to him the very serious position in which apparently he had placed himself by his high-headed proceedings.

At the same time the Commissioners offered to postpone their decision if Mr Martin thought he could place any evidence before them which, in his opinion, might give a different colour to his acts. Mr Martin said he wished a summary decision to be made. He had acted on misinformation. He had no papers for his land, as the neighbouring pre-emptions had not been proved up. He was a squatter. The settlers in ^{Gabriola} ~~Gabroila~~ Island wished a road to the water at their point of land.

This was a case in which the Commissioners probably would not have exceeded their duty, nor done injustice had they caused Mr Martin to remove his house, and reported him as an encroacher upon an Indian settlement, but they endeavoured to arrange a compromise that would satisfy the Indians, as well as the

remains of the white settlers, and at the same time give Mr. Martin an opportunity of making a homestead without having to sacrifice the labour he had expended which ~~seemed~~ appeared to be considerable and effective.

By this time the old Indian was advancing larger claims. He now wanted a large range for cattle. The Commissioners told him he was now speaking differently from yesterday, and said that the place must be a fishing station, as it always had been, or nothing.

The Commissioners gave the Indians the ^{land} point from the point back to where the old fence had been. It included the beach, their houses, well, and cultivated ground, and it left a piece of good land for Mr. Martin, and room for the proposed road to reach the place of which Mr. Martin provided out.

In order to get wood for the reserve, the simplest way would have been to ~~have to~~ have drawn farther back the back line of the reserve to include woodland, but this would have included Mr. Martin's house and some part of his clearing. A longish strip along one side of the Bay was accordingly added to supply wood to the Indians. The Commissioners went over the ground with the Indians and Mr. Martin. They added to the Reserve a small rocky islet on which there were several graves.

This finished the allotment of reserves for the

Nanaimo Indians.

As a minor incident, I may mention that the Provincial Government agent at Nanaimo considers that the Commissioners were imposed upon by the Indians at ~~Victoria~~ ^{Gabriola} Pass.

In conclusion it should be mentioned that the Commissioners were requested by His Worship the Mayor of Nanaimo to consider whether they could not make a small reserve near the city, on which Indians, travelling or coming to Nanaimo in search of work, could find accommodation. The Mayor stated that the Nanaimo Indians have reserves of their own for not accommodating strange Indians in their village. His view was that a village for strange Indians might be under effective police control. At present they encamp here, there, & everywhere, on private property, and cannot be well looked after. Their presence under these circumstances encourage prostitution and drunkenness. These views of the Mayor which were ^{freely} ~~freely~~ explained in conversation, I have every reason to believe are the views of many other influential residents in Nanaimo.

The matter therefore received the earnest consideration of the Commissioners. The conclusion which they came to was that however useful such a reserve might be at Nanaimo, from the point of view of residents in that city, its establishment would be of doubtful

advantage as a matter of general policy, and
would probably be regarded by the Dominion
and Provincial government as a purely
municipal concern.

I have the honor to be

Your obedient servant
Gilbert Malcolm Sprot
Joint Commissioner.

Force Shore Bay, Chemainus
9th January 1894.

Sir

The Indian Reserve Commissioners arrived here from Nanaimo on the evening of the 21st Dec. last, and made an encampment from which in their steamer they could visit, without shifting their camp, the many tribes and places belonging to, or claimed by, the "Chemainus" Indians. This general name is convenient for these Indians and is derived from the selection of the word Chemainus by the Colonial Government as the name of the District. The Chemainus Indians in fact are a single tribe which live at Chemainus Bay. In lumping the different tribes together as Chemainus Indians, I mean the Chemainus, the Sechaman, the Li-ichs-um, the ~~Galat~~ and the Pa-ut-a-kut, with subtribes of the Pa-ut-a-kut, namely the Ga-kwa-las and the Lamaltra.

I will mention the tribes in the order in which we visited them. The Commissioners started in the steamer for Valdez Island, to visit the Li-ichs-um-tribe, the morning after they arrived at the Force Shore ^{Bay} encampment.

It was from this camp that they visited ~~Gabriel~~ ^{Gabriel} Pass, ^{and} settled the Gabriel Pass land question.

The Honourable
The Minister of the Interior
Ottawa. Canada.

which for the sake of clarity, is included in my Nananimo report, as the Indians concerned were Nananimo Indians. With respect to the Li-ichs-cum tribe, they, as well as all the Chemainus Indians, speak, I believe a dialect of the Lower Fraser or Coeur d'Alene language.

The Li-ichs-cum people number 18 men, 14 women, 1 male youth, 10 male children, and 6 female children, 49 Indians altogether, apparently well nourished and supplied with all the necessaries of existence.

They were comfortably dressed, and the Chief was arrayed in the cap and uniform coat of a Lieutenant in the Navy. Only 5 houses were occupied by Indians at Shingle Point. Judging from the massive posts and framework of the unoccupied and abandoned houses, the population was probably greater at some former time. Like other tribes in this neighbourhood, the Li-ichs-cum were a restless and oppressive tribe a few years ago. Severe critics judging by civilized standards, might have classed them as pirates. They were not averse from the plunder of a stranded ship.

Some 12 or 13 years ago, the Shingle Point village was bombarded by one of Her Majesty's gunboats, and the Indians abandoned it, but afterwards returned to the place.

Their chief food I suppose is derived from the sea, but they can get plenty of grouse and deer from Galdey Island. Some of them collect and sell dogfish oil. Though now a small tribe, the

Li-ichs-suns have as many as 40 cattle, they have also 15 pigs, and 12 hens. Probably about 6 acres in the whole Island, are fenced in, of which not more than 2 acres have been cultivated.

Of the above 40 cattle, 30 belong to Sich-ka-labts-sa the Chief, and he had purchased them lately.

The Indians received the Commissioners well, and were not long in informing them that they desired to possess the whole of Badley Island.

The ~~Island~~^{Island} contains probably 4500 acres, a great portion of which is rocky or covered with thin soil. There is scarcely any cultivable land clear of trees, but the trees generally do not grow very closely, and the surface on this account might be a fair range for stock. There are a few rich alder "bottoms" or small ^{bottoms} ~~bottoms~~.

The Indians stated their views and wishes at length, and more patiently listened to. Their demand for the whole of the Island did not seem to be based on any reasonable ground, but on the feeling of petty chieftainship and tribal seclusion which it is necessary to discourage. The Li-ichs-suns said they were learning good lessons, and light had come to their eyes, but they did not wish white men, nor any other tribe of Indians to live on Badley Island.

The Commissioners rejected their claim, while giving them credit for their good intentions, and then proceeded to business.

Their Single Point Village with burial ground,

and an acreage of about 40 acres near it, to include their cultivated patches, and some wild hay, with a sufficiency of fuel under any circumstances, were granted to the Li-ichs-sun Indians.

The Commissioners ~~next~~ ^{and just-expectation} proceeded to examine the real wants of the people, without any reference to any fancied claim of theirs to the whole of our island, which they had not attempted to cultivate, and had not used except as a site for a village, and as a hunting ground.

The Indians stated that they had some cultivated ground towards the north end of the island, at some distance from their village at Single Point. They further stated that a white settler proposed to encroach on these cultivated grounds. The Commissioners knew what this meant, because Captain Wake, late R. N. the settler in question had done them the favour of calling at their camp at Nanaimo and stated his view of the case between the Indians and himself.

Captain Wake had recorded a pre-emption claim at the extreme north end of the Island, and under the law permitting grants to be made to naval and military settlers, he had recorded a military grant immediately south of the pre-emption claim. The two together should make about 760 acres. The land has not been surveyed, and it is not known where Captain Wake's southern line will cross the Island. He thinks it will cross the island much further south than

The Commissioners think it will, and Captain Wake believes that it will cut off a cultivated patch of the Indians. This patch Captain Wake said he would gladly pay for. There is not likely to be any question, because as above said, the south line of Captain Wake's land will not come near the cultivated ground of the Indians, but if the question should ever arise, the fact would seem to be that the Indians had cultivated the piece of ground before Captain Wake got his record of the military grant. The Indians wished that Captain Wake would remove, but they had nothing to say against him as a neighbour. Their wish was merely part of the ^{general} desire which they expressed that no white settlers should take up land in Waldey Island. They have not had any villages or settlements at the north end of the island, and the cultivated ^{ground} ~~land~~ above mentioned, was first broken up, according to the best information I could obtain, about 2½ or 3 years ago. The Commissioners explained to the Li-icks-ams the circumstances under which Cap. Wake had acquired land, and the desirableness of the Indians and whites living peacefully and comfortably together. Having settled the question, existing as a possible question in the minds of Cap. Wake and the Indians, the Commissioners in the next place, ascertained from the latter, that, as they could not get the whole of the Island, they wished their land in the northern part of it, not

to interfere with Captain Wake's land, but surrounding the cultivated ground above mentioned. The reason why the Indians wished for land there was that they might have some land for crops and for pasturage for the cattle which they have, and the larger number of cattle which they say they are determined to possess. The location and surroundings of their village at Shingle Point do not permit this to the necessary extent.

The Commissioners accordingly walked over the ground with the Indians. The Sandstone rocks on a part of the western shore of Valdez Island are like the chalk cliffs on the south east shore of England. At one spot, called by the Indians "Shewkew", but by the Commissioners Blinkinsop Cove, there is a break of about 100 yards wide in the cliffs. A rivulet flows into the little cove thus formed. At high tides the sea backs up the rivulet for 200 yards, and creates a small bit of salt water marsh in the narrow valley. This yields hay much liked by cattle. Farther up the valley, which soon ends in a basin, is an alder bottom containing 30 or 40 acres of rich land easily cleared. In this bottom the Indians have perhaps 2 acres fenced and cultivated.

~~The Indians~~ We found also two small cultivated enclosures on some good land, farther on, more elevated. The Indians showed us trees which they had "blazed", and also a stake which they said a clergyman had told them to put in, but we took

no notice of either of these. While on the ground the Chief explained his intentions with respect to the cattle, where the shed was to be placed, and how the winter hay was to be provided. The tribe did not propose to move their village from Shingle Point to Blankensop Cove, but to leave their land and cattle farm at the latter place. The above mentioned blaying of trees showed that the Si-ikas-euns never had any real hope of getting the whole of the Island from the Commissioners. It was finally determined to give the Indians an area south from Capt. Wake's line, to include their cultivated patches and other cultivated ground. The question of pasturage for cattle then arose. Had white men been concerned only, this question might have been left to take care of itself, for much of the island is rough woodland, pasturage not worth fencing, where white man's cattle might have ranged in commonage. It seemed likely that rights of commonage might lead to disputes in the future between Indians and Whites, if any white men should ever settle south of the reserve.

The Commissioners, accordingly included in the Valley Island main Reserve a considerable area for pasturage, making this reserve extend south from Capt. Wake's line to another line, forming the southern boundary of the reserve, drawn across the island from a tree which was marked on the west shore. The acreage may seem to be

considerable, but the circumstances and prospects of the people, the quality and nature of the soil and surface of the reserve are such that we did not think that a smaller acreage would be reasonable. The Commissioners told these Indians as they have told others, in answer to repeated inquiries, that they might hunt as usual on unoccupied lands, but they must not trespass. The Commissioners also pointed out to the Indians the inconvenience which white soldiers suffered from having their cattle and pigs chased by roving Indian dogs, and told them if they kept a number of useless curs, and permitted them to damage the stock of their white neighbours, they would have to pay for the damage.

A small 5 $\frac{1}{2}$ acre reserve for a Li-iks-sun dog picking station consisting of a rocky point in Sawichan Gap at the south of Baldy Island, where we found an old hamlet, a burial ground, and an acre of fenced and cultivated ground completed the Li-iks-sun reserves.

The examination and settlement of these questions, thus shortly mentioned, the repeated visits we had to make, and the difficulty of finding people whom it was necessary to see, consumed much time, and it is evident that our work in the rest of the Echemanus district will be of a similar character. The Li-iks-suns appeared to be satisfied with what the Commissioners had done, and promised to follow the advice given

to them, and to live on good terms with the
whites.

I have the honour to be Sir
Your obedient Servant
Gilbert Malcolm Spratt
Joint Commissioner.

Horse Shoe Bay Chemainis.

Jan. 8th 1874.

Sir

Following my letter of this date, in which I mentioned the reserves for the Li-icks-suns of Valdez Island, I now write about the reserves for another tribe of the "Chemainis" Indians - the Halatts.

The Halatts number at present 13 men, 12 women, 3 male and 2 female youths, 6 male and 8 female children - 44 Indians altogether.

The Commissioners visited, first, their reserve of 100 acres on the Chemainis river.

They found 6 houses, and 10 or 12 acres fenced, of which probably about $\frac{1}{3}$ rd is cultivated.

The stock of the Halatts consists of 1 horse, 4 cattle, 2 oxen, and 23 hens. The soil of the reserve is of excellent quality, but the timber is heavy, and a portion of this reserve is subject to inundation.

The river is broad and generally shallow, but rises greatly and quickly at certain times. It eats the soil on the banks and so winds that a considerable part of the 100 acre reserve consists of the river-bed.

The Halatts claim to be the old occupants of the land on the Chemainis river, and so far as I could learn their claim has some foundation. The other tribes who have fishing reserves near the Chemainis and the Kin-a-lah-kuts got these lately from the Government. These last named tribes live respectively at Chemainis Bay and Super Island.

The second reserve belonging to the Halatts is a rocky wooded island opposite to the mouth of the Chemainis river, containing $139\frac{1}{2}$ acres.

This island has no fresh water on it, and the level is not fit for cultivation. A few cattle might

The
Honourable the Minister
of the Interior. Ottawa. Canada.

pick up a little food on it early in the spring. There are several groves on the Island, and a Halalt Indian fisherman occasionally camps on it for a short time. It is of very small value as a reserve.

Owing to the want of suitable land and other causes, it was not found to be possible to concentrate the Halalt and other Chemainus Indians upon one reserve. The nature of the heavily timbered water-cut reserve upon which they have their village seemed to the Commissioners, looking to the future wants of the Halalts to justify their claim for an additional acreage of land in the place which has been the home of the tribe.

The Commissioners accordingly confirmed their two reserves, and added two adjacent unoccupied sections containing each 100 acres. This addition is forest land, rather ridgy, with a few small good spots on it. The river runs through the corner of one of the sections. It was impossible to find any other land for the Halalts. If they choose to work they now have enough for a long time in the future. They expressed themselves as being well satisfied with what the Commissioners had done.

I noticed with regret that the Halalts had to a small extent, been guilty of the very serious offence of fencing in as their own a portion of land legally owned or occupied by white men. The deliberate overstepping the boundaries of other men's lands, and enclosing portions, with some vague notion of holding these portions by force, is a practice on the part of Indians which should be checked at any cost. It is true kindness to check it, for the practice is sure to get the Indians into trouble. The Commissioners pointed this out to the Halalts, and told them that their reserves had

been confirmed and enlarged subject to the condition that fences wrongly put up should be at once taken down. The chief promised that this should be done. It was also explained to the Indians that they must prevent their dogs from barking, and must not jump fences, nor walk through the enclosures immediately surrounding white men's houses when a good public road was open to them; but at the same time they were told that they could hunt as usual on unoccupied lands.

I have the honor to be Sir

Your obedient Servant

Gilbert Malcolm Spratt

Joint Commissioner

Indian Reserve Commission
Field Report.

Horse Shoe Bay Chemainus,
British Columbia

February 15, 1897.

Sir

In concluding my reports on the action of the Commissioners with respect to the Indians of the Chemainus district, I have to speak now, lastly, of the largest of these tribes, namely the Ka-nel-a-kut tribe, including as its sub-tribes the Ga-kua-las and Kvil-la-mal-thi-so. (Samalcha) Muper Island is the place where the old villages of these people are. The Island is not surveyed, and no Indian Reserves had been laid out. The Commissioners found only one white settler on it, Mr. Coon. There being no salmon streams in Muper Island, the Colonial Government many years ago gave the Ka-nel-a-kuts a small fishing station Reserve on the Chemainus river Vancouver Island. The Ka-nel-a-kuts have resorted to this fishing station reserve every year, at a certain season, for the purpose of catching salmon. They have cut down a good many trees on the reserve, and have built two or three houses, and cultivated three or four acres. The Ka-nel-a-kuts number 61 men, 61 women,

The Honorable

The Minister of the Interior.

Ottawa.

4 male and 2 female youths, 31 male and 32 female children.

The Ya-Kusa-Cas (sub tribe) number 10 men, 7 women, 3 male youths, 4 male and 4 female children.

The Kivil-La-malth-sa (Samalcha) sub tribe number 3 men, 4 women, 1 female youth, 5 male and 4 female children, making a total for the three tribes of 237 Indians altogether.

Their stock consists of 8 horses, 29 head of cattle, 8 sheep, 46 pigs, 509 hens, 2 turkeys, and 5 geese. With the exception of Mr. Conn's farm of 100 acres on the west side of the island, the Indians have practically had the whole of Ruper Island to themselves, an area of say 1800 acres, but they have cultivated only a few patches near their principal village, which is situated at Clam Bay on the east side of the island.

Viewed from the anchorage, the village looks like one long house, 3 or 400 yards in length, but in reality it is divided into 15 large compartments. There is an extensive graveyard close to the village. The Ruper Island Indians appear to be in comfortable circumstances.

They sell I am told, considerable quantities of dog fish oil. In appearance they are robust in frame, but dirty, and many of them have unattractive countenances. The children are vigorous, and should be carefully looked after, or they may grow up to be no improvement on their fathers,

who have long had the reputation of being one of the most savage tribes on the coast.

The Samalcha sub-tribe, above mentioned, was a strong tribe 12 or 15 years ago, with a record against it of many murders and depredations. They attacked Her Majesty's gunboat "Boscawen" which had run aground, and shot a seaman. For this outrage their village was bombarded, and the Chief and three other Indians hanged. The small-boat afterwards got amongst them, and three men only of the whole tribe are now living. When the Commissioners arrived at Chemainus, they found as already reported to you, that several of the tribes had seized and occupied the lands of white men.

The Pa-net-a-kuts were the chief offenders, having fenced in more than a mile in extent, and built houses on a spot which Colonel Powell, two years ago, had told them was white man's land. They knew quite well that they were breaking the law, and made no secret of their intention to do what they pleased.

The Commissioners might have sympathised with these Indians, had they been without land or been badly treated in any way, but as above stated, the Indians practically enjoyed nearly the whole of Puget Island; they were comfortably off, and they had the fishing station reserve on the Chemainus river which had been provided for them by the Colonial Government. Instead of using

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this fishing station vacant for the purposes only for which it was fitted and intended, the Pa-ni-a-kuts made it a basis for aggressive action against neighbouring lands legally held by white men. The white settlers were few, and were living without a proper feeling of security. The Indians were, of course, very respectful to the Commissioners, but as some proof of their behaviour to their neighbours, I may mention that a number of them went straight from an interview at our camp, to an inoffensive white settler working in his field, knocked down a portion of his fence, and asked him how he would like to have in his hand the blade of a large knife which one of them produced. There existed, in short, in this portion of the remaining district, a state of affairs improper in any civilised country, and of every evil example to the Indian population on the whole coast.

Having ascertained these facts, the course which the Commissioners took on arriving at Chemainux was as follows.

They assembled the Pa-ni-a-kuts in the usual manner, and during the conversation told them that the Queen had both white and red subjects, and would take care of the rights and property of both, and not less in the case of the one than the other; that the Indians, or at least some of them,

had not been doing what was right; they had
minds and would know what the Commissioners
meant; the Commissioners had marked nothing
on paper against any Indian tribe yet, and
did not wish to have to mark anything against
the Ha-mul-a-kuts; they wished the Indians to
do what was right; then the Commissioners
would tell them what land they would give
them.

The chiefs who, it had been arranged, were to
speak for their people, finally assured the
Commissioners that they knew what was meant,
and that they would take down the fences.
During this interview, and throughout all
their intercourse with the Ha-mul-a-kuts, the
Commissioners were admirably, very gentle
and soft speaking, avoiding threats and every-
thing that could arouse their savage feelings.
As a matter of policy, they thought it well to
isolate this offending tribe, and thus to
weaken them, and give them time for reflection,
by settling with all the other Chemunians
tribes first, in a liberal manner.
Some of these tribes, following the bad example
of the Ha-mul-a-kuts, had fenced and cultivated
portions of white men's lands, but they took
the fences down. While settling with the other
tribes, the Commissioners kept their eyes on the
Ha-mul-a-kuts, hoping to find that they would
do what was required of them. On one occasion

The principal chief came, unattended, to the
camp, evidently very anxious, and said he had
not succeeded in inducing his people to remove
the houses and fences. The Commissioners gave
him credit for his good intention, but explained
that they never spoke thus ways, and that out
of kindness to the Indians, who would otherwise
be left to the law, they wished them to remove
the houses and fences. It afterwards appeared
that the majority of the older men of the tribe
refused to sanction any yielding to the require-
ments of the Commissioners, and in fact struck
out to the last in a pugnacious temper.
An influential second chief associated himself
with these obstinate old men for a time, but
leading the Commissioners firm in their views,
he, under the good advice ^{and persuasion} of Col. Powell, who
visited the place in H. G. S. "Probet", kindly joined
the head chief, and these two with a few other
well disposed Indians, and most of the young
men of the tribe, took down the houses and
fences, with great reluctance however, and
after many attempted delays. I have mentioned
this matter somewhat fully, lest it be thought
that the Commissioners in the ground they
took up in the Ka-nul-a-kut case, went beyond
their strict duty without sufficient reason, and
because a little expense was caused to the Indian
Department. As regards the expenditure, I
may state that the Commissioners, having

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vindicated the law, and in a very effectual manner, though in the way least offensive to a proud and lawless tribe, made them pass under the yoke, in the sight, so to speak, of all the Indians on the coast, who were looking to see what was to be done with the Ka-nul-a-kuts, it appeared to Colonel Powell, with the full approval of the Commissioners, that it would be desirable to meet these Indians halfway, and to help them in the work of removing the fences and fences, after they themselves had yielded, and actually begun the work. The weather was stormy and wet, and a course bringing Indians from Rupert Island was swamped and broken up by the sea. Without the help of teams to draw the rails within the reserve, it would not have been reasonable to have expected the Indians to have removed the rails in such bad weather, in the short time that was available before the departure of the Commissioners - a shortness caused by the obstinacy of the Indians.

Upon the whole, in my judgment, a very satisfactory arrangement was made of an old standing difficulty, harassing to the white settlers, full of danger to the Indians, and embarrassing to the Indian Department.

The Ka-nul-a-kuts, since the Commissioners left, have held several councils to discuss the question of replacing the fences, but they are not likely to take such a bold step, if they are looked after

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and visited. The Chemainus "fencing" difficulty, and a difficulty of a similar nature at Smithson, were the only really formidable questions in the extensive Superintendency of Colonel Barrell, containing nearly $2/3^{\text{rds}}$ of the whole Indian population of the Province, and it was well to have the Chemainus one, at all events, settled when the Commissioners were at the place.

In stating to the Indians that they would delay assigning lands until the Indians came within the law, the Commissioners are aware that they followed common sense and expediency in the particular case, rather than the letter of their instructions. Though instructed to "adjust liberally" land questions, they do not propose to make a precedent of the Ha-nel-a-kut case. In one respect the Commissioners had a great pull upon these Indians. The tribe had no legal reserves (except the small fishing reserve) and, armed as the Commissioners were, with the power of temporarily withholding the allotment of further reserves, they had the means of arranging in a quiet, resolute way, a question between the Ha-nel-a-kut Indians and the law which, probably could not otherwise have been settled without getting the Indians into considerable trouble. They no doubt deserved severe correction, but after all they were savages, who had no real comprehensions of the power which, in opposing the law, they braved.

It may be asked, why was not the law in this case called in long ago, and why did not the Commissioners simply refer the aggrieved white settlers to the law for redress? To this I would answer that, under the course taken, the Indians themselves did, what the law would have made them do by force. Instead of subjecting the Indians to the compulsion of an arbitrary, resistless power, the Commissioners made them pay homage to the law, as from their own minds, by recognising its authority, without its being actually put in force against them. This was one advantage of the course that was adopted. It should also be remarked that it is, in many cases, impossible for the white settlers to obtain redress at law for trespass by Indians. The law exists, but it is too expensive. A suit must be brought for judgment in the Supreme Court at a cost of from \$200 to \$400, and the settler even if he won his case, could not get costs from the Indian. In many ^{cases} settlers have not the required money, or cannot risk it on those terms. In the Ka-nut-a-kut case, the aggression was tribal rather than individual, and I presume a suit could not be raised against a tribe. If it were brought against the Dominion Government, as Justice for the Indians, it would have to be raised at Ottawa; the Judges of the Supreme Court of the Dominion not

visiting British Columbia, and to say this, is to show, still more strongly, the inconvenient position of the settler with small means, who is aggrieved by Indian trespasses.

The Indian Superintendents, except by advice to the Indians, cannot help him in the matter, and the Provincial Assembly has no power of legislation with respect to Indian affairs. The Indian is well protected by the Indian Act 1846, and it seems desirable that some means should be found of giving reasonable protection to the white settler of whose land Indians may take wrongful possession.

After the Pa-nel-a-kut Indians had removed their houses and fences, the Commissioners, who, having had the affairs of the other Chehalis tribes to settle, had not been delayed in their progress — called the Pa-nel-a-kuts together, and assigned for their reserve the whole of Kuper Island, with the exception of Mr Conn's farm of 100 acres, which he holds legally and has much improved by ten years hard work. It is on the west side of the island, immediately behind the abandoned village site of the Samalchas above mentioned. The Indians much wished to get Mr Conn's farm so that they could have the whole island to themselves, but it was not in the power of the Commissioners to give it to them. The Commissioners also added Tent Island to the reserve, a small

wooded, unfruitful island.

The two islands contain about 2000 acres.
The larger Island is within the area of the coal-bearing
rocks of the Nanaimo basin. Its surface which
is thickly wooded, is undulating and in parts
ridgy. In places, as at Mr. Coon's farm, the soil
resting on the drift is of good depth and
productiveness. There are not more than two or three
places on the Island suitable for the farms
of white settlers, but there must be a considerable
savage of land on the island which would be
useful for Indian farms, if they would
undertake the laborious work of clearing and
cultivating it.

I am Sir

Your obedient servant
Gilbert Malcolm Spratt.
Joint Commissioner.

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British Columbia
Indian Reserve Commission
Victoria, 29th March. 1877.

Sir

I have the honour, herewith to enclose a summarised report on the work of the Commission during the past winter. Details are contained in the "Field Reports" which I have sent to you from time to time. The Commissioners for the Dominion and for the Province, respectively, have forwarded summaries of their journal to their governments.

The formal minutes and maps of the Commission which as soon as outstanding questions are settled, will be signed by the three Commissioners, and sent to both governments, as well as to the Indian Superintendents in this Province, will show the number, extent and locality of the reserves laid out. The Indians, and as far as I know, the public generally, are satisfied with what has been done.

It is satisfactory that the three Commissioners have been able to get on comfortably together in a work involving questions of almost daily occurrence which had to be examined from various points of view. We are indebted to the Indian Superintendents in this province, Lt Colonel.

The Honourable
The Minister of the Interior
Ottawa.

Howell and Mr. Lenthall, for much friendly
and sensible advice and assistance.

The services of Mr. Edward Moxam as surveyor,
and Mr. Blenkinsop, Census Taker and General
assistant have been very useful.

I have the honour to be Sir

Your obedient Servant

Gilbert Malcolm Sproat.

Joint Commissioner.

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British Columbia.
Indian Reserve Commission.
Summarised Report.

of the Joint Commissioner appointed by the government of Canada and British Columbia.

Plan of Work.

It was decided to begin work near Burrard's Inlet, on account of the good effect likely to be produced upon the Indians in the Interior of the Mainland by their knowing that the Commissioners were at work on a part of the coast, not indeed near to them, but between which, and the Indian settlements up the rivers Fraser and Thompson, there is means of communication from one tribe to another, at almost all seasons.

In Howe Sound and Jervis Inlet, we were informed there were nearly 1000 Indians, among whom while men were in the habit of working to supply logs for the Burrard's Inlet sawmills, but who had no reserves assigned to them.

By beginning work at the mouth of the Fraser river, and visiting Burrard's Inlet, Howe Sound, Jervis Inlet, crossing thence to Comox, and working southward down the east coast of Vancouver Island, it was expected that the Commissioners would, during the winter, get over nearly all the ground on the coast of the Province inhabited by white settlers. This has been done.

Description and Cost of Steamer.

After carefully considering the question of the means of transport, the Commissioners, with the sanction of the Provincial Government, chartered the steamer "Leonora", of 18 tons, for the purposes of the Commission, at \$14 a day, in full of everything, and to include the use of a three ton boat. This small steamer proved to be cheaper than canoes would have been, and of course took us much more quickly from place to place. She was too small for our party to sleep in, and is only fitted for the navigation of the Gulf of Georgia in moderate weather.

Persons employed.

The allowance (see general accounts of the Commission) from the Dominion Government of \$5 a day to the Dominion Commissioner, and \$2.50 a day to the Joint Commissioner, to meet all expenses connected with provisions, cooking, and camp management, includes the Dominion share of the cost of all persons, regularly employed, except the Surveyor, Mr. C. Graham, who is presumed to be employed at the sole cost of the Dominion Government; the interpreter, whose cost is divisible between the two governments; and except the canoe taken and general assistant, Mr. Blankinship, towards whose cost the Provincial Government contribute at the rate of \$60 a month, in

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full of all the expenses connected with him.

Current cost to the Dominion Government.

The total current cost of the Commission to the Dominion Government, reckoning transport at the price hitherto paid, and apportioning cost of transport according to the view of the Provincial Government, (see general accounts of the Commission) is at the rate of about \$46 to \$44 a day. A considerable portion of this cost might perhaps be considered as Departmental, rather than as strictly connected with the Commission, namely preliminary surveying, and Census taking, but it is ~~essential~~ ^{expedient} to use the Commissioner's means of transport &c for these purposes, with a continuance of good arrangements. I think the whole work in the Province could be finished within three years.

Measurements of the Commissioners.

North Arm of the Fraser
and Burrard's Inlet } From 6th to 14th Nov. 1846

Hazel Sound and
Shwawmish river } From 18th to 29th Nov. 1846.

Lewis Inlet } From 29th Nov. to 4th Dec. 1846.
Comox } From 8th to 12th Dec. 1846.

Qualicum, Nanoose, Nanaimo
Gabriola Island. } From 13th to 20th Dec. 1846.

Chemainus Bay
Oyster Harbour
Chemainus River } From 21st Dec. 1876 to 18th Jan. 1877.
Valdez Island
Kuper Island

Cowichan } From 19th Jan. to 14th Feb. 1877.

Saanich }
Kadder Bay &c. } From 18th Feb. to 11th March 1877.

The Commissioners discharged the steamer on the 11th inst, and are now engaged, among other things, in considering the land reserves for the Victoria, Esquimalt, Beecher Bay and Sooke Indians.

Work done.

The favourable weather during the past winter has enabled the Commissioners to do a large amount of work, though for more than half their time they were in districts inhabited by white settlers as well as Indians. Part of their work was in unsurveyed districts, in which no Indian reserves had been laid out. I subjoin a statement of the number of Indians whose claims have been dealt with, and of the acreage of land finally assigned to them in full.

Census of Indian Tribes and estimated acreage of their reserves.

- Names -	Adults		Youth		Children		Total acreage	Average acreage per male	Names on chart.
	Males	Females	Males	Females	Males	Females			
Muskogean	25	32	1	3	19	16	422	16.9	
Siquamish	229	194	21	19	80	93	5081	22.2	Siquamish.
Se-shell	55	56	4	4	22	20	1524	24.4	Se-shell
Comose	41	29	1	"	10	4	340	9.	
Thow-wi-Kum	8	9	2	"	6	4	200	25	Qualicum
Nanose	5	5	"	"	3	4	140	28	
Nanaino	85	45	5	4	31	20	630	44	
Shumainus	158	149	19	8	46	45	6643	42.0	
Sawikan	266	263	25	23	126	128	6030	22.4	
Sranich	104	104	13	14	50	53	3500	32.4	
Total.	949	919	94	84	423	420	24540		

Males 1496
 Females 1423
 Total 2919

Average acreage, per male adult 25 acres.

I roughly estimate the total present value of the above lands at \$65,000. The improvements on the lands consisting of villages, detached houses, farm houses, fences, clearings, &c. may be valued, approximately, at \$35,000. The following live stock is possessed by these Indians.

426	Cattle
58	Work oxen
125	Horses
801	Pigs
39	Sheep
4	Goats
3193	Fowls
45	Geese
65	Ducks
4	Turkeys

and may be valued at \$24,000.

Any estimate of the value of their property, under the heads of commodities for intertribal distributions and traffic (including blankets accumulated for feast-gifts) chattels, canoes, fishing implements, wearing apparel, &c. must be largely conjectured, but the value under these heads may be put down at probably \$200,000, without much danger of exaggeration.

The above estimate would show that, on a rough average, each male adult has property worth about \$334, but of course its distribution is unequal. It must be borne in mind

additionally, that about one third of them earn on an average, \$20 to \$25 a month wages during a portion of the year, and they might be employed regularly throughout the year if they cared to work. A number, both men and women, fish and hunt, not only for food and useful articles of consumption, but to supply commodities of Indian production, and manufacture, for the important intertribal traffic which exists on the coast, and which is a source of profit to those Indians who engage in it.

In general conversation with the Indians, and in fixing their reserves, with which it may be remarked, the Indians themselves and the Provincial Commissioners are satisfied, it appeared to me that everything was done to give proper effect to the instructions of the Dominion Government. The Indians were told that the aim of the Dominion Government was to assist the Indians in their efforts to raise themselves in the social and moral scale, so that ultimately they, or their children might enjoy all the privileges and advantages which are enjoyed by their white fellow subjects. They were assured also that the interests which the Queen takes in their welfare, has not been lessened by the fact of their having been placed more immediately under the care of a great chief at Ottawa, instead of a great chief at Victoria, and that there would always be superintendents in the Province

whose duty it would be to give advice and help to the Indians. No basis of acreage for each family or each individual has been adopted.

The Commissioners considered in a liberal spirit, the condition, the occupations, the wants, and the just expectations of the Indians, and gave them as much land as they could make use of. Proper care was taken in laying off the reserves, to avoid checking unnecessarily at a future day, the progress of the white settlers.

Lands held at present under timber leases were of course given subject to the rights of the lessees. The desire of the Government, as a matter of general policy, to diminish the number of small reserves, and to concentrate the Indians where possible without disturbing their minds, or doing violence to old associations, has had careful attention, but in the part of the Country through which the Commissioners have passed, it has not been found possible to give as much effect to this desire as perhaps may have been expected, owing to the scarcity of valuable land and the strong attachment of the people to their old places of residence and resort. Removing the Indians from many of these places would not only have given them pain, but would have interfered with praiseworthy occupations, and with the tribal industries and intertribal traffic which as above said, largely enable them to be a self supporting people. The last seemed to me to be a very

important consideration. It will greatly increase the difficulty of civilising these Indians if anything is done to wound their feelings, or harass them in their accustomed occupations by an arbitrary exercise of power in conformity with mere theories of arrangement. There is no mystery so far as I know, in managing Indians or in dealing with them. The great thing to recollect is that they are men, and the best way for the Government to deal with them is to treat them generally like other men, neither coddling them nor frightening them, but giving them a fair field, and such friendly advice and protection as are within the limits of a governmental interference that should not hurt their pride of independence, nor make them think that there is any royal road to comfort or to an improved well being, more open to Indians than to white men. The Commissioners have explained to the Indians that the only road to progress open for both races, is through steady industry, thrift, and obedience to the law.

Dispositions between Indians & white Settlers.

Shwawmish River.

The Shwawmish Indians wished to get the whole of the hayland which a Mr Jean Brunier has applied to the Provincial Government for, at the mouth of the Shwawmish river, Howe Sound, but the Commissioners were not able to accede to their wishes, as the wild hay is a valuable article for use by millowners, and may be required for the

sustenance of cattle arriving from the interior at
Hume Sound for shipment. They gave the Indians
however, a considerable portion of wild hay land
at the mouth of the river. The Skwawmish river
reserve was laid out so as to permit a considerable
concentration of the Indians. This was possible, as
the district was unoccupied.

Counox.

At Counox, the Commissioners had for the following
reasons to decide against a claim made by Mr.
William Duncan.

- (1) The 100 acres which he had caused to be surveyed
were, and are, an Indian settlement.
- (2) The piece of ground which he had caused to be
surveyed, namely the Indian settlement, was not
the piece of ground which he had made a pre-
emption claim for, but a different piece of ground.
- (3) If no Indian question had intervened at all,
Mr. Duncan could not, according to Provincial law,
have legally preempted land which did not "adjoin"
his farm, but was separated from it by a small
river. The people of Counox, we may add, have
always known that the piece of land in question
was Indian land. For this reason none of the
numerous settlers who came to Counox seeking
land for 6 or 8 years before Mr. Duncan made his
pre-emption claim, ever attempted to get possession
of the place, but went further back to more
undesirable locations.

Nanoose.

At Nanoose, an old Indian settlement where no formal reserves had been laid out, curiously enough, the surveyor employed by two entering squatters was at work in the neighbourhood, when the Commissioners were walking over the ground. The Commissioners had not the advantage of seeing either of these gentlemen or their surveyor. I have been told that the lines of the surveyor, acting for these gentlemen, infringe on part of the reserve laid off by the Commissioners for the Nanoose Indians.

Nanaimo.

At Nanaimo the Commissioners were desiring to be able, through the good feeling of the Indians, to arrange an old standing question between them and the Trustees of the children of the late Mr. Barton. Their house, outbuildings, and domestic improvements had, by some mistake, been placed upon the Indian reserve. The matter was settled by the Trustees engaging to give the Indians an equal quantity of land elsewhere to adjoin the existing reserve. It will be necessary for the Indian Department to take steps to secure this exchange completed. The Indian village at Nanaimo is now too near the town and interferes with its development. In a few years, it will be surrounded by town houses. It was difficult however to find a place for the new village, and the Indians so strongly objected to remove the village, for reasons by no

means unreasonable from their point of view, that the Commissioners did not see their way to effect a removal, without considerable injustice and disturbance of praiseworthy industrial occupations.

In a few years the coal mine in which many of these Indians now work, and which is close to the village, may not require their labour, and a time may come when it will be in the interest of both Indians and the citizens of Nanaimo that some arrangement should be made for the transference of the village and the Indians to some other convenient locality in the neighbourhood — the site itself which of course every year is increasing in value, being either sold or leased for the benefit of the Indians, in such a way as to induce citizens to build on and improve it. The Indians much wish for a piece of ground on the left bank of the Nanaimo river, near its entrance, which is held by the Vancouver coal company under a crown grant. It would be a good place for a new village site.

His worship the Mayor of Nanaimo requested the Commissioners to consider whether they could not make a small reserve near the city, on which Indians travelling or coming to Nanaimo in search of work, could find accommodation. The Nanaimo Indians for reasons of their own, will not accommodate strange Indians in their village. It was the opinion of the Mayor that, on the small reserve

proposed, strange Indians might be under effective police control. At present they encamp here, there, and everywhere, on private property, and cannot be well looked after. Their presence, under these circumstances, encourages prostitution and drunkenness. This matter received the earnest consideration of the Commissioners, but they were obliged to come to the conclusion that, however useful such a reserve might be at Nanaimo from the point of view of residents in that city, its establishment would be of doubtful advantage as a matter of general policy, and would probably be regarded by the Dominion ^{and Provincial} Governments as a purely municipal concern.

The Commissioners had to report Mr Carpenter of Nanaimo to the Indian Department at Victoria as having encroached without formal permission, by making logging roads through the Nanaimo reserve, and by cutting down trees on it, but it did not seem that Mr Carpenter himself had ordered the roads to be made, and as no great damage has been done, and Mr Carpenter is willing to make amends, the Department may not perhaps, think it necessary to deal hardly with him.

The Commissioners found that a white squatter had encroached in a high handed manner, on the fenced potatoe grounds of an old fishing station of the Nanaimo Indians at the south end of Gabriola Island. The place is one of those places

which by our instructions, we have specially to secure to the Indians, but as Mr Martin was a new comer, who appeared to have acted on misinformation, the Dominion Commissioners agreed not to report him under the Indian Act 1846.

The Commissioners finally arranged this question by conforming to the Indians a small piece of land, so shaped as to include their houses, potatoe patch, and a little woodland for fuel, without compelling Mr Martin to remove his house, or lose the fruit of his past labour. In drawing the lines of this small reserve, which but for its old established character would not have been given at such a distance from the main Nanaimo reserve, attention was given to the advantage of leaving open the line of a projected road which we understood the white soldiers in the neighbourhood wished to make.

Chumainis.

In the Chumainis district a number of questions were settled. That of Captain Wake R. N. on Valdez Island was settled by finding that his pre-emption and military grant did not include Indian lands, though the Indians wished to have him removed. We were able to give the Indians an ample reserve without encroaching on Capt. Wake's land.

At Oyster Harbour, we had to give notice of removal to Mr Gordon, a gentleman who was occupying the old Sisk-a-mum village and

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grounds at the head of the Harbour, and also to Mr S. McMillan occupying the abandoned pre-emption of Mr J. Brenton on the Chemainus Peninsula. The circumstances of the case of the latter induced the Dominion Commissioners to recommend the Dominion Government to give Mr McMillan some compensation for improvements which he appeared to have made in good faith, not believing the place to be an Indian settlement. In both cases the Indians were told not to molest these gentlemen, and not to speak to them on any matter connected with their removal, except through Mr Superintendent Shull. Mr Abbot's case was examined and decided in his favour. The Indians strongly, but ineffectually, pressed the Commissioners to remove Messrs. Shatter and McNaughton, who had done much hard work on the Chemainus peninsula, in blasting the rock in a channel for the purpose of draining a swamp which the Indians said was theirs. This work did not seem to be work which the Indians could undertake, and as they could get sufficient ^{land} ~~smooth~~ elsewhere, there appeared to be no reason for interfering with the useful labours of these white men.

Mr Thomas at Chemainus river was desirous of acquiring possession of the fishing station reserve on that river belonging to the Indians of Chemainus Bay, and stated that the reserve was part of his farm, and that he paid taxes

on it to the Provincial Government for some years. The reserve, however, appeared on examination, to have been regularly assigned, gazetted and surveyed as an Indian reserve, and to be necessary to the Chemainus Bay Indians for fishing purposes, as they have no salmon stream at their principal reserve at Chemainus Bay, which is ten miles distant.

A question between W-Corn and the Ka-mut-a-kuts on Skupper Island, was settled by giving an acre or two near his house in Village Bay, the old site of the Samalcha village.

The other questions in the Chemainus district were connected, I am sorry to say, with the encroachments of several of the Indian tribes upon the lands of white men. The Halalts and Chemainus Indians had fenced and cultivated small portions of land, but they took down their fences on being required to do so. The chief offenders were the Ka-mut-a-kuts of Skupper Island, who proved very obstinate. Like the Indians of Chemainus Bay they lease a small fishing station reserve on the Chemainus river, and they made this the basis for a series of aggressive acts against the lands of their white neighbours. Skupper Island being unsurveyed, the Ka-mut-a-kuts had no main reserve regularly assigned to them. This gave the Commissioners an opportunity of putting pressure on them by refusing to assign reserves

to them until they removed their houses and fences from white men's lands. The Indians finally yielded, and a troublesome old standing difficulty was thus inexpensively disposed of. A question respecting 40 acres of the reserve on Sphenianus peninsula, claimed by Mr. Hughes, is still open, as we have not yet been able to satisfy ourselves as to the exact nature of his claim. It is connected with a conditional licence to work oyster beds granted many years ago.

Cowichan.

I've refused to make a small reserve asked for at Maple Bay, by some of the Quamichan Indians, and on Salt Spring Island near Sansum Narrows by an Indian known as Captain Eurygood. Mr. Morley, J. P. of Cowichan, states that in both these cases the Indians allege that they have had from the Land Office some informal permission to encamp, or temporarily occupy these spots, and that as long as they are not in the way, there may not be any objection in removing them.

The Commissioners will mention this matter to the Chief Commissioner of Lands and works. These small detached places occupied by one or two Indians are in no way important, and have only been included in the reserves by the Commissioners in very special cases.

A white settler, Mr. Nelson, had a fence on a portion of the reserve near the Comiaken village,

but willingly removed it on the true lines being pointed out to him.

Several Indians have built houses on, and cultivated and fenced, portions of land in Camichan belonging to Mr. Munro, who does not occupy it. This district being a surveyed district with assigned Indian reserves, the Commissioners could not put the pressure on these Indians which, as a matter of policy rather than duty, they were able to put on the Kamel-a-Kuts at Chemainus in regard to similar encroachments. The Indians say that Sir James (then Mr.) Douglas gave them the whole plot for a reserve, including the land on which they have encroached, but it appears that the government of Mr. Douglas sold this land to Mr. Munro at about the same time the reserve was made, and that Mr. Munro has all along been the legal possessor of it. The question of the trespass is for the courts rather than for the Provincial Government or for the Reserve Commissioners. Mr. Munro is not in the position of a settler without means to put the machinery of the law in motion, and it is unfortunate that he should have so long permitted the wrongful occupation of his land by other persons. The trespassing Indians have made \$600 to \$800 worth of improvements on the land, and it is possible there may be some trouble when Mr. Munro comes

the law to be put in force. Whatever may have been the case at one time, I think after what has passed that the incorporation of this land within the Indian Reserve now, would have a bad effect on the minds of the Indians.

The case of Mr. Archibald Dods at Cowichan is somewhat different. The Klem-Klem-a-lit Indians hold possession of 50 acres of land which unquestionably did at one time form part of their reserve, and moreover is close to their village. It was cut off by order of the late Governor Seymour, and Mr. Dods acquired it in the usual way, and has a crown grant for it. Mr. Dods is the legal owner of the land, provided Governor Seymour had authority to cut it off the reserve without giving compensation to the Indians, a point on which I cannot express an authoritative opinion. It was however, very injudicious, on the part of the Colonial Government to cut off this piece of land, and, without admitting that the Provincial Government is liable for the acts of the Colonial Government in such matters, or in this matter, the Provincial Commissioners were willing to go beyond their actual duty, and to do what they could on the spot to help Mr. Dods, who is an industrious and valuable settler, occupying the farm as his home, and especially as he informed the Commissioners that the expense of a lawsuit with the Indians would be inconvenient, or rather impossible to him. He conditionally agreed to

sell, and the Provincial Commissioners conditionally agreed on the behalf of the Provincial Government to buy for \$300, and give to the Indians, the 50 acres of land less the ground on which Mr Dads barn stands, and reserving a road from the remainder of Mr Dads farm (lying behind the piece in question) to the main road.

The Indians, I may remark, had in the first place, asked the Commissioners to buy the 50 acres from Mr Dads for them. In the end they refused to accept the land on the above terms, and said they wished to possess the whole 100 acres, owned by Mr Dads, with houses, fences, and improvements. It was explained to them that the Commissioners had asked Mr Dads to sell the 50 acres at their own request, and that he was the legal owner of the land, and that the Commissioners had intervened merely to help in carrying out their wishes, and in promoting neighbourly feelings. As they were unreasonable, the Commissioners could not help them further in the matter. The arrangement between Mr Dads and the Provincial Commissioners then came to an end, and the question remains as it was. The Commissioners were very patient and conciliatory in conversing with these Indians, but they proved to be unreasonable after the length the Provincial Commissioners had gone to meet them. They now hold the 50 acres by force, and are building on it, and Mr Dads has not the means to remove them

them by an action at law.

Saanich.

There were few questions between white men and Indians in this district. An unsurveyed and at present unoccupied pre-emption at Goldstream appears to be close to the old fishing station of the Saanich Indians, near the mouth of the Goldstream, which is the only Salmon river in the "Inlet."

Such a spot could not be legally pre-empted. The Indians said that the pre-emptor some years attempted to prevent them from fishing.

The Commissioners marked off a suitable area for the Indians on the bank of the stream, and told them that nobody could interfere with their fishing rights.

Complaint of White Settlers.

I may remark here that the Indian act 1876 enables the Dominion Indian Agents to deal very summarily with white encroachers on Indian lands, but the existing law of the Province does not practically give the settler of small means similarly convenient means of redress, when Indians are in wrongful possession of his land.

The Provincial House of Assembly cannot legislate on Indian matters. The settler at present can only proceed against the Indian trespasser by a suit for ejectment in the Supreme Court, which costs a great deal more than many settlers can afford, particularly as they have a small prospect of getting costs from the Indian, even if

they should win the suit.

I know of one ~~suit~~ case in which a settler had not been able to build his house for two years, as Indians had taken possession of the intended site, and built their own houses on it.

The Commissioners succeeded in making the Indians remove their houses. The matter is complicated somewhat also by the aggressions being in many cases tribal, rather than individual, and by the difficulty of bringing an action against a tribe. It would be well however, if some means could be found to better the position of the impecunious settler in reference to Indian encroachments.

Relations between the two Races.

The Indians and the white settlers seemed to get on, everywhere, very comfortably together. Far from showing any desire that the Indians should be hardly dealt with, the white settlers generally, cordially approved the instructions of the two governments that the Indians should be treated with a reasonable and proper liberality. We had abundant evidence that the Indians are a useful part of the general population. The mere fact that by their own exertions, the 3000 Indians whom we have dealt with, men and women, were able to appear before us warmly clad in European dress, and looking well fed and hearty, is some proof of their value both as producers and consumers. It is not likely they will ever become an agricultural

people, nor is it desirable that they should forsake
the various pursuits by which they now get
no inconsiderable part of their living. Of late
years however, many of the Indians on the
coasts of the gulf of Georgia, have shown a
desire to possess land of their own, and found
small farms in a creditable and promising
way. The principal obstacles to their becoming
farmers generally are that they can make
money more easily as labourers or fishermen,
and that most of the land on the coast requires
for clearing it of timber, an amount of steady,
continuous labour which can hardly be expected
from the Indians, though many of them are
excellent workmen. It was evident to us every-
where, that the Indians were disturbed in their
minds at the possibility of their being taken
away from their old places, and congregated
together in unfamiliar districts. The said men-
tioned, they wished to have the same opportunity
that white men have of hiring out their labour
or choosing their occupations. They were anxious
to know if they might hunt and fish as usual.
We of course assured their minds on the latter
point, by telling them that with reference to
unoccupied land of the crown, they were in the
same position as white men, but we warned
them not to enter fenced lands, nor permit their
dogs to disturb cattle or sheep of settlers. This is
an annoyance of which the settlers generally complain.

The great desire of the best of these Indians is to be like white men, and to be treated as white men, and though at present sensitive in a degree about retaining the old lands of their fathers, they admit that a time may come when their children or their grandchildren, will be able to conquer this stay-at-home feeling, and settle on land anywhere among their other fellow outpicks. They said, with some reason, they could not change their ways all at once, but wished to have free opportunities of preparing for whatever might be in store for their people. They are extremely, and almost amusingly touchy, at any supposed attempt to discuss or settle any matter of business with them on any other footing than as a question between reasonable men on both sides. The idea of being treated like children, or having questions settled without reasonable explanations, is very displeasing to them. Having an excellent interpreter with us, who could speak in their own language, to most of the tribes whom we visited, we were able to know their minds thoroughly, and to explain the wishes of the Government and the reasons for our action, in a satisfactory manner. In several nice questions that were raised before us between Indians and white men, the decision of which practically depended on the Indians themselves, it cannot be said that the Indians showed any want of good sense or good feeling.

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Upon the whole, these Indians on the shores
of the Gulf of Georgia gave us the idea of a
vigorous, intelligent race, capable of considerable
improvement, if they are judiciously encouraged
in the efforts which they seem willing to make
to overcome their old habits. Their progress so
far, is remarkable, considering the savage
condition in which they were a few years ago.

Gilbert Malcolm Sproat
Treaty Commissioner.