

Papers connected with the Indian Land Question, 1850-1875.  
(Victoria: Printed by Richard Wolfenden, Government Printer, 1875; i.e., 1876)

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### Canadian Cataloguing in Publication Data

Main entry under title:

Papers connected with the Indian Land Question, 1850-1875.

At head of title: British Columbia.

Originally published, 1875; with the addition of

Papers connected with the Indian Land Question, 1877.

ISBN 0-7726-0711-7

1. Indians of North America -- British Columbia -- Land tenure. 2. Indians of North America -- British Columbia -- Land transfers. 3. Indians of North America -- British Columbia -- Claims. 4. Indians of North America -- Government relations. I. British Columbia.

E78.B9P36 1987 333.2 C87-092180-0

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### (SUPPLEMENT)

Papers connected with the Indian Land Question, 1877  
(i.e., correspondence dated 1877 from the B.C. Sessional Papers, 1877)

before me a statement as regards all in the valley of the Fraser, below Yale at all events, these lands would be safe from invasion, could be gazetted at once and surveyed at laisura.

Several full reserves have already been made, but I hear incidentally that there are other Indian villages and potato grounds with the sites of which the Lands and Works Department is not acquainted.

I have, &c.,  
(Signed) R. C. Moody.

*The Chief Commissioner of Lands and Works to Governor Douglas.*  
(CONFIDENTIAL.) New Westminster,  
23th April, 1863.

SIR,—I endeavoured to carry out through the medium of the Reverend M. Fouquet, R. C., the idea laid down in an accompanying letter as to obtaining the numbers of villages, population, extent of land, etc., and to divide them with stakes all in accordance with that which seemed to be suitable at the time. M. Fouquet conferred with your Excellency in my presence, but I very quickly had occasion to desist from such a course from the extreme want of judgment shown by that gentleman, in fact from the operations of the Roman Catholic Missionaries, (philanthropic in spirit no doubt), we are likely to have embarrassments, and I would recommend some special arrangements, distinct from those of the Lands and Works Department, be early devised and carried out.

I shall be only too happy to give every aid in my power.

I have, etc.,  
(Signed) R. C. Moody.

*The Colonial Secretary to the Chief Commissioner of Lands and Works.*  
Colonial Secretary's Office,  
11th May, 1863.

SIR,—I am desired by the Governor to acknowledge his receipt, this day, of your letter of the 23th ultimo, marked "Confidential," relative to the Indian Reserves in British Columbia.

2. In reply thereto I am to acquaint you that His Excellency considers that the instructions contained in his letters to you of 5th March and 5th April, 1861, and 27th April, 1863, cover the whole question, and he requests that those instructions may be carried out to the letter, and in all cases where the land pointed out by the Indians appears to the officer employed on the service to be inadequate for their support, a larger area is at once to be set apart:

3. His Excellency does not see that it is at all necessary or expedient to employ the Roman Catholic Missionaries to assist in laying out the Indian Reserves, although they no doubt can, and will readily, furnish useful information concerning the numbers composing each tribe.

I have, &c.,  
(Signed) WILLIAM A. G. YOUNG.

*The Chief Commissioner of Lands and Works to Mr. Brew.*  
New Westminster, 11th June, 1863.

SIR,—I shall feel obliged if you will be good enough to inform me when it will be in your power to dispatch a legal functionary to Keatzie, to settle the claim of the Indians as to the bounds of their land. Surveyors shall be sent with him to mark it off by posts so soon as he shall adjust the dispute.

You may remember the interview with the Governor, in which he decided that the Indians, by the present condition of affairs, were defrauded of their just demands; and it appeared that the bounds being moved some moderate distance further east would meet their desires. It was then considered the best way would be to send a sufficiently qualified person up to Keatzie who could understand the Indian language and rightly interpret the case, and that this Department should carry out on the spot the decision arrived at.

I have, &c.,  
(Signed) R. C. Moody.

*Mr. Brew to Chief Commissioner of Lands and Works.*  
New Westminster, B. C.,  
12th June, 1863.

SIR,—In reply to your letter of the 11th instant, I beg leave to say that I shall dispatch Mr. T. Brew, High Constable, to Keatzie, on Tuesday next, the 16th instant, to try and settle about the Indian Reserve.

I have, &c.,  
(Signed) C. BREW, J. P.

*Mr. Nind to the Honorable the Colonial Secretary.*  
Lytton, 17th July, 1865.

SIR,—I have the honour to address you on the subject of the Indian land claims above Kamloops and in its vicinity.

That branch of the Shuswap tribe, which live on the Upper Thompson and Shuswap Lakes, numbering, I am informed, less than five hundred souls, claim the undisputed possession of all the land on the north side, between the foot of the Great Shuswap Lake and the North River, a distance of nearly fifty miles, where lie thousands of acres of good arable and pasture land, admirably adapted for settlement. I have heard of one cattle-owner who paid their Chief, Nisquaimlth, a monthly rent for the privilege of turning his cattle on these lands.

Another branch of the same tribe, not so numerous as the first, claim all the available land on the North River, extending northward many miles above the mouth, which also possesses attraction to the settler. These Indians do nothing more with their land than cultivate a few small patches of potatoes here and there; they are a vagrant people who live by fishing, hunting and bartering skins; and the cultivation of their ground contributes no more to their livelihood than a few days digging of wild roots; but they are jealous of their possessory rights, and are not likely to permit settlers to challenge them with impunity; nor, such is their spirit and unanimity, would many settlers think it worth while to encounter their undisguised opposition. This, then, has the effect of putting a stop to settlement in these parts. Already complaints have arisen from persons who have wished to take up land in some of this Indian territory, but who have been deterred by Indian claims. At present all the land pre-empted is on the south side of the Thompson Valley for no other cause than this. James Todd, an old settler at Kamloops, is anxious to take up land close to Nisquaimlth's camp; but he is on friendly terms with the chief, and says he can buy him over to his views with a horse or so. I have refused at present to record him the land, particularly as he wants to purchase, in addition to his pre-emption, four hundred and twenty acres, until I put the matter of Indian claims before the Government. It seems to me undesirable that the principle of a settler purchasing or acquiring his right to land from the natives should ever be admitted. I assume that this is the prerogative of the Government of the Colony which should alone be able to confer an undefeasible title to its lands. Cor-

tainly what one man might obtain by influence over a chief or intermarriage with a tribe, or other means more questionable, might be refused to another who yet carried out all the requirements of the law. One would live in security; the other would always be subject to molestation and danger. I believe the only method of settling this matter satisfactorily and with equity to both Indians and whites will be for the Government to extinguish the Indian claims, paying them what is proper for so doing, and giving them certain reservations for their sole use. These Indians are now quiet and not ill-disposed to the whites; but they are capable of giving a good deal of trouble if they imagine their rights are invaded.

I have, &c.,  
(Signed) PHILIP HENRY NIND.

*The Chief Commissioner of Lands and Works to the Colonial Secretary.*

Lands and Works Department,  
New Westminster, Sept. 20th, 1865.

SIR,—In reference to Mr. Nind's letter to yourself of the 17th July, which has been referred to me for a report, I have the honor to state that the settlement of the boundaries of Indian reserves is, in my opinion, a question of very material present and prospective importance, and should engage immediately the attention of all interested.

I quite concur in Mr. Nind's remarks on the Kamloops and Shuswap reserves, taking for granted that the premises on which they are founded are correct, but as this department is entirely without official information as to the location or extent of these Indian reserves, I am unable to supply any exact data on this subject.

It appears most advisable that it should be at once constituted the definite province of some person or persons, duly authorized for that purpose, to make a thorough enquiry into this subject throughout the Colony. To ascertain as exactly as practicable what lands are claimed by Indians, what lands have been authoritatively reserved and assured to the various tribes, and to what extent such reserves can be modified with the concurrence of the Indians interested in them—either with or without money or other equivalent.

I am satisfied from my own observation that the claims of Indians over tracts of land, on which they assume to exercise ownership, but of which they make no real use, operate very materially to prevent settlement and cultivation, in many instances besides that to which attention has been directed by Mr. Nind, and I should advise that these claims should be as soon as practicable enquired into and defined.

I have, &c.,  
(Signed) JOSEPH W. TRUTCH.

*The Colonial Secretary to the Chief Commissioner of Lands and Works.*

Colonial Secretary's Office,  
26th September, 1865.

SIR,—I am directed by the Officer Administering the Government to acknowledge the receipt of your letter of the 20th instant, on the subject of Indian Reserves.

His Honor is fully impressed with the importance of defining those reserves throughout the Colony, but he is not prepared, at this late season of the year, to commence a general system such as you recommend. His Honor, however, thinks it very desirable that the Shuswap and Kamloops Reserves should be reduced, without further delay, to reasonable limits, as it would perhaps be a matter of greater difficulty to settle the affair should the route by Kamloops become the main thoroughfare to the Columbia River. I am therefore to request you to inform Mr. Moberly that the Governor is very desirous of reducing the reserves to

which Mr. Nind makes allusion in his letter of the 17th July, last, and of which I forward a copy for your information and guidance; and that you will authorize Mr. Moberly to make enquiries on his way down, and to reduce these reserves if he is of opinion that it can be effected without much dissatisfaction to the Indians.

If, however, he should be of opinion that difficulty will arise from such a course, his duty will be to collect on the spot all the information he can on the subject, and furnish you with a full report thereon, in order that the Government may have some data to go by in coming to a decision on the matter.

His Honor further suggests that Mr. Nind be at once requested to furnish Mr. Moberly with a copy of a report from Mr. Cox on this subject; which report His Honor remarks you may remember Mr. Cox stated, in your presence, he had sent to Mr. Nind. I have, &c.,

(Signed) CHARLES GOOD,  
For the Colonial Secretary.

*Instructions to Mr. Moberly.*

New Westminster,  
October 10th, 1865.

SIR,—The Indian Reserves at Kamloops and Shuswap laid out by Mr. Cox, being considered entirely disproportionate to the numbers and requirements of the Indians residing in those Districts, His Honor has instructed me to direct you to make an investigation of the subject on your way back from the Columbia, and to report, on your return to this place, whether in your opinion arrangements can be made to reduce the limits of these reserves, so as to allow part of the lands now uselessly shut up in these Reserves to be thrown open to pre-emption.

I enclose copies of an extract from the Colonial Secretary's letter to me on this subject and of Mr. Nind's letter to the Colonial Secretary, and have requested Mr. Nind to furnish you with a copy of Mr. Cox's report on the location of the reserve, and you will be pleased to take such steps towards the fulfilment of His Honor's instructions in this regard as may appear most advisable to you.

I have, etc.,  
(Signed) JOSEPH W. TRUTCH.

*Mr. Nind to Mr. Moberly.*

Lytton, 5th October, 1865.

SIR,—I have been desired by the Acting Colonial Secretary to forward to you copy of a letter I received from Mr. Cox respecting Indian reserves; also a sketch forwarded to me at the same time, in illustration by that gentleman.

I have, etc.,  
(Signed) PHILIP HENRY NIND.

ENCLOSURE.

*Extract from letter from Mr. Cox to Mr. Nind, respecting Indian Reserves about Kamloops, dated 10th July, 1865.*

SHUSWAP RESERVE.—Just before leaving Kamloops, I received instructions from Governor Douglas to mark out all the Indian Reserves in the neighbourhood. The Kamloops Reserve extends about 4½ miles up North River, and about 10 miles up Thompson River. The Shuswap tribes called upon me to do the same for them, as some Frenchmen were encroaching upon their grounds. I could not mark off their boundaries at that time on the ground, but chalked out the position and extent of the Shuswap Reserve at Kamloops, for the chief, and gave him papers to post up. There could be no mistake. I shall send you, herewith, a sketch of same, as well as I can recollect it. The probability is that my papers have been removed, and the grounds allowed by me greatly added to.

(Signed) W. G. COX.

*Copy of paper given by Mr. Cox to Gregoire, and Son, Nisquamith.*

All persons are hereby cautioned not to cut timber, interfere or meddle in any way with the rights of the Indians, on this Reserve. Gregoire and Son are the chiefs of the Reserve.

(Signed) W. G. Cox, P. M.  
Shuswap, 31st October, 1862.

*Copy of Notice in possession of Petite Louis, Chief of Kamloops Indians.*

KAMLOOPS INDIAN RESERVE.—Bounded by the North and Thompson Rivers, as per stakes and notices defining the boundaries.

All persons are hereby cautioned not to encroach upon or interfere in any way with the rights of the Indians. Any person or persons found or detected cutting timber on the Reserve will be severely punished.

Chelouis or Louis is chief of this Reserve, and will be found an obliging, honest, young man.

(Signed) W. G. Cox, J. P.  
Kamloops, 31st October, 1862.

*The Chief Commissioner of Lands and Works to the Colonial Secretary.*

Lands and Works Department,  
New Westminster, January 17th, 1866.

SIR,—I have the honour to enclose for the information of the Officer Administering the Government, a copy of a report from Mr. Moberly on the subject of the Kamloops and Shuswap Indian Reserves, an investigation of which was undertaken by him in accordance with my letter of instructions of 10th October. I also enclose a sketch showing the position and extent of these reserves, together with copies of all the papers relating to them that can be found in this Department. On the general subject of these reserves I have already offered an opinion in my letter to yourself of 20th September.

It appears to me that, as stated by Mr. Moberly, these reserves are entirely disproportionate to the numbers or requirements of the Indian Tribes to which they are represented to have been appropriated by Mr. Cox.

Two points remain to be determined, 1st.—Whether or not Mr. Cox's agency in the matter is binding on the Government? And secondly—Are the boundaries of the reserves now claimed by the Indians those which Mr. Cox really gave them assurance of?

On the first point I cannot form an opinion, as I am without any information as to the instructions given to Mr. Cox on the subject, but on the second I think there is reason to believe, from what Mr. Cox stated to Mr. Birch in my presence in August last, at Richfield, and from the rough sketch furnished in his own handwriting, a copy of which is enclosed, that the extent of one at least of these reserves, that of the Shuswap Tribe, has been largely added to by the changing of the position of the boundary stakes by the Indian claimants.

It is most important that these questions be enquired into as soon as possible, and if it be decided that Mr. Cox's Reserves are to be observed, and that the tracts claimed by the Indians are only those which were actually made over to them by him, there will remain only to be determined whether it is advisable to purchase back from them such portions of these lands as are valuable for settlement.

Much of the land in question is of good quality, and it is very desirable, from a public point of view, that it should be placed in possession of white settlers as

soon as practicable, so that a supply of fresh provisions may be furnished for consumption in the Columbia River Mines, and for the accommodation of those travelling to and from the District.

I have, &c.,  
(Signed) J. W. TETCHER.

ENCLOSURE

*Mr. Moberly to the Chief Commissioner of Lands and Works.*

New Westminster,  
December 22nd, 1865.

SIR,—In reply to your letter dated October 10th, 1865, I have to inform you that on my return from the Columbia River on the 2nd November, I took immediate steps to find out the position and extent of the Indian Reserves on the North and Shuswap Rivers, and other particulars connected with the granting of these lands by Mr. Cox, and also if an arrangement could be effected with the Indians for the reduction of these reserves to reasonable limits.

I found that Nisquamith, and his father Gregoire, the two Shuswap Chiefs, claim the land on the north bank of the Shuswap River, from a point about sixteen miles above Kamloops, to a point about four and a half miles in a direct line above the foot of the Great Shuswap Lake, and also to the northerly end of Adams Lake; that Chelouis, or Petite Louis, the Kamloops Chief, claims the land from a point about one mile below the westerly boundary of Nisquamith's claim to Kamloops, and thence up the North River a distance of about eight miles; and that the intermediate strip of land between the above claims was vacant. The two above reserves embrace an area of about six hundred square miles.

I learnt from the Indians that they claim these lands by virtue of certain papers given them by Mr. W. G. Cox, who they say told them at the time he made the above reservations, that he was acting under instructions received by him from Governor Sir James Douglas, and that such portions of these reserves not cultivated by them would be useful for grazing their cattle upon.

I also ascertained from the Indians that Mr. Cox had seen the position of the different stakes and marks defining these reserves, with the exception of the stakes on the Great Shuswap and Adams Lakes. These two stakes were placed by Nisquamith himself, as he says, in accordance with Mr. Cox's instructions to him.

When in possession of the above information, and such as I gathered from the different letters and papers I enclose, as I found that Mr. Cox's sketches and descriptions did not agree with the position of the marks set up, I was quite at a loss what conclusion to arrive at with regard to them.

As it appeared to me quite out of the question that Governor Sir James Douglas could have given Mr. Cox instructions to make such extensive reservations for a tribe that I should say does not number more than four hundred souls, and have not one hundred acres of land under cultivation, I had various interviews with the Indians, the result being that those settled at Little Shuswap and Adams Lakes wished me to lay off the reserves in the manner I proposed, but the two Chiefs, Nisquamith and Petite Louis, both objected to have the lands they claim below the Little Shuswap Lake reduced in extent, giving as one reason that they received considerable sums of money from white men for the use of their grass lands.

I made several efforts to induce these two Chiefs to consent to a reduction of their claims, but without success. They appear to be under the impression that the reservations are more their own and not the general property of the tribe. I explained to the Indians that whatever reservations were made by the Government were for the general benefit of the whole tribe and not of the individual Chiefs;

this appeared to be a popular principle with the majority of the Indians, but was not so with Nisquaimith, who is not generally liked but is feared by them. I also told them it was my impression the reserves claimed by them, and as they said defined by Mr. Cox, were not laid out in accordance with the intention of Governor Douglas' instructions to him, and if so, that Mr. Cox's grants to them are worthless, as the Governor of the Colony is the only person who can give them a title to any land, and that Mr. Cox had given them what it was not in his power to grant.

Many of the Indians appeared to be of the same opinion, but the immediate followers of the Chiefs always fell back upon their rights to the land as acquired from Mr. Cox, and also from their long residence thereon.

I think by showing the Indians in the first place that their titles from Mr. Cox are of no value, and by a judicious expenditure of a small sum of money, that arrangements can be effected to get the greater portion of these reserves quietly given up. It would be very desirable indeed to get all the lands from the foot of Little Shuswap Lake to Kamloops entirely out of their hands.

As I did not feel myself justified in expending any money then, as the forcible reduction of these reserves by me would have created a bad feeling now, and probably have led to future acts of violence on their part—which ought to be avoided by every possible means, as the Shuswap River is likely to be the principal thoroughfare through the Colony next summer; and as the information in my possession was very meagre, particularly with regard to Governor Douglas' instructions to Mr. Cox, under which he acted, I thought it better to postpone any further action in the matter until I could report to you.

Since my arrival here I have endeavoured to find out what records there are in the different Departments relative to these reserves, but have not been able so far to get any information whatever on the subject.

I have, &c.,  
(Signed) W. MOREALY.

*The Chief Commissioner of Lands and Works to the Colonial Secretary.*

Land and Works Department,  
New Westminster, 5th February, 1866.

Sir,—I have the honour to enclose, for the information of the Officer Administering the Government, a copy of a letter from Mr. Haynes informing me that he had, in compliance with His Excellency's instructions, laid out Indian Reserves at the head and foot of Okanagan Lake, and that sketches of the same would be handed to me by Mr. Turnbull who had assisted in staking them out.

I also enclose copies of a report to me from Mr. Turnbull on the same subject, and of the sketches referred to by Mr. Haynes, which accompanied Mr. Turnbull's report. In reference to Mr. Haynes' suggestion that it should be notified in the *Government Gazette* that the lands around Okanagan Lake heretofore held as Indian Reserves should be declared open to pre-emption, with exception of the tracts staked out by Mr. Turnbull under his (Mr. Haynes') direction, I beg to observe that if the arrangement made by Mr. Haynes is to be considered as a final settlement of the Okanagan Indian Reserve, I am quite of opinion that the suggestion of Mr. Haynes should be adopted, but that, as the question of Indian Reserves in the neighbouring Kamloops and Shuswap Districts is, as I believe, still under discussion, it may be well to defer the publication of any notice on the subject of the Okanagan Indian Reserves until some general decision has been come to in regard to similar reserves throughout that and the neighbouring districts.

I have, &c.,  
(Signed) JOSEPH W. TRUTCH.

ENCLOSURES.

*Mr. Haynes to the Chief Commissioner of Lands and Works.*

Camp, Head of Okanagan Lake,  
28th November, 1865.

Sir,—I have the honour to inform you that in compliance with instructions from His Excellency the Governor, contained in a letter of the 9th of last July, I have laid out Indian Reserves at the head and foot of this Lake, sketches of which will be handed to you by the bearer, Mr. Turnbull, who has assisted me in this work.

I think it would be well to notify in the *Government Gazette* that the lands in this vicinity, hitherto looked upon as Indian Reserves, are now open for settlement, except the portion marked on the maps which you will receive.

I have, &c.,  
(Signed) J. C. HAYNES.

*Mr. Turnbull's Report.*

New Westminster, 17th January, 1866.

Sir,—In compliance with the wishes of Mr. Haynes (Magistrate of the Osoyoos District), I have laid out three Indian Reserves situated on the north and southern extremity of the Okanagan Lake, and I herewith beg to lay before you the enclosed plan, which will show their positions, etc., etc., together with the few following remarks respecting them.

On account of not being provided with chain or suitable instruments I was unable to make surveys sufficiently accurate to answer official purposes. I have, in consequence, merely roughly surveyed as pointed out to me by Mr. Haynes.

Whilst surveying, Mr. Haynes and his Indian, (who is a Chief of the District) accompanied me, the Indian blazing and picketting as I instructed him; therefore at any future time either Mr. Haynes or the Indian can point out the boundaries. The boundaries, however, are well defined, being all natural boundaries, as shown on sketch. The first reserve which is situated on the south end of the Okanagan Lake (and known by the Indians as Penticton), is eminently adapted for either stock-raising or agricultural purposes, the altitude above the sea being only 700 feet, abundance of the best feed, good soil and climate, and surrounded by one of the best cattle ranges in the country.

The reserve is bounded on the south by the Lake du Chien; on the east by the Okanagan River; on the west by the base of the low rolling hills, and terminates about 2½ miles north at the first point, where the hillsides and river meet.

The portion unreserved to the east of the river is the most valuable land, being well irrigated by the various streams (which I have shown on sketch). It is more heavily timbered than the portion to the west; and for that reason (in my opinion) was not selected by the Indians. All the creeks are fringed with a dense growth of tangled bush, such as birch, cottonwood, hazel, thorns, etc.

The next reserve is situated on the west bank of the lake, commencing about 2½ miles from the head, and running south about 3½ miles. It is bounded on the south by the creek (shown on sketch), to the east by the lake, to the west by the hillside, and on the north by the creek running into the lake, about three miles from the head.

This reserve is a level, bunch grass flat with widely scattered trees, the margins of the creeks (as is always the case) covered with a thick growth of birch, hazel, pine, etc. The whole of the flat may be considered eligible for agricultural purposes, as it can be all irrigated with very little trouble; the feed throughout is of first-class

quality; the hillsides to the westward also abound in good feed, and are low and rolling and well suited for cattle range.

The last reserve, which is situated immediately at the head of the lake, is a splendid tract of low bottom land, with dark loamy soil, excellent feed, and surrounded on all sides by low, rolling bunch grass hills and benches. Its boundaries are as follows: To the south by the lake, to the west by the creek, up to the point where the trail crosses it, then by a line running north 60° east by compass for one mile, terminating immediately above the small lake (shown on sketch), next by a line bearing S. 30° East for 30 chains to the foot of low rolling hill; from latter point by line bearing S. 47° East for about 33 chains, until striking the creek about one mile from the lake; the latter creek there forms its eastern boundary.

Mr. Cox, several years ago, reserved nearly all the agricultural lands situated about the head of the lake, as well as that on the south end, (now reserved under the head of Penticton). The results of this reservation were many men have been prevented from settling on what may be considered the only real agricultural and grazing land in the country. Last winter, a Frenchman brought some one or two hundred head of cattle to Penticton, for the purpose of wintering there. The Indians, who claimed the land, (under the authority of Mr. Cox), ordered him off, or else pay a certain amount per head. The result was the Frenchman left with the whole of his cattle, and wintered at the Mission, where, owing to the scarcity of feed, the hard season, etc., he lost nearly the whole of his stock. Had he been allowed to stop at Penticton, his stock might have survived the winter, as the place is low, well sheltered, and in fact may be considered the best cattle "winter" range in the country.

Mr. Haynes' reservation at Penticton is a great improvement to the last. He has left sufficient unreserved for wintering purposes. At the head of the lake, the next favourite resting place, he has reserved in such a manner so that settlers wintering there run the risk of having to pay the Indians a certain amount per head for the cattle they graze. As this particular portion of the country is in such close proximity to the mines now being discovered in the Big Bend country, and considering it may be termed one of the few safe wintering ranges, I imagine it would have been better had this reserve been done away with, or if reserved at all, reserved under the head of Government Reserve, in which case both white man and Indian would have an equal right.

My reason for expressing these opinions is knowing the difficulties there are in this portion of the country in safely wintering animals.

The reserve at Penticton comprises 842 acres. The one on the west of lake about 1,500 acres, in my opinion more than double the amount necessary to serve the purposes of the Indians settled on the Okanagan.

I have &c.,  
(Signed) J. TURNBULL.

*The Colonial Secretary to the Chief Commissioner of Lands and Works.*

Colonial Secretary's Office,  
29th May, 1866.

SIR,—As the settlement of the boundaries of the Indian Reserves about Kamloops and Shuswap will be one of the duties devolving upon you, on your visit to the Kamloops District, the Officer Administering the Government considers it advisable that you should assemble the Chiefs at Kamloops, or other convenient spot, and endeavour to settle amicably and satisfactorily, not only to the chiefs, but to the whole of the families of the tribes, the limits of their reserves.

Should you find any difficulty in curtailing the limits already alleged by the chiefs to have been marked out for them by Mr. Cox, His Honor directs me to

inform you that you are authorized to offer a remuneration, either pecuniary or in the shape of presents, to such Indians as feel reluctant or refuse to relinquish any of the land which they imagine they are entitled to as a reserve.

In this arrangement much will be left to your discretion; but His Honor would not wish any expenditure incurred beyond \$500, without a previous reference being made to him.

In the settlement of this question, great care must be taken that all the Indian families, who claim any portion of the Indian Reserve, are cognizant of the decreased limits as soon as the negotiations are completed.

I have, &c.,  
(Signed) H. M. BALL.

*Mr. Pemberton to the Chief Commissioner of Lands and Works.*

Kamloops,  
July 26th 1866.

DEAR SIR,—Would you be good enough to tell me in what time the Government intend fixing upon the Indian Reserves in this District, and also when we may expect to see some one up to settle with the Indians and make them understand which land they are to have, and which they are to give up, as under the present circumstances they will not allow anyone to do anything on the land they claim, which is most inconvenient to intending settlers. They prevented us from even cutting down trees, and say they don't want anything to be done until they see you. The chief says he will be quite contented to abide by what you say. The same inconvenience is felt down at Savona's Ferry. The Indians have there driven off the cattle. They are also burning off the grass in every direction, which will make feed very scarce for the hundreds of cattle which winter upon the Thompson; and I am afraid if it be not settled soon it will cause trouble among the Indians, as the other day they prevented some six miners from going up Adams River to prospect; and I really think that you could settle the thing very quickly yourself, as the Indians wish, they say, to see the Tykee himself, and then they will be content. Hoping to hear from you as soon as convenient,

I have, &c.,  
(Signed) A. G. PEMBERTON.

*Mr. Howse to Mr. Pemberton.*

Lands and Works Department,  
New Westminster, 4th August, 1866.

SIR.—I am directed by the Colonial Secretary to inform you that the Chief Commissioner of Lands and Works will shortly visit Kamloops with reference to the subject of your letter dated 26th ultimo.

I have, &c.,  
(Signed) A. R. HOWSE.

*Mr. Edgar Dewdney to the Chief Commissioner of Lands and Works.*

New Westminster, B. C.,  
8th Nov., 1866.

SIR,—I have the honor to forward you the sketches of the several Indian Reserves surveyed by me in the Kamloops, Shuswap, and Adams Lake Districts. The chiefs of the different tribes as well as several of their Indians accom-

panied me during the progress of the surveys, and made themselves thoroughly acquainted with the boundaries and stakes.

The Reserves are laid out as nearly as possible in accordance with the instructions received on the ground from His Honor the Officer Administering the Government and yourself.

On arriving at Adams Lake, I found that the Indians had several small patches of land cultivated along the shores of the Lake, four of which they wished reserved.

I however gave them the piece of open bunch grass land situated on the South-East end of the Lake, about one and a quarter miles square, that being the only feed they have for their horses and cattle. This I surveyed.

I also gave them fifteen square chains on the West side of the Lake, about 12 miles from the outlet of Adams River.

This I did not survey, but gave them a board 24 inches by 12 inches, marked with marking iron and colored red, "Adams Lake Indian Reserve 15 square chains," with instructions to place this in the centre of the ground they described to me.

I was unable to visit this spot on account of the high wind that prevailed whilst I was there.

The Shuswap and Adams Lake chiefs have each a plan of their respective reserves, but having no paper I was unable to give "Petit Louis" the Kamloops Chief, his; it is now ready for him.

The whole of the Indians appeared perfectly satisfied with their reserves as laid out by me, and I think that no trouble may be apprehended from any of them in future about their land.

I beg to enclose the descriptions of the different reserves. My field notes I will leave at the Lands and Works Office.

I have, etc.,  
(Signed) EDGAR DREWERY.

#### Description of Kamloops Indian Reserve.

Commencing at the N. W. stake marked K. I. R., about three miles up the North branch of Thompson River, the West boundary follows the meanderings of the River to its junction with the South branch, at which point a large cottonwood tree is blazed and marked K. I. R., for S. W. corner; for Southern boundary, continue the meanderings up the South branch of Thompson River for a distance of three miles to a group of cottonwood trees, one of which is marked K. I. R. for S. E. corner; from this point the East boundary runs N. 9° E., to a deep gully in the mountain which extends to creek and crosses it at a distance of 2 miles and 10 chains from S. E. corner, at this point several trees are blazed, continue up a deep gully about one mile to a tree blazed and marked K. I. R. for N. E. corner; the North boundary follows along several bunch grass flats to a large bluff of rock from which the line runs S., 76° W. to N. W. corner.

#### Description of Shuswap Indian Reserve No. 1.

Commencing at the S. E. corner stake marked S. I. R. No. 1. situated at the junction of the North branch of Nesquaimth's Creek with Thompson River, follow the meanderings of the stream to four large cottonwood trees, one of which is broken off half way up, blazed and marked S. I. R. No. 1; cross to South branch of Nesquaimth's Creek N., 81° W., (taking in the Indian potatoe patches), to two large cottonwood trees, one of which is marked S. I. R. No. 1; follow the meanderings of the creek to its outlet from a large Lake, at which point two large fir trees are blazed, and one marked S. I. R. No. 1, for S. W. corner; continue

along the meanderings of the East shore of lake to a small creek which feeds it at its Northern end; follow along creek to a tree blazed on its bank for N. W. corner. From this point the Northern boundary runs S., 30° E. to bank of Thompson River 219 chains, where a stake is placed and marked S. I. R. No. 1., for N. E. corner; on the edge of the river, immediately below this stake a large boulder 15 feet square stands immovable; from this point follow the meanderings of the river to S. E. corner stake at the mouth of Nesquaimth's Creek.

#### Description of Shuswap Indian Reserve No. 2.

Commencing at the South-West corner post situated at the base of mountain and marked S. I. R. No. 2, run S. 40° 30' E., 30 chains to fir tree on edge of little lake blazed and marked S. I. R. No. 2; for South-East corner follow the meanderings of the lake to a large fir tree 5 chains East of Indian burial ground, blazed and marked S. I. R. No. 2; from this point run N. 12° 30' W. 106 chains, 70 links, to large pine tree, blazed and marked S. I. R. No. 2; and from here run N. 57° 30' W. 12 chains to round mound. The Western boundary extends along base of mountain from South-West corner stake to stake at base of mound.

#### Description of Adams Lake Indian Reserve.

Commencing at the North-West corner stake marked A. L. I. R., situated on the East shore of Adams Lake, 97 chains from the outlet of Adams River, follow the meanderings of Lake and Adams River to mouth of small creek, at which point a large cottonwood tree is blazed and marked A. L. I. R., follow the meanderings of creek one mile and a quarter to where it forks. The East boundary runs along the west fork of stream to its rise and across the face of mountain until it cuts the North boundary line, which runs from North-West corner N. 65° 30' W., and is blazed for some distance up the mountain. The back line was not run owing to its roughness and inaccessibility. Besides the above the Adams Lake tribe have 15 chains square of land situated on the West shore of Lake about 12 miles from the outlet of Adams River.

#### The Chief Commissioner of Lands and Works to Mr. O'Reilly.

Lands and Works Department,  
New Westminster, 16th November, 1866.

SIR,—I have the honour to forward herewith, for your information, a tracing of the map of the Indian Reserves laid out in September last, by authority of the Officer Administering the Government, at Kamloops, and South branch of Thompson River, Little Shuswap Lake, and Adams Lake.

I have, etc.,  
(Signed) JOSEPH W. TAYLOR.

#### Mr. McIvor to the Chief Commissioner of Lands and Works.

New Westminster, 8th April, 1867.

SIR,—Having pre-empted one hundred and sixty acres of land in the fall of sixty, on the south bank of Fraser River, nearly opposite the Indian Village of Katzie, and adjoining a small Indian Reserve, I beg to explain that no Indians

have lived on or cultivated this reserve within the last six years, and not likely they ever will. Having some cattle on my land, I am anxious to make the creek that runs through the said reserve my upper boundary line, as seen by the annexed sketch, which would answer as a fence and give me high ground for my cattle to run on during high water; without this I am afraid that I will have to abandon the place altogether and lose my six years' toil in that which I was to make my future home. If it is the intention of the Government to keep an Indian Reserve on this side as well as the opposite side of the Fraser, I humbly beg to suggest that said reserve be extended upwards, as the land is equally as good and fully as clear as that on the lower side of the creek, and again, by extending it upwards, there would be no settlers to interfere with.

I have, &c.,  
(Signed) JOHN McIVOR.

*Mr. McIvor's application to be allowed to purchase a portion of the Indian Reserve opposite Katzie Village.*

As Mr. Howse was going to Katzie to survey some Pre-emption Claims in the neighbourhood of the Indian Reserve referred to, I instructed him to enquire into the circumstances of this case, and have awaited his report before forwarding Mr. McIvor's letter for His Excellency's consideration.

Mr. Howse's report is now enclosed herewith, and I fully agree in the opinions expressed by him and by Mr. Brew, that this reserve should not be interfered with, as its extent is not excessive in proportion to the numbers of the tribe; and there is no doubt that portions of the land Mr. McIvor wishes to acquire are cultivated by the Indians as potato gardens.

(Signed) JOSEPH W. TRUTCH.  
26th May, 1867.

[Application refused.]

ENCLOSURE.

*Mr. Howse's Report.*

Lands and Works Department,  
New Westminster, 29th May, 1867.

SIR,—I have the honour to inform you that I have seen Michel, the chief of the Katzie Indians, respecting the reserve opposite Katzie Village, laid out by Colonel Moody, R. E., in 1863, for the use of these Indians.

Michel informs me that the Indians have used the land for many years as potato gardens, and that occasionally they have lived there. He wishes to retain the whole of the land allotted to them.

The tribe numbers about one hundred adult Indians, exclusive of females, and the whole of the reserves do not exceed two hundred and sixty acres, which undoubtedly is not too much for their use.

I am informed that the stakes on the west side of the reserve have been taken away without the sanction of Michel.

I have, &c.,  
(Signed) A. R. HOWSE.

*The Chief Commissioner of Lands and Works to the Acting Colonial Secretary.*

Lands and Works Department,  
New Westminster, 28th August, 1867.

SIR,—I have the honour to forward herewith enclosed for the consideration of His Excellency the Governor, a report on the subject of the Lower Fraser Indian Reserves which I had drawn up in obedience to His Excellency's minute of the 20th ultimo, before leaving for Cariboo.

I have, &c.,  
(Signed) JOSEPH W. TRUTCH.

ENCLOSURE.

*Lower Fraser River Indian Reserves.*

It is certainly very desirable that the extent of the Indian Reserves along the lower Fraser River should be definitely determined, and the boundary lines thereof surveyed and exactly marked out on the ground as soon as possible, so that the uncertainty now existing as to what lands are to be permanently held by the Indians may be terminated, and the risk of disputes and collisions between the white settlers and the Indians as to their respective land rights be as far as practicable removed.

The subject of reserving lands for the use of the Indian tribes does not appear to have been dealt with on any established system during Sir James Douglas' administration.

The rights of Indians to hold lands were totally undefined, and the whole matter seems to have been kept in abeyance, although the Land Proclamations specially withheld from pre-emption all Indian reserves or settlements.

No reserves of lands specially for Indian purposes were made by official notice in the *Gazette*, and those Indian Reserves which were informally made seem to have been so reserved in furtherance of verbal instructions only from the Governor, as there are no written directions on this subject in the correspondence on record in this office.

In many cases, indeed, lands intended by the Governor to be appropriated to the Indians were set apart for that purpose and made over to them on the ground by himself personally; but these were for the most part of small extent, chiefly potato gardens adjoining the various villages.

Previous to 1864 very few Indian Reserves had been staked off, or in any way exactly defined.

The only Indian Reserves on the lower Fraser actually surveyed off before Colonel Moody left the Colony, as far as I can ascertain, were the following:—

1. Three lots at the mouth of the North Arm of the Fraser;
2. An Island at the mouth of the Coquitlam River;
3. Two lots on the banks of the Coquitlam River;
4. One lot opposite New Westminster;
5. Two lots at Keatsie, one on each side of the River.

In April, 1864, an Indian Reserve of 353 acres in extent was laid off by Mr. McClure, by instructions from Mr. Brew, on the right bank of the Fraser River, opposite Fort Langley.

By letter dated the 6th April, 1864, Mr. Brew directed Mr. McColl to mark out Indian Reserves around the different Indian villages on the Fraser, between New Westminster and Harrison River, wherever reserves had not yet been declared and defined. Also to mark out as Indian Reserves any ground which had been cleared and tilled for years by Indians; all lands claimed by Indians as theirs were to be marked out with corner and intermediate posts, and at all Indian villages where the quantity of land claimed by the Indians was not equal to ten acres for each family,