

REPORT OF THE GOVERNMENT OF BRITISH COLUMBIA ON THE SUBJECT OF INDIAN RESERVES.

Copy of a Report of a Committee of the Honorable the Executive Council, approved by His Honour the Lieutenant-Governor on the 18th day of August, 1875.

The Committee of Council concur with the statements and recommendations contained in the memorandum of the Honorable the Attorney-General, on the subject of Indian Affairs, dated 17th August, 1875, and advise that it be adopted as the expression of the views of this Government as to the best method of bringing about a settlement of the Indian Land Question.

Certified.

W. J. ARMSTRONG,
Clerk of the Executive Council.

The undersigned begs leave to submit, for the consideration of His Honour the Lieutenant-Governor in Council, the following memorandum on Indian Affairs:—

For some time past the Government of the Province have endeavoured, but without success, to arrive at some practical solution of what is termed the Indian land question. The negotiations with the Dominion on the subject have been based on the 13th Article of our Terms of Union agreed to in 1871, which reads as follows:—

"The charge of the Indians, and the trusteeship and management of the lands reserved for their use and benefit, shall be assumed by the Dominion Government, and a policy as liberal as that hitherto pursued by the British Columbia Government shall be continued by the Dominion Government after the Union.

"To carry out such policy, tracts of land of such extent as it has hitherto been the practice of the British Columbia Government to appropriate for that purpose, shall from time to time be conveyed by the Local Government to the Dominion Government in trust for the use and benefit of the Indians on application of the Dominion Government; and in case of disagreement between the two Governments respecting the quantity of such tracts of land to be so granted, the matter shall be referred for the decision of the Secretary of State for the Colonies."

It will thus appear—

- 1st.—That Canada assumed the charge of the Indians and the trusteeship and management of their lands.
- 2nd.—That a policy towards our Natives as liberal as that of the Colonial Government of British Columbia (prior to Confederation) should be continued by the Dominion Government.
- 3rd.—That this Province should, after Confederation, convey to the Dominion, in trust for the use of the Indians, tracts of land similar in extent to those which had been set apart for their use by British Columbia when governed directly by the Imperial Authorities.
- 4th.—That any disagreement with respect to the extent of such lands should be referred to the Secretary of State for the Colonies for his decision.

Upon these four distinct terms the 13th Article is based. It need scarcely be stated that there is a marked difference between a stipulation to establish a general policy and an agreement to supply certain detailed assistance "to carry out such policy." Referring to the Report of the Hon. the Minister of the Interior, adopted by Minute of the Privy Council of the 4th of November, 1874, it will be observed that the Minister fails to draw such a distinction, and harshly condemns the Indian policy of the Crown Colony "as little short of a mockery of the claims" of the Indians, because the aid given to it in the shape of land and for education fell short of that given in old Canada.

The value of the above distinction will presently appear in discussing the several points in the order laid down. Although the question of what assistance in land shall

British Columbia now give to enable the Dominion to carry out her Indian policy ? is the real issue between the two Governments, it appears to be absolutely necessary to give a short sketch of the Indian policy of the Crown Colony, with a view of removing the very unjust impressions respecting it which have been created in the public mind by the publication of the Report of the Minister of the Interior. Superior to this reason is the undoubted right of the Imperial Government (to whom the Indian correspondence has been referred) to a full explanation respecting the charges preferred in the Report, of mal-administration of a policy established under their directing influence. In justice also to the past and present Governments of British Columbia, as well as to its people at large, a thorough consideration of the Minister's Report is demanded. With these remarks the undersigned now proposes to deal with the three last propositions above set forth, as the first condition may be considered as disposed of.

With respect to the second proposition, that the Indian policy of Canada shall not be less liberal than that of the Crown Colony of British Columbia, it is not intended to give more than a brief statement of the Colonial Policy as it was pursued prior to 1871: nor would such a statement have been necessary had the Colonial Indian System been better understood by the Dominion Government.

The policy of the Dominion aims at a concentration of the Indians upon Reserves, while that of the Crown Colony, besides granting Reserves in cases where the Indians preferred them, courted rather an opposite result. The Colonial Policy was first inaugurated under the auspices of the Imperial Government in 1868, the date of the foundation of the Crown Colony. Under this policy the Natives were invited and encouraged to mingle with and live amongst the White population with a view of weaning them by degrees from savage life, and of gradually leading them by example and precept to adopt habits of peace, honesty and industry. It is true that this step was not unattended with some of the well-known evils which are unfortunately inseparable from the attempted fusion of savage and civilized races, but these defects it was believed, would in time have been largely removed by the application of proper remedies.

The Dominion Commissioner for Indian Affairs, resident here, has asserted (*vide Report*) that—

“Money payments by the Government, on account of the native race, have been restricted to expenditure incurred by Indian outrages, and no efforts have been put forth with a view to civilize them, it having been considered that the best mode of treating them was to let them alone.”

This is certainly a very strong and positive statement, and one which undoubtedly leads the reader to infer that the Crown Colony (which is meant by the word “Government”) had cruelly neglected the Indians and left or “let them alone” in their savage condition, to struggle for life against the inroads of aggressive White settlers, who, as the complaint in the Report states, “in many instances took from them the lands which they had settled upon and cultivated, and in some cases their burial grounds.” (*vide Report*.)

Upon referring to the books and vouchers of the Treasury Department, it appears that between 1868 and 1871, money payments by the Colonial Governments on account of the Native race were, apart from expenditure caused by “Indian outrages,” extensively made for various purposes. Considerable sums were, from time to time, paid for laying off and surveying Reserves in the lower country and in the interior; for settling boundary and other disputes, whether among themselves or with White settlers; and for specific expenses incurred in protecting and upholding their civil rights of property in our Courts of Law. Under a local ordinance very large amounts were, from the earliest days, spent solely in the interests of the Indians, in the effort to suppress the “liquor traffic” amongst them. The expenditure on this account is composed of payments for the fuel consumed by ships of war, for steamers, for the salaries, travelling expenses, and allowances of magistrates, pilots, police, and witnesses engaged in this service. By instructions from the Government, the natives were exempted from paying tolls and direct taxes levied on the

community at large for the construction of public highways and bridges; nor were Customs duties exacted upon the animals and merchandise—sometimes of no inconsiderable value—which the members of a tribe from time to time imported across the boundary line from American soil. These abatements—large in the aggregate—are virtually “money payments” on Indian account. Pecuniary aid was given to the sick and destitute, and to a large extent in cases of epidemics, such as small-pox. Treating the life of the Indian with as much respect and consideration as that of his civilized neighbour, inquests were held, when necessary, in cases of untimely death. These proceedings were often, and almost always in the interior, attended with considerable outlay. In the administration of justice gratuities were sometimes given at the instance of a Judge on circuit, or of a District Magistrate, to deserting Indians. With a view of encouraging their feelings of loyalty and strengthening their fidelity and attachment to the Crown, a general invitation was annually extended to the various tribes within reach to meet at some central point in the lower country for the purpose of celebrating the birthday of Her Majesty. Nearly 4,000 Indians responded to the call in 1863, and large numbers attended at each subsequent meeting. On such occasions the Governor met them in person, and distributed the liberal money and other prizes amongst the successful competitors in games and in water sports. Presents of food and clothing to the Indians assembled were added; and the opportunity thus afforded was improved by giving them good counsel and advice for their future well-being. On other occasions, badges of value were given to meritorious chiefs, who, with their followers, received blankets, food, and articles of dress.

The system of “gifts” to the Native Tribes was not, however, a prominent feature in the Colonial policy. It was followed more in obedience to Indian tradition than from convictions of ultimate good. The practice was therefore countenanced rather than encouraged, as it was opposed to the main principles of assimilation in the higher degree of the native and civilized races and of the consequent treatment of the Indian as a fellow subject. Instead of this mode of assisting them, habits of self reliance were inculcated, and the advantages of well directed labor were impressed upon them. The time too was opportune for putting these lessons into practice, as labor was scarce and in great demand. Every Indian, therefore, who could and would work—and they were numerous—was employed in almost every branch of industrial and of domestic life, at wages which would appear excessively high in England or in Canada. From becoming labourers, some of the Natives after a time, stimulated by example and by profit, engaged on their own account in stock-breeding, in river boating, and in “packing,” as it is termed, as carriers of merchandise by land and by water; while others followed fishing and hunting with more vigour than formerly to supply the wants of an increasing population. The Government frequently employed those living in the interior as police, laborers, servants, and as messengers entrusted with errands of importance. It may here be mentioned that in the payment or distribution of public rewards (however large) for the apprehension of criminals, the claims of the Indian and of the White man were treated alike. It is not of course suggested that any payments for services rendered are payments “on account of the Indians.” The facts are merely stated to illustrate some of the features of the general policy pursued towards them. They were taught by association with the civilized races and by the course pursued in our Courts, where justice was meted out with even hand to all classes and races, to appreciate and respect the laws of the country. A special enactment provided that when “any Aboriginal Native” was “destitute of the knowledge of God,” or was an unbeliever “in religion or in a future state of rewards and punishments,” the evidence of such Native might be received in any civil or criminal cause upon his making a “solemn affirmation,” or a simple “declaration to tell the truth” [Revised Statutes, No. 71]. Their lives and their property were jealously guarded. From humane motives, two penal statutes with stringent provisions were in early days passed—one, to prevent the spoliation of their graves and burial grounds; the other, as its caption reads, “To prohibit the sale or gift of intoxicating liquors to Indians.” [Revised Statutes, Nos. 69 and 85.]

Thus far it will be seen that no discriminating lines were drawn between the Natives and other races, save in the interest of the former. In disposing, however, of the Crown Lands, the Colony, for obvious reasons, made a distinction between the Indians and other resident British subjects. This may best be shown by quoting Section 3 of the "Land Ordinance, 1870:—"

Sec. 3. "Any male * * * British subject of the age of 18 years or over, may acquire the right to pre-empt any tract of unoccupied, unsurveyed and unreserved Crown Lands (not being an Indian Settlement) not exceeding 320 acres * * * East of the * * * Cascade Mountains, and 160 acres * * * in the rest of the Colony. Provided that such right * * * shall not * * * extend to any of the Aborigines of this Continent, except to such as shall have obtained the Governor's special permission in writing to that effect."

This section needs little comment. It is a transcript of the law of 1860 [Proclamation No. 17] as afterwards amended. The Indians, although denied the right of pre-emption which the Act gave to other British subjects, were permitted to pre-empt Crown Lands provided the Governor was satisfied that they could fulfil the usual conditions upon which the land was sold. As late as 1872, a Port Langley Indian received permission to pre-empt 100 acres of land upon his practically proving that he could intelligently cultivate it. [Appendix A.] The above Section is now in force, but the practice of giving these permissions has been discontinued, lest it should interfere with the Dominion policy of concentrating the Indians upon Reserves.

Tracts of land or Reserves were also set apart by the Crown for the use of some of the Tribes. As an invariable rule they embraced the village sites, settlements and cultivated lands of the Indians. Several of the Reserves though rich in soil and situated in the centre of White settlements, are, however, unfortunately unproductive to the country, owing partly to Indian indolence and partly to the attractions of good wages offered by the White population.

To secure the Indians in peaceable possession of their property generally, the Colonial Legislature conferred upon the District Magistrates extensive powers (not even possessed by the Supreme Court) to remove and punish by fine, imprisonment or heavy damages and costs any person unlawfully "entering or occupying" their Reserves or Settlements, or damaging their "improvements, crops, or cattle." [Revised Statutes, No. 125.]

To effectually carry out their general Indian policy, the Colonial Government appointed the Magistrates resident in the several Districts to act as Indian Agents. As such their manifold duties may be summed up in the statement that they advised and protected the Indians in all matters relating to their welfare.

It has been said that no system of education, in its restricted sense, was established on behalf of the Indians. While this is admitted, it may also be stated that the Government merely deferred the subject, believing that it was far more important in the interests of the community at large to first reclaim the Natives from their savage state and teach them the practical and rudimentary lessons of civilized life. How this was done has been already explained.

Since writing the above the undersigned has fortunately obtained a copy of a despatch, addressed in 1870, by the Governor of British Columbia to the Secretary of State for the Colonies, respecting the Colonial Indian policy. [Appendix B.] This document strongly and ably bears out many of the views and opinions above expressed.

Such is but an imperfect sketch of the Colonial Indian policy which was founded in 1868 and determined in 1871. It was based on the broad and experimental principle of treating the Indian as a fellow subject. The principle was, at least, a lofty one, and worthy of an enlightened humanity. Like others of its kind, it had its trials; but it also had its rewards, for, through its influence, the Colony was enabled on the day of Confederation to hand over to the trusteeship of the Dominion a community of 40,000 Indians—loyal, peaceable, contented, and in many cases honest and industrious. This fact is in itself the best commentary that can be offered upon the policy pursued towards the Indians during the 13 years preceding Confederation.

All policies or systems are open to more or less abuse; and the Colonial Indian policy laid no claim to exclusive immunity in this respect. It has been shown that laws, unquestionably wise and humane, were enacted in the interest of the Indians. If, "in many instances," their cultivated patches or, "in some cases," their "burial grounds" have, as they complain, been unjustly taken from them, the law provided a sure and speedy remedy. The undersigned, however, takes the liberty of thinking that their statements in this respect are exaggerated. If such instances do exist they are exceedingly few in number—three or four at most—and are probably capable of satisfactory explanation. The Indians of this country number about 40,000, and are settled over an area of 220,000 square miles. It is doubtful whether any parallel exists of so large a number of savage tribes, a vast majority of whom never saw a white face until 1858, being successfully controlled and governed by, comparatively speaking, a mere handful of people of the European race. The country has been singularly free from the graver classes of crime among the Natives. Excepting an outbreak of a serious character in 1864 and a few acts of violence committed by Indian marauders on the North West Coast, breaches of the law have generally been confined to cases of theft, to common and aggravated assaults, and to inter-tribal feuds. In nearly every instance the origin of Indian crime may be traced to the evasion of the Indian liquor laws.

Since Confederation the Indians have undoubtedly become discontented. Hopes of visionary wealth, to be acquired without labour, have been excited in the minds of some of the Tribes; for it is a notorious fact that 80 acres of land were promised, of course without authority, to each head of an Indian family before the question of Reserves was even laid before the Provincial Government. When the policy of the Dominion supplanted that of the Colony, the several Indian Agencies established by the latter lapsed, and have not been replaced. It is not surprising, therefore, that the Indians, left as they have been for the last four years without that counsel and advice which they formerly received from those in authority, should have become uneasy and restless as to their future.

Before passing to the 3rd and 4th propositions it seems necessary to first call attention to that portion of the Report of the Minister of the Interior which inferentially charges the Local Government with a want of proper regard for the rights of the Indians, and with the grave responsibility of unnecessarily impeding a settlement of the question of Reserves or, as it is called in the correspondence, the Indian land question. It is to be regretted that this charge should have been made, as it cannot with justice be sustained. In this matter the Minister has probably acted upon insufficient information, both as to the general views of the Provincial Government upon the subject of Reserves, and as to the special reasons which dictated the course they have hitherto pursued.

It is almost needless to state that the Local Government have been keenly alive, not only to the advantages, but to the absolute necessity and urgent importance of a speedy settlement of all questions connected with the Reserves. The favorable influence which it would exert in the future cannot be overrated. Peace would be ensured, and prosperity would not fail to follow the improved condition and social elevation of the Indian. The fruits of his labour might at first fall short of expectation; but in time their value would be gradually increased by well directed training. The importance of the Tribes, as large consumers and as labourers, is fully understood and appreciated. The Provincial Government feel that these facts in themselves entitle the Indians to a kind and liberal treatment. Their claims to consideration rest moreover on much higher grounds. The common dictates of humanity, apart from the moral lessons of education, silently but eloquently appeal to our better nature to shun oppression, and to protect and assist the ignorant and helpless. Such principles of action are not new. They have been happily engrained upon our Constitution which, in the case of the Indian, views a disregard of his rights as oppression, and that oppression as a synonym for slavery.

Strongly holding the above views and convictions, the Provincial Government have, with great reluctance, felt compelled to differ in opinion from the Dominion

Government on the subject of Reserves. A request by the Dominion for any reasonable and discriminating acreage of cultivable land for the use of the Indians is one which, on grounds above stated, could not but recommend itself to the favourable consideration of the Government of the Province. But in considering the demands already made, the Local Government felt constrained to keep in view not only the present condition and probable future of the Province, but the habits and pursuits of our Indians. That negotiations on the subject have hitherto failed is a matter of extreme regret; but is also a misfortune for which the Government here cannot justly be held responsible. The real causes of this failure are attributable to the want of proper information on the part of the Dominion Government of the physical structure of this country and of the habits of the Indians. At least such is the opinion plainly indicated in the annexed portion of a letter lately addressed to the Minister of the Interior by Mr. Duncan, an Indian Missionary remarkable not less for his unselfish devotion to the cause of the Indians than for his marvellous success amongst the tribes of the North-West Coast. [Appendix C.]

It will be observed that he has advised the Indian Department to defer the question of Reserves, and to appoint a resident Indian Agent in each district. This agent, he suggests, would, from his local knowledge, give trustworthy advice to the Government respecting "the number, wants, and pursuits of the Indians under his charge, the nature of their country * * * and the most suitable locality and quantity of land required." "Without such advice," Mr. Duncan adds, "I cannot see how the Government can be expected to act fairly or wisely in dealing with the subject." Though this language is addressed to the Dominion Government, it applies with equal, and indeed with greater force to the Government of the Province, as they are responsible for the manner in which they dispose of the public lands, from which the Reserves will, of course, be taken.

The undersigned has also received a letter [Appendix D] from Mr. Duncan on the same subject of Reserves, in which he says,—"I am persuaded that the whole difference between the two Governments on the land question, springs from the fact that no definite information is before the Provincial Government" on the subject. Reading both communications it will be found that he condemns the old or Colonial Reserves as being misplaced and too limited in area, and suggests that they therefore be abandoned for more eligible lands. He also disapproves of the Dominion land schemes as submitted for adoption by the Province.

The gravity of the interests directly involved in the applications of the Dominion for Provincial land for the Indians, will best be understood by reference to the following figures, and by contrasting them with the extent of land prescribed by the Terms of Union, as they are interpreted:—

For present purposes the Indian population may be assumed to be 40,000.

- 1st.—Terms of Union.—10 acres to each Indian family..... 80,000 acres;
- 2nd.—21st March, 1873.—Request by Dominion for 80 acres of average quality for each family of five persons, and old Reserves to be regulated accordingly, equal to..... 640,000 acres;
- 3rd.—In reply the Province offered 20 acres to each head of a family of five persons, which the Indian Department was authorized by the Dominion authorities to accept, equal to 160,000 acres;
- 4th.—15th May, 1874.—In lieu of the above, a further request was made for 20 acres to each head of a family or, as understood, for each Indian adult (the adults being about three-tenths of the Indian population), equal to..... 240,000 acres;

This was assented to in the case of future Reserves; but the Provincial Government declined to include past Reserves in this agreement. They, however, offered to consider any special claim which might arise in respect of the latter.

[Note.—From each of the above quantities, the acreage of the old Reserves must, of course, be deducted. The amount cannot be stated with accuracy in the absence of complete surveys. It, however, represents but a very small fraction of the quantities stated.]

This statement at once shows the very grave nature of the responsibility which rested upon the Provincial Government in dealing with such large tracts of agricultural land. Without definite information they felt it impossible to come to any intelligent conclusion upon the subject. Under all the circumstances, and bearing in mind what Mr. Duncan has stated, it would appear that they were fully justified in hesitating to accede to propositions which might not only retard the future settlement of the Province, but prove to be both ill-judged and ill-timed in the interests of the present settlers and of the Indians themselves.

The enlargement of past Reserves is in many instances practically impossible, as they are surrounded by White settlements. The proposal to implement any deficiency of their acreage from lands more or less distant from them is open to grave objections. Every individual of a Tribe which is provided with a reservation, regards the land as his home, and as the common property of the community to which he belongs. This being the case, the Indian Department would have to decide the difficult question of selecting the individual who should, in their opinion, be compelled to part from his Tribe, his friends, and the home to which he had long been attached by the strongest natural ties, to settle on land selected for him perhaps at a distance from his Reserve. The division of the old Reserves into 20 acre allotments, as contemplated, would also be attended with great difficulty, except some scale of compensation were settled upon, as any one such allotment might include all the cultivated land of the Tribe. The settlement of such cases as the above may be said to properly rest with the Indian Department; but it is equally clear that the Province would be responsible for enforcing this settlement, and suppressing any disturbances which might be caused by attempts to force unwilling Indians to accept what they might consider unjust.

Passing now to the third and fourth propositions, which may be dealt with together, it remains for the Provincial Government to consider what assistance in the shape of land they will give to the Dominion Government to carry out their Indian policy. The 13th Article binds the Province to give the same quantity of land as in practice the Crown Colony gave. This quantity seems to have been settled at ten acres to each Indian family, as appears by the following extract from the Speech of Governor Douglas to the Legislative Council in 1861. [British Columbia Sessional Papers, 1861]:—

"The Native Tribes are quiet and well-disposed. The plan of forming Reserves of land embracing the village sites, cultivated fields, and favourite places of resort of the several Tribes, and thus securing them against the encroachment of the settlers, and forever removing the fertile cause of agrarian disturbance, has been productive of the happiest effects on the minds of the natives.

"The areas thus partially defined and set apart in no case exceed the proportion of ten acres for each family concerned, and are to be held as the joint and common property of the several Tribes, being intended for their exclusive use and benefit, and especially as a provision for the aged, the helpless, and the infirm."

It may be broadly stated that uniformity of acreage in the Reserves is practically impossible in this country. A uniform acreage that might appear desirable and just in Ontario, where there is abundance of good agricultural land, would, if adopted here, be fraught with mischief to the Province at large. The physical features of British Columbia are not only varied in themselves in the most positive manner, but they widely differ from those of all other sections of the Dominion. The natural laws of accommodation have produced equally marked distinctions between the several Tribes of the Province; nor is there much more analogy between these Tribes as a body and the Tribes that inhabit the Plains and the Eastern Provinces.

In order to deal intelligently with the subject of Reserves it appears desirable that the habits and pursuits of our natives should be duly considered, with a view of determining some general principles upon which in future a fair distribution of our public lands may be based. The physical structure of each locality should also be borne in mind. In the absence of that full and definite information, which Mr. Duncan considers indispensable, the following general remarks may be offered, especially as they are not likely to conflict with the Indian policy suggested by that gentleman.

Apart from tribal divisions and differences of dialect, the Indians may be divided into three classes:—

1. Fishermen and hunters;
2. Stock-breeders, and farmers on a small scale;
3. Labourers.

The first class naturally constitutes a very large proportion of the Indian population. It includes about 30,000 "Coast Indians," who live on the seaboard, besides two or three thousand Indians who live in the interior and in the southern parts of the Province. The request of the Dominion for a uniform acreage of land for all the Tribes, necessarily implies that each male adult of this and all other classes is to be withdrawn from his present occupation, and taught to cultivate the land allotted to him. If this course be carried out, a serious injury will be inflicted upon the Indians and the Province. Our numerous bays, inlets and rivers, contain inexhaustible supplies of the finest fish. Otter, seal, and other useful products are also easily obtained. The long experience and acquired skill of both fishermen and hunters might, instead of being diverted to other purposes, be turned to excellent account by qualified Indian Agents resident amongst them. No good reason exists why "Fisheries," such as those established by our merchants on Fraser River for curing and exporting salmon, and other merchantable fish, should not be erected in suitable places for the benefit of the Indians, and be in time profitably controlled and conducted by themselves. Many of the Indians are now employed in this industry as fishermen, at one dollar, or four shillings sterling, a day. The business requires but little mechanical skill, and that they already possess. Their beautiful canoes and well-executed carvings in ivory, stone, and wood are good proofs of this. The experiment might be made at a very small outlay, especially as all the necessary appliances—a few tools and some tinware excepted—are almost within their reach. In the comparative cost of labour they would possess an enormous advantage as long as wages remain at their present high figures. The merchant, instead of embarking in such ventures himself, would doubtless find it more profitable to purchase his supplies from the Indian "Fisheries," which would thus at the outset be relieved of the responsibility of finding a foreign market for their goods. The establishment of lumber mills and other industries would unquestionably follow success in this direction.

The hunter's skill might likewise be turned to good use. It is a notorious fact that valuable fur-bearing animals—large and small—are wastefully and even wantonly destroyed at unseasonable periods of the year. The mountain ranges which supply this class of animals are, generally speaking, wholly unfit for agricultural purposes. The experience and superior intelligence of the Indian Agent would again be usefully called into play. The hunter would be taught to regard these localities as fur-preserves, to avoid indiscriminate slaughter, to kill only at proper seasons of the year, and to carefully protect a source of wealth which he is now gradually but too surely destroying. The fur trade of the Province, with all its present disadvantages, is one of considerable importance, and might be greatly increased. Under those circumstances, any care taken to preserve and foster it, would be well bestowed. The Indians upon whom this trade almost wholly depends, would largely reap the benefits of its good management. These views upon this branch of the subject have been communicated by Mr. J. W. McKay, a gentleman who has had thirty years experience amongst the Indians of the Province.

RESERVES.

From the above general remarks it is reasonable to suppose that large tracts of agricultural lands will not be required for the class of Indians referred to. Those who cannot be employed usefully, in the manner indicated, in fishing or hunting, might require and fairly expect farming lands. The other portion of the community would be provided for in other ways, by reserving their fishing-stations, fur-trading posts and settlements, and by laying off a liberal quantity of land for a future town-site. In the mountain ranges, the most eligible localities for the hunter's purpose might be selected and reserved as fur-bearing preserves.

STOCK-BREEDERS AND FARMERS.

With respect to this class of Indians, who are a useful portion of the community, it must be conceded that their herds of horses and cattle require as much pastoral land for their support as equal numbers of stock owned by the White settlers. The pastoral leases complained of in the Minister's report, will, however, soon be determined and a fruitful source of irritation will thus be removed. As suggested by Mr. Duncan, a liberal allowance of farming lands should be made, provided that the general outlines of the Indian policy which he recommends for adoption in the Province be followed.

LABOURERS.

In the present infancy of British Columbia, the Indians of this class have proved invaluable in the settled portions of the Province. Little can be added to what has already been said with respect to their employment and kind treatment by the White population. It may be mentioned, however, that our lumber mills alone pay about 130 Indian employes over \$40,000 annually. Each individual receives from \$20 to \$30 per month and board. An average of \$25 gives the total of \$40,000 as a clear annual profit made by 130 natives. This information has been obtained from one of the principal mill-owners. Such is one of the results of the Colonial policy. It is needless to say that it would require an enormous amount of farming produce to yield the same, or even one-half of this annual profit, to a similar number of Indians. Reserves of agricultural land for such labourers would be worse than useless, for if they got them they would be bound to occupy and cultivate them, and this they could not do without loss to themselves and loss of valuable and trained labour to the Province. Discarding, however, from consideration, the mere matter of pecuniary loss or gain, it clearly appears that the employment of the Indians at such centres of labour, possesses other and higher advantages than those described, as it tends to centralize the Natives and their families in places easy of access to the Missionary and to the school-teacher.

This memorandum has reached a greater length than was anticipated by the undersigned; but he has felt that the importance of the subject required such information as the Provincial Government could give respecting their past and present views upon the Indian land question, in order that erroneous impressions may be removed, unnecessary complications be avoided, a practical and scheme be devised, and the Indian question finally settled to the mutual satisfaction of both Governments.

The following suggestions for the settlement of the subject have been made by Mr. Duncan. [Appendix D.]

- 1st. That no basis of acreage for Indian Reserves be fixed for the Province as a whole; but that each Nation (and not tribe) of Indians of the same language be dealt with separately:
- 2nd. That for the proper adjustment of Indian claims the Dominion Government do appoint an agent to reside with each Nation:
- 3rd. That Reserves of land be set aside for each Nationality of Indians. Such Reserves to contain, in addition to agricultural land, a large proportion of wild and of forest land. Every application for a Reserve shall be accompanied by a report from the Agent having charge of the Nation for whom the Reserve is intended; and such report shall contain a census and give a description of the habits and pursuits, and of the nature and quantity of land required for the use of such Nation:
- 4th. That each Reserve shall be held in trust for the use and benefit of the Nation of Indians to which it has been allotted; and in the event of any material increase or decrease hereafter of the members of a Nation occupying a Reserve, such Reserve shall be enlarged or diminished as the case may be, so that it shall bear a fair proportion to the members of the Nation occupying it. The extra land required for any Reserves shall be allotted from vacant Crown lands, and any land taken off a Reserve shall revert to the Province:

5th. That the present local Reserves be surrendered by the Dominion to the Province: as soon as may be convenient; the Province agreeing to give fair compensation for any improvements or clearings made upon any Reserve which may be surrendered by the Dominion and accepted by the Province:

The undersigned has the honor to recommend that the above suggestions be adopted, and that if this memorandum be approved, His Honor the Lieutenant-Governor be respectfully requested to forward a copy thereof, and of the Minute of Council referring thereto, to the Dominion Government, for their consideration and assent; and he further recommends that another copy be sent to the Dominion Government, for transmission to the Right Honorable the Secretary of State for the Colonies.

GEO. A. WALKER,
Attorney-General.

VICTORIA, 17th August, 1873.

APPENDIX A.

Copy of a Report of a Committee of the Honorable the Executive Council, approved by his Honor the Lieutenant-Governor on the 3rd day of December, 1872.

On a memorandum dated 2nd December, from the Honorable the Chief Commissioner of Lands and Works, reporting that an Indian named Charlie has been living on an island opposite Langley for some time, under an assurance from the late Mr. Brew that his possession of the land would be secured to him. The Indian has erected a house and has cleared some of the land. He also has cattle and poultry. The island is overflowed every year at high water. The Indian raises wheat, turnips, potatoes, Indian corn and onions. He has planted apple trees also. The island contains about 100 acres, and the Chief Commissioner of Lands and Works recommends that His Excellency the Lieutenant-Governor be respectfully requested to give Charlie permission to pre-empt, under the provisions of the "Land Ordinance, 1870."

The Committee advise that the recommendation be approved.

(Certified,) JAMES JUDSON YOUNG,
Clerk, Executive Council.

APPENDIX B.

Governor Musgrave to Earl Granville.

(Copy.)

GOVERNMENT HOUSE, BRITISH COLUMBIA,
29th January, 1870.

MY LORD,—I have had the honor to receive your lordship's despatch, No. 104, of the 15th November, 1869, transmitting copy of a letter from the Secretary of the Aborigines' Protection Society, relative to the condition of the Indians in Vancouver Island.

2. If the statements made in Mr. Sabright Green's letter, forwarded to your Lordship by the Society, were statements of facts, they would be a matter of great reproach to the Colonial Government; but I have satisfied myself that his representations are in some cases quite incorrect, and in others greatly exaggerated. As the circumstances alleged and referred to by Mr. Green were antecedent to my acquaintance with the colony, I referred his letter to Mr. Trutch, the Commissioner of Lands and Works and Surveyor-General, for a report; and I now enclose a memorandum from that officer upon the subject. From other sources of information I have every reason to believe Mr. Trutch's statements to be correct.