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BRITISH COLUMBIA. *Commission*  
" *on condition of Indians of the north-west*  
*Coast.*

# PAPERS

RELATING TO THE

COMMISSION APPOINTED TO ENQUIRE INTO THE CONDITION  
OF THE INDIANS

OF THE

NORTH - WEST COAST.





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# PAPERS

Relating to the Commission appointed to enquire into the state and condition of the Indians of the North-West Coast of British Columbia.

By Command.

JNO. ROBSON,

*Provincial Secretary.*

*Provincial Secretary's Office,*

*22nd February, 1888.*

[GREAT SEAL]

HUGH NELSON.

CANADA.

PROVINCE OF BRITISH COLUMBIA.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith, &c., &c., &c.

To the Honourable CLEMENT F. CORNWALL and JOSEPH PRIYS PLANTA, Esquire, of Our Province of British Columbia, Greeting:—

*Alex. E. B. Davie,* } WHEREAS by the "Public Inquiries Aid Act, 1872," it is provided  
*Attorney-General.* } that whenever Our Lieutenant-Governor in Council deems it expedient to cause enquiry to be made into and concerning any matter connected with the good government of this Province, or the conduct of any part of the public business thereof, and such enquiry is not regulated by any special law, Our said Lieutenant-Governor may by the Commission in the case confer upon the Commissioners or persons by whom such enquiry is to be conducted, the powers in the said Act and in the "Public Inquiries Aid Amendment Act, 1873," mentioned.

And whereas We are desirous of making enquiry into the state and condition of the Indians of the North-West Coast of British Columbia, and of being informed whether any and, if any, what causes of complaint exist amongst them, and of affording them an opportunity of expressing their views and wishes, so that We may be apprised of the same.

Now KNOW YE, that having every confidence in the ability of you and each of you, We do hereby, in pursuance of the powers contained in the "Public Inquiries Aid Act, 1872," and the "Public Inquiries Aid Amendment Act, 1873," and of all other powers and authorities Us in that behalf enabling, constitute and appoint you and each of you to be Commissioners, with power to you and each and either of you to enquire into the several matters hereinbefore mentioned, and We confer upon you and each or either of you the power of summoning before you and each or either of you any party or witnesses, and of requiring them to give evidence on oath, orally or in writing (or on solemn affirmation, if they be parties entitled to affirm in civil matters), and to produce such documents and things as you or either of you shall deem requisite to the full investigation of the matters into which you and each or either of you are appointed to examine; and that you report thereon in writing to Our Lieutenant-Governor of Our said Province of British Columbia.

IN TESTIMONY WHEREOF, We have caused these Our Letters to be made Patent, and the Great Seal of the said Province to be hereunto affixed: WITNESS, the Honourable HUGH NELSON, Lieutenant-Governor of Our said Province of British Columbia, in Our City of Victoria, in Our said Province, this thirtieth day of September, in the year of Our Lord one thousand eight hundred and eighty-seven, and in the fifty-first year of Our Reign.

By Command.

JNO. ROBSON,

*Provincial Secretary.*

VICTORIA, September 29th, 1887.

*J. P. Planta, Esq., J. P., &c., &c. :*

SIR,—It is the desire of the Provincial Government that you should act as their Commissioner, with Mr. Cornwall, who has been nominated on the part of the Dominion Government, to proceed to the Naas River and Fort Simpson, and there meet the Indians of those localities, for the purpose of hearing the expression of their views, wishes, and complaints, if any. Such will be the main object and scope of your visit, and you will please be careful—while assuring the Indians that all they say will be reported to the proper authorities—not to give undertakings or make promises, and in particular you will be careful to discountenance, should it arise, any claim of Indian title to Provincial lands. I need not point out that the Provincial Government are bound to make, at the request of the Dominion, suitable reserves for the Indians; and it will be advisable, should the question of title to land arise, to constantly point this out, and that the Terms of Union secure to the Indians their reserves by the strongest of tenures.

It may be that the Indians will ask for some timber land, or the enlargement of some of their reserves. As to such matters, the Provincial Government desires the fullest information; for, while it would be impolitic to increase reserves once established, yet the Government is anxious that the Indians should have as much land as they can reasonably use, and I believe that as regards timber land no reserve has yet been made.

As regards the attendance of missionaries at your meetings, there can be no objection to their acting as interpreters for the Indians, should the latter so wish, but the Government do not deem it advisable that the clergymen of any denomination should act as Indian advocates.

It is expected that the steamer "Sir James Douglas," by which you will proceed, will take her departure from Victoria on Monday.

Your remuneration will be ten dollars a day and actual disbursements; and as you may have to make disbursements on the North-West Coast, an advance to you of two hundred and fifty dollars has been authorized.

I have &amp;c.,

(Signed)

ALEX. E. B. DAVIE,

*Attorney-General.*

VICTORIA, 7th October, 1887.

SIR,—I herewith enclose copy of a letter addressed by me to Mr. Planta, which indicates the views of the Provincial Government as to the object and scope of the Naas River Commission.

I further desire to state that as regards timber reserves, it will be advisable to inform the Indians that two will be established—one at Observatory Inlet, and one at Redcliff.

Mr. O'Reilly states that owing to the lateness of the season these are the only reserves which he could locate were he now to proceed to the Naas River, and as the lands in the localities indicated will not be dealt with until proper timber reserves have been made, there can be no object in Mr. O'Reilly now proceeding north for that purpose alone. He has, however, informed me that it is his intention to go to the Naas River in the spring, when he will lay off the timber reserves alluded to and attend to other matters connected with Indian reservations.

As regards utilizing the services of missionaries as interpreters, it is deemed, after further deliberation, most inexpedient, unless such a course should be found to be actually indispensable.

In the conference between the Indians and the Provincial authorities Charles Burton, an Indian, was found to be an efficient interpreter, and there is no sufficient reason why he, or some other Indian, should not undertake that duty. It is considered advisable that the Indians should communicate directly with the authorities, and not through the clergymen of any denomination.

You will be good enough to show this letter to Mr. Planta, for whose information, as well as your own, it is written.

Mr. Lindsay will accompany the Commission as Secretary.

I have, &amp;c.,

(Signed)

ALEX. E. B. DAVIE,

*Attorney-General.**Hon. C. F. Cornwall,*  
*&c., &c., &c.*

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 REPORT.
 

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*To His Honour HUGH NELSON, Lieutenant-Governor of the Province of British Columbia:*

The Commissioners of the Dominion and Provincial Governments, appointed conjointly by these Governments, and acting under a Commission issued in pursuance of the "Public Inquiries Aid Act, 1872," and the "Public Inquiries Aid Amendment Act, 1873," to enquire as to whether any and, if any, what causes of complaint exist among the Indians of the North-West Coast of British Columbia, beg leave, respectfully, to report to your Honour as follows:—

The Dominion Government courteously placed the steamer *Sir James Douglas* at the disposal of Your Commissioners, and while the needful arrangements were being made for the vessel's dispatch, the Commissioners began their work by procuring from the departments concerned copies of records, with plans, reports, correspondence and other data essentially necessary for their information and guidance in conducting the inquiry.

The steamer was ready on October 9th, when the Commissioners, with Mr. Alex. Lindsay, Secretary, embarked and left Victoria for the North.

After a pleasant passage Duncan Bay was reached on the 14th of October, and the Commissioners landed at Metlakatlah for the purpose of securing the services of Mrs. Morison as interpreter in the coming interviews with the Indians. Mrs. Morison was able to accompany the Commissioners in that capacity, and they may here state that they were eminently satisfied with the manner in which she performed her duties.

The aspect of the once flourishing village of Metlakatlah was dreary in the extreme. On viewing the large number of empty houses stripped of windows and other moveable parts, the ruins of buildings levelled to the ground by former occupants, the deserted streets, the wrecked condition of the church and saw-mill, and the desolate appearance of the whole settlement, the Commissioners were impressed with the stern reality of the deplorable disaffection which had culminated in the voluntary exile of so large a majority of the villagers, and the abandonment of their comfortable homes, old-time hunting grounds, and associations.

Another, and more hopeful, side of the picture is, however, found in the industrious and contented character of the people who remain (said to be about one hundred souls, with a probability of many early accessions to their numbers).

The Commissioners promised to make an official visit on their return trip, and left for the Naas River early on October 15th, to which place and Port Simpson the instructions which supplement the Commission directed that first attention should be devoted.

The steamer arrived at the Naas on Saturday, the 15th of October. On passing the Indian settlement of Kincolith a salute of so many guns was fired, and the steamer having anchored in Iceberg Bay was boarded by Chief Samuel Seymour and Arthur Gurney—a deputation from the inhabitants of that village—with whom an appointment was made for opening the Commission in the village on Monday, the 17th.

Kincolith village is picturesquely situated on the right bank of the Naas river at its mouth, and has a population of about two hundred. The people belong to the Nish-kar tribe, some of whom left their old places of residence at and near Lac-alt-sap (Greenville), up the river, and settled on the present site about twenty years ago. The houses are mostly on the plan of those at Metlakatlah, one and a half storey high, with a room for receptions and ordinary family use built in on the space between every two houses. Some of the houses are single storey, and several bay windows could be seen. There are street lamps and sidewalks and the little village bears every indication of prosperity. The place was tidy and orderly to a degree, and the Indians evidently thriving and well to do. Kincolith is a station of the Church Missionary Society, Rev. C. B. Nash in charge.

Early on Monday the Commissioners were informed that the up-river chiefs from Greenville, Kittix, and other places, having learned of the arrival of the Commissioners, had come down in haste and desired to have a speedy hearing to enable them to return home as soon as possible. They were told of the prior engagement with the Kincoliths, and that they would be afforded a hearing on the morrow.

On Monday, at half past nine, the Commissioners landed at Kincolith and were received by the villagers with demonstrations of loyalty, consisting of a cannon salute, display of bunting, and the music of a brass band.

The Commissioners were conducted through the decorated street of the village to a comfortable room of one of the ordinary houses, which was found to be large enough and fitted and furnished in every respect for the purposes of the meeting, at which about thirty chiefs and principal men attended; and after a satisfactory day's work the Commission adjourned until the 20th, in order that the up-river Indians, who had stated that they were insufficiently provided with food for making a long stay, might be given immediate hearing.

On Tuesday, October 18th, the Commissioners proceeded to Naas Harbour, where a room adjoining the cannery was prepared for the meeting with the Greenville and up-river chiefs.

The weather was too rough to admit of the conveyance of Mrs. Morison from Kincolith, and therefore, to avoid delay, the Rev. A. E. Green (missionary of the Methodist Church) acted as interpreter. The Commissioners were very cordially met by the chiefs; the statements of many of them were heard, and at dusk the meeting was adjourned until the next day.

On the 19th, the weather having moderated, Mrs. Morison was in attendance and interpreted. All the chiefs who wished to speak were heard, and the meeting closed late in the evening.

The Commissioners had claims and demands reiterated before them by the chiefs and others who addressed them, much more sweeping in character than was the case at Kincolith. They were presented also in a manner which seems to have become usual amongst certain of the people of the North-West Coast, that is to say, they were accompanied by declarations as to what would take place were such demands or claims not settled by the Government in a way entirely satisfactory to those advancing them.

The basis of the claims advanced was the assertion of the "Indian Title" to the whole country.

The Commissioners had to combat and deny this by stating the law on the subject, as required by their instructions, and it was done temperately but firmly, and other points as to the interpretation of the "Indian Act," etc., etc., were explained. After the voluntary journey of the up-river chiefs to Naas Harbour to meet the Commissioners, they did not deem it necessary to incur the expense and delay of making a personal visit for the mere purpose of inspecting the settlements there; but, from information received, they understand that the village of Greenville exhibits interesting signs of the progress in civilization being made by the Naas Indians. From the statement of Arthur Calder, son of Chiefess Victoria, it would appear that extensive church and school buildings have been erected at Greenville in connection with the Methodist Mission (Rev. A. E. Green in charge), and that, in addition to being comfortably housed, the Indians of that place have a brass band, and can boast of a fire brigade, sidewalks and street-lamps. The chiefs who met the Commissioners were respectably clothed, and fine stalwart men.

The settlement of Jennis (said to be progressing under the charge of Mr. McCulloch, a missionary of the C. M. S.) and Kit-lac-da-max, beyond Greenville, were not represented at the Naas Harbour meetings, but some of the chiefs spoke as if they were exponents of all the up-river chiefs and Indians. It is, however, within the knowledge of the Commissioners that a chief of Kit lac-da-max had come down with the other chiefs as far as Kincolith, and could have attended the meetings if he had been disposed to do so.

At the close of the meeting at Naas Harbour an address purporting to be signed by eleven up-river chiefs was handed in, as an addition to their speeches.

The address contains a reiteration of the "Indian Title" in reply to the remarks made by the Commissioners when closing the meeting. On Thursday, the 20th, the Commissioners again landed at Kincolith, and the meeting with the chiefs was resumed. The whole day was occupied in listening to such of the Indians as chose to speak on questions relating to the Kincolith tribal and intertribal interests, who, while fully detailing their wants and grievances, did so in language calculated to impress upon your Commissioners the sincere loyalty of their feelings and to commend their presentments as worthy the attention of the Government.

The different Indians of the Nish-kar tribe, residing on the lower fifty miles of the Naas, represented by chiefs from nearly all the reserves, had now been afforded a hearing.

Your Commissioners found that the wishes and demands of the Indians embraced several points about which there was a total divergence of opinion among them.

Thus, as to the determined assertion of the "Indian Title," your Commissioners found that this was not shared in by the Kincolith branch of the Nish-kar nation, while it was strongly pressed by the people of Greenville and some of the chiefs from farther up the river. So with regard to the acceptance of the "Indian Act," and of the presence of an "Indian Agent,"

amongst them, the Kincoliths were ready for both; the Greenville party was averse to both. These cases show that the one party accepts with readiness the existing state of the law as regards the management and control of the Indians as put before them by the Government, while the other is in opposition to it. All were in accord, however, in asking for some extension of existing reserves, the reservation of numerous other fishing stations, and the setting apart for the exclusive use of different families and chiefs certain extensive tracts of country for hunting purposes. Then, as to the control of some of the reserves in existence on the Naas river and established for the use of the Indians when prosecuting the extremely valuable oolachan fishery, your Commissioners found there was great rivalry and opposition between the different bands of the tribe.

It appeared that formerly all these matters were more or less amicably managed by the chiefs, but that now when religious differences have sprung up, owing to the presence in the same neighborhood of missionaries of different missionary societies, all charitable forbearance in such matters seems to be at an end, and disputes about secular interests are waged with as much acerbity as are those of a spiritual character.

Such are the matters which seem to chiefly occupy the attention of the Naas Indians.

Further on in this report your Commissioners will attempt to collate the evidence given and the claims advanced by the different bands or parties of these Indians.

Hitherto these Indians have had no one, no local resident official, to whom they could apply for counsel and assistance.

Leaving the Naas during the night of the 20th and 21st of October, your Commissioners arrived at Port Simpson on the morning of the latter. The secretary to the Commission going ashore made arrangements for a meeting with the Indians, which ultimately took place in the school-house of the Methodist Mission, in charge of the Rev. Thos. Crosby, under whose guidance the Tsimpsean Indians of this place are.

The Indian village, spread over a considerable area, with several streets and numerous houses, presented quite an imposing appearance. The houses are substantially built, and varied in fashion by the taste of the natives. A long line of houses fronts upon an esplanade commanding a fine sea view, and another on Village Island faces the harbour. The cemetery on the extremity of this Island is largely in modern style, and contains many costly marble monuments. The "Island" is connected with the rest of the town by a "long bridge." There is a handsome church, said to rank next in size to the one at Metlakatlah, which is the largest in the Province, a commodious school-house, also a well conducted orphanage, all bearing testimony to the energy of those in charge of the mission.

There is a fire-brigade house and Temperance Hall; street-lamps are used, and a brass band was heard at practice in the evening. On the Commissioners' arrival a salute was fired and a considerable display of bunting was made.

The population is estimated at about one thousand, but at the time of your Commissioners' visit it was said that only a few of the people had returned to their winter quarters. This fact probably accounts for the small number of men who attended the meetings, never over forty. There was an air of despondency over the place and its Indians, who themselves drew the attention of your Commissioners to the state of disrepair of the roads and bridges, and candidly said that such was owing to their state of uncertainty as to their future. But nothing whatever in the remarks of their chosen speakers, afterwards made, showed, from the point of view necessarily adopted by the Government, reasonable grounds for such uncertainty or for their avowed discontent, but did show unmistakably a systemized opposition to Government control under the "Indian Act," and a conviction that they were beyond and above the operation of that Act, of which they wanted none. The demands made during the meeting at Port Simpson, which extended over Friday afternoon and the whole of Saturday, were of a character very much in accordance with those of the upper river Indians of the Naas nation referred to above, and they were invariably attended with threats as to what would happen were they not complied with, such as that "they would follow their brethren into Alaska," that is, expatriate themselves; that if things were not arranged to their liking "there would be no peace;" "if it is not settled about our land we shall go on talking till it is," and so on.

The Indians of the Naas and Port Simpson having been afforded the fullest opportunity of expressing their wishes and complaints, the instructions of the Commissioners were fulfilled.

But even if the instructions had been more elastic, the lateness of the season prevented any further prolonged enquiry being entered upon among the Indians of Queen Charlotte

group and on the Skeena, where disaffection is known to have spread, and their causes of complaint, with those of the Indians in more southerly localities, were therefore undealt with.

It was, however, thought by the Commissioners that, as the Indians of Metlakatlah belonged to the same tribe and occupied some of the same reserves in common with the Indians of Port Simpson, it would be within the spirit of the instructions, and in accordance with the intentions of the Government, that a hearing should be given to the Metlakatlans, and their wants and complaints, if any, ascertained. The "Sir James Douglas," with the Commissioners, dropped down to Metlakatlah. Sunday and Monday were spent there, the latter day in a meeting with the Indians. The interest attached to this place is historical in connection with the labours in the past thirty years of Mr. Wm. Duncan, whilom a missionary of the C. M. S., and it has gained additional notoriety by the departure hence of some five hundred—so said—of its inhabitants, who have followed Mr. Duncan to the shores of a neighbouring but foreign land, to a place near Tongas, leaving only a remnant behind—apparently about one hundred—although this enumeration leaves a great discrepancy between such numbers and the "about twelve hundred" which Dr. Powell, the Superintendent of Indians in this Province, named at the commencement of this year as the probable number of the inhabitants of Metlakatlah.

The meeting held with the Indians evoked moderate requests on their part for some additional fishing and land reserves, but evinced throughout that they were in accord with and loyal to the Government of the country, thus placing themselves on the same footing as the people of Kincolith, on the Naas river.

They were much concerned over a grave outrage which had recently been perpetrated by some Indians who had left with Mr. Duncan for Alaska. These men, arriving in Metlakatlah, and being admitted into the church by a Mr. Tomlinson, proceeded to wreck and destroy it, and did a great deal of damage before they were expelled from the building on the arrival at Metlakatlah of the Stipendiary Magistrate for the district. The constables appointed by him to perform this duty were interfered with in its execution by Mr. Tomlinson.

Your Commissioners were very kindly received here. It was pleasant to see the Indian boys of the Bishop of Caledonia's school, in sailor dress, going through their drill, playing capitably their fife and drum band, manning the Mission steamer, of which one of their number is engineer, and to learn of the considerable and intelligent advance they make in their studies.

Leaving Metlakatlah on the morning of October 25th, the "Sir James Douglas" brought your Commissioners back to Nanaimo with all possible speed, and from that place they travelled by rail to Victoria.

Your Commissioners, while very unwilling to say anything which might engender friction between Indians or their missionary teachers, who belong to different Christian churches or denominations, feel that they would not be fulfilling their public duty were they to fail to point out the curious coincidence of the correspondence between the views held by the Indians and the missionary influence under which they (the natives) are held.

The Indian adherents of the Church Missionary Society, and resident at Kincolith and Metlakatlah, put forward no claim of "Indian Title" to the lands of the Province. In all matters they express themselves as loyal to the Federal and Provincial Governments, as desiring to come under the "Indian Act," and to have among them Indian Agents. On the other hand, the natives of Greenville, on the Naas river, and the Tsimpseans of Port Simpson, stations of the Methodist Church of Canada, strongly urge their claim to ownership in all the country, and speak most determinedly as to what shall be their course of action if their claim be not allowed. They repudiate the idea of the provisions of the "Indian Act" being exercised with regard to them, and decline to receive an Indian Agent. They hardly, especially the Indians of Port Simpson, attempt to veil the expression of their feelings of opposition to the views of the Government. All this seems to have its inception in, and to be a continuance of, the policy inaugurated at Metlakatlah, say in 1881, the date of the severance between Mr. Duncan and the Church Missionary Society. These facts, and the circumstances attending them, demand attention.

Your Commissioners are impressed with the view that the demands and requests of the Indians require wise and kindly consideration and settlement.

An air of determination characterized their several speeches. Their minds are apparently "made up," as it is called, and although, as is the case with other keen hands at a bargain,

they probably ask for more than they expect to get, yet important matters regarding their rights and position are mooted by them, which require prompt attention.

Your Commissioners now proceed to summarize the demands and requests of the different bands of Indians, as affecting the subjects which were brought to their notice.

The reserves are mentioned by number as well as name, so as to facilitate reference to the localities on the map, which, with the minutes and proceedings of the Commission and many appendices, will be found attached to this report.

It is due to Mr. Alex. Lindsay that the Commissioners should record their sense of the able, attentive, and satisfactory manner in which he discharged his duties as secretary to the Commission.

#### NAAS RIVER OOLACHAN FISHERIES.

Four fishing reserves were laid out by Mr. O'Reilly, the Reserve Commissioner, on the Naas River, namely, Stoney Point (10), Black Point (11), Canaan (12), and Redcliff (13). Along the river frontages of these reserves a "commonage," one chain in width, was, with the exercise of commendable foresight, excepted for the use of all comers for fishing purposes.

The Reserve Commissioner states that the land behind the commonage on Stoney Point (10) was reserved for the use of the Naas people generally, details as to individual occupancy being left to the Indian Agent, and that the land behind the other three reserves was set apart for the use of the Kincoliths, who require all the land there that it is possible to cultivate. The Tsimpseans of Port Simpson allege that years ago the land on the Naas below Greenville (9) belonged to them. That would necessarily involve the possession of some fishing rights at least, and they now ask that the commonage on the different fishing reserves may be extended to two chains in width.

Upon Redcliff (13) they have built a church, and houses on all, some of which are alleged to have been put up in defiance of the Reserve Commissioner, who states that he warned them against any such act at the time of laying out the reserves.

These acts of the Tsimpseans were possibly their mode of seeking to establish rights to land of which they claimed to be the owners.

Eliminating Stoney Point (10) as the subject of special treatment, it is questionable, having regard to the statements of the Reserve Commissioner, whether the claims of the Port Simpson Indians to have the commonage extended to two chains can be acceded to without depriving the Kincoliths of too large a quantity, if not all, of the tillable land; but if it is possible to make any such enlargement of the commonage, without absolute injustice to the Kincoliths, perhaps the public interests as well as those of the Indians will be served by excepting as commonage an additional chain in width from those reserves. As compensation for their loss, if the additional land was thus dedicated to the public, other reserves of arable land should be provided in suitable localities for the Kincoliths. A special enquiry into this matter should be made. The occupation of the land behind the commonage by Tsimpseans, a grievance bitterly complained of by the Kincoliths, is a matter entirely within the province of the Indian Agent, whose attention will doubtless be drawn to it.

The Metlakatians ask for one special piece below Canaan (12). This might be given them as a fishing place, and for that purpose alone.

As to Stoney Point Reserve (No. 10): This reserve is situated about two and a half miles below Greenville (9), and about eighteen miles above Kincolith (14). There is a great rivalry as to the absolute possession of this reserve outside the chain wide commonage.

This contention exists between the Kincolith people, who, twenty years ago, established themselves near the mouth of the Naas River, and the Greenville people. By this movement from Greenville to Kincolith, the Kincolith people do not conceive that they relinquished fishing rights in any way, but rather strengthened them on the lower reaches of the river, on which the oolachan fishery is prosecuted.

As to the lower reserves (11, 12, 13), they hold them rather for agricultural purposes than for fishing. They allege that after they left Greenville (9), where they formerly used to catch oolachans, they begun to fish at Stoney Point (10), and, seeing how well they did there, other Indians from Greenville and further up the river began to come there too. To that they object, because, they say, the fisheries at Greenville endure as before, and might be enjoyed by the people of Greenville and other up-river Indians as before (this was denied by the Greenville people), and because, owing to the great number of Tsimpseans and other Indians on the lower

reserves, they (the Kincoliths) are almost obliged to occupy Stoney Point (10). They consequently assert their right to the place and the exercise of authority over it. On the other hand, the Greenville (9) people say that they understood Stoney Point (10) was reserved for them by the Reserve Commissioner. This, however, Mr. O'Reilly denies; he states that he reserved it for the resident Indians, meaning thereby the Indians of the Naas, not the Tsimpseans or other outside tribes visiting the place for fishing, and leaving the actual disposition of the cultivated ground to be arranged in due course by the Indian Agent.

The Greenville people again say that the Kincolith people, having left long ago the upper part of the river, "threw it away," and now want it again; but the Kincoliths contend that that is not the case, as they built a church and houses at Stoney Point (10) immediately they left their old place at Greenville (9). There is evidently a very strong feeling on both sides, and it calls for settlement.

The piece of land on Stoney Point Reserve which has been alienated (about ten acres, the site of Croasdaile's cannery,) should be acquired by the Government if possible, and the Commissioners, after giving due consideration to circumstances, recommend, as an expedient mode of solving the difficulty, that the reserve should be equitably divided between the Kincolith and Greenville people.

The commonage right would still exist for the enjoyment of all Indians fishing for oolachans on the Naas.

The oolachan fishery is of great value. This little fish is obtained year by year on the Naas in incredible quantity. When the fish are boiled down, the oil—or "grease," as it is called—extracted is of considerable and certain value, and forms the most important article of diet of the Indians accustomed to its use. It is with them a valuable medium of barter and exchange; Indians from far and near come to exchange for it their furs and skins or other commodities; each man engaged in the fishing, which continues for about six weeks in the spring, expects, besides providing for himself and family enough "grease" for annual consumption, to put up ten boxes for sale; each box is of a certain size and shape, and is of the average value of seven dollars; thus each man gets "grease" to sell to the value of seventy dollars, besides his own supply. The number of Indians assembling on the Naas for fishing is estimated by thousands, and so the enormous value of the fishery may be seen at a glance. As is well known, these delicate fish are also salted and dried by white people and used as an article of commerce, while the oil, properly extracted, is of great medicinal value. The value of the fishery thus demonstrated, it must follow that the enjoyment of it should be confined to our own people.

#### INDIAN TITLE TO LAND.

With reference to this question we found Indian opinion divided.

At Kincolith and Metlakatlah the subject was not mooted. At those places the Indians advanced many claims and made many requests, but this was not amongst them.

The Greenville people and some of the chiefs living still farther up the Naas River, and the Tsimpseans of Port Simpson, hold pronounced views upon the question. They also professed to speak for the Upper Skeena people.

The Greenville and Upper Naas people demand that a treaty be made with them with reference to the land in their neighbourhood, outside of the reserves they desire to appropriate. They mean that they require a sum paid down or annual subsidies, or in lieu of payment they propose that they should be allowed to pick out land outside of the reserves to the extent of 160 acres for each individual.

The Port Simpson people claim the land, outside enormous reserves which they demand, as their own, but, to use the words of their principal speakers, "leave it all in the hands of the Government, they will know what to do with it," and also put the alternative of 160 acres each.

Both these bands of Indians, those of Greenville and Port Simpson, use alternative threats as to what they will do if their demands are not acceded to.

One party talks of leaving the country and emigrating to Alaska; the other declares that, unless this or that is done, "there will be no peace here. We have only one way left after our patient waiting, and that is to follow our brethren into Alaska."

Those who understand Indian character know that there is meaning in this. If an Indian conceives he has been illtreated, if he thinks he has a right which is unrecognized, or which he

is restrained from exercising, he becomes morose, unyielding on the subject, as the Scotch say, a "dour" feeling with reference to the matter takes possession of him, and no amount of reasoning with him will enable him to disabuse his mind of his possibly illconceived convictions.

These matters, which we do not deem it politic to touch upon further in this report, require attention by the Government, and the sooner the better.

#### ORDINARY RESERVES AND HUNTING RESERVES.

On the part of all the Indians meeting your Commissioners, demands were made for larger and more reserves, salmon fishing places, and extensive hunting grounds.

The Kincolith (14) people want reserved land on—

Observatory Inlet, Portland Inlet, Portland Canal, Alice Arm, Hastings Arm, Kinnamax River, stream opposite Stoney Point.

The Greenville (9) and Kit-wil-uk-shilt (7) people want the present reserves on the Naas enlarged to boundaries which they describe; also land on—

Portland Canal (mountain land), Kinnamax River on Portland Inlet, Hoss-chet-ko on Observatory Inlet, and a whole stream running through Au-de-qu-lay (8), on the Naas River.

Port Simpson Tsimpseans want—

Whole of Tsimpsean Peninsula, and all the salmon streams on the Skeena, and the extension of the commonage of the oolachan fishing reserves.

The Metlakatlah Tsimpseans want—

The reserve of the Tsimpsean Peninsula divided between them and the Port Simpsons, the Islands called Kai-en, three reserves for fishing near the mouth of the Skeena, viz., Kshacom, Me-an-law, and Kishneelt, and a place on the Nass River called Kit-cum-gun.

All these different requisitions require looking into in detail. Doubtless most of the hunting and fishing places asked for are regularly used by the Indians demanding them. Those asked for by the Metlakatlahs apparently clash with no requests made by other Indians. Most of the places named on the different canals and inlets are required as giving a "*pied a terre*" to either some salmon fishing privilege or to some extensive range of hunting ground in the vicinity. All evidence goes to show that these hunting grounds have been held in the past by different chiefs and families for the use of their people. The Government has already declared it is impossible to lock up great tracts of country as Indian hunting grounds, and the claimants of these tracts complain, not of the trespass by white people, but of trespass by other Indians.

It might be a matter worthy of the consideration of the Government whether it would be possible to restrain Indians from what may be called unneighbourly acts of the kind. As far as white hunters are concerned, there seems very little fear that the mountain ranges will be disturbed by them, and the natives will probably have uninterrupted use of them in future as at present.

But in all fairness, parcels of land commanding these ranges might be set aside for the Indians asking for them. All this is a matter to be arranged between the Provincial Government, the Reserve Commissioner, and the Indians on the spot.

#### GENERAL MATTERS.

1st. There is a special request of the Port Simpson Indians that a piece of land, the property of the Hudson's Bay Co., at Port Simpson, on which some of the Indian houses are built, may be included in the reserve. A Crown grant of this land to the Hudson's Bay Co. has issued; the matter, therefore, can only be settled by a conveyance of the piece of land from the Hudson's Bay Co., and this the Commissioners believe can be easily obtained by the Government, under the circumstances.

2nd. It was represented to your Commissioners by the Port Simpson Indians that the wholesale liquor licence held by the Hudson's Bay Co. for that place was inimical to the interests of their community, and they ask to have it put away from their midst.

3rd. The Metlakatlahs ask specially that a Government school-teacher may be allowed them.

Prior to the Metlakatlah disturbances an allowance for educational purposes was made by Government. It has been stopped, and now that matters there are comparatively settled, the Indians ask for it again. Your Commissioners cannot point out too strongly their sense of the loyalty of the remaining Metlakatlahs, and their feeling that all consideration should be shown to their wishes.

4th. The Greenville people brought several home grievances before your Commissioners. (1st.) The objection of the villagers to the occupation of lands adjoining their reserves by a white man whom they want removed off his land in the village to make room for more houses. (2nd.) They wanted a Mrs. Snow and her house—"right among theirs at Greenville—she has no land there"—away.

The man referred to is Mr. James Grey, who has lived there for many years and holds a plot of 35 acres next to and below the village, the land being bounded on its other (river) side by another portion of the Greenville reserve. It was formerly the site of the Hudson's Bay Company's trading post, and was pre-empted in 1874 after its abandonment by the Hudson's Bay Co. He purchased the land and received a Crown grant from the Provincial Government in 1878. Having regard to the character of the Indian reserves on the Naas, so far as present or future settlement by white people is concerned, and seeing that Mr. Grey is practically located on the Greenville reserve, and that his occupation of land there prevents the extension of the village down the river, which the inhabitants desire to do, your Commissioners recommend that the wishes of the Greenville people should be as early as possible complied with.

As to the complaint about Mrs. Snow, who is said to have been a trader there for a long time, it is one especially within the province of the Indian Agent and for his attention at the place.

Your Commissioners think that, in the interests of public peace, as well as for the purpose of removing all minor causes of discontent on the part of the Indians, every effort should be made to carry out their reasonable wishes in respect to these general matters as soon as practicable.

#### "INDIAN ACT."

Perhaps the only important point remaining which was brought before your Commissioners was the question of the "Indian Act," and the presence among the Indians of Indian Agents. On these subjects difference of opinion existed.

The Kincolith and Metlakatlah people are willing to come under the operation of the "Indian Act," and will gladly accept the help of an Indian Agent (one has since been appointed). The people on the Upper Naas River "do not want an Indian Agent." That is all the Upper Naas Indians (through Chief Sabassah) said about it, but the Port Simpson Tsimpseans declared that they did not want the "Indian Act" or the Indian Agent, and argued at length upon the subject.

Your Commissioners tried to fully explain, on different occasions, the provisions of the Act and the duties of an Agent. As the "Indian Act" is, as far as it goes, the law of the land, it is difficult to see how it is to be evaded by any band of Indians, unless they are exempted, as by law provided, from its operation. Your Commissioners are of the opinion that the presence of Indian Agents would shortly disabuse the native mind of the prejudices which it has imbibed. There should be an Agent on the Naas, one for the Tsimpseans, and also one upon the Upper Skeena.

A great deal of the friction and the trouble amongst the Indians which has been described would be remedied by the presence in each of these localities of a capable Indian Agent, one who could gain their confidence, and to whom they could look for sensible and trustworthy advice. It is useless to send among them second-rate, ill paid men.

With intelligent Indians, as are these Northern tribes, capable and self-supporting in every way, the Agent should be a man of character, of good presence, and of refined mode of life, one, in fact, whom the Indians could look up to in every respect.

The services of such a man must be paid for; his services would be of incalculable value, whilst the cost of the employment of a man of lower class and less ability would be money simply thrown away; the Indians would merely disregard the latter and would not consult him or apply to him for advice or assistance, while it is well understood how glad and willing they are to be helped by one in whom they can place implicit confidence.

In conclusion, it appears to your Commissioners, and it is stated with all due deference, that in past years the Indians of the North-West Coast have been left too much alone, almost isolated from proper Governmental regulations and control. The parts of the Province referred to are remote, and it was, perhaps, hoped and thought that the presence of missionaries amongst the Indians was productive of much good, and that to their care *alone* the natives might be left.

But the experience of the past few years has shown the fallacy of such views, for although they have undoubtedly made great advances towards civilization, yet the religious differences which have arisen have unfortunately, in more instances than one, divided the members of the same band or tribe of Indians.

Bitter feelings have been engendered. Although the different tribes do not engage in the destructive wars which formerly were so frequent, or, more correctly, unending, yet the people of the same tribe are now divided amongst themselves, and feelings as acrimonious and antagonistic as can be conceived are continually exhibited.

In conjunction with this has arrived the time at which the Indians having acquired a little mental activity and a very partial knowledge of some of the things about which they are agitating, probably imagine that they know a great deal and are thoroughly able to say what is good for themselves.

So in a way that would not call for particular attention were it not seriously intended, they hold themselves as above and beyond the existing laws which affect them as Indians.

Such ideas ought to be firmly but kindly dealt with and changed. It can only be done by the presence among the Indians of capable and experienced Government officials, agents and magistrates. To leave them longer to pursue their course unaided, uninstructed, as to the objects and purport of the law, and uncontrolled by the civil power, would be fatal to any probability of future peace.

Intelligent as they are, industrious as they are, inhabiting districts, sea-coasts and rivers rich in natural resources, the use and development of which to their own advantage they thoroughly understand, their future is one of certain and rapid advancement and civilization if their minds be set at rest by a ready and just recognition of such demands as they may reasonably make, and by placing amongst them officials of the character and acquirements above described.

They will become in the future a people of even more economic value to the country than they are at present, and will greatly develop the riches of a part of British Columbia not apparently very much suited to the wants and requirements of white settlers.

CLEMENT F. CORNWALL,  
Commissioner for Dominion Government.  
J. P. PLANTA,  
Commissioner for British Columbia.

Victoria, B. C., 30th November, 1887.

## BRITISH COLUMBIA.

NORTH-WEST COAST INDIAN COMMISSION, 1887.

### *Minutes and Proceedings.*

KINCOLITH, NAAS RIVER, B. C., October 17th, 1887.

Present—Hon. C. F. Cornwall, J. P. Planta, Esq., Commissioners; A. Lindsay, Secretary; Mrs. Morison, Interpreter.

Chiefs—George Kinsada, Adam Kishni, Moses, Paul Kedach, Samuel Seymour, and a number of the principal men of Kincolith met the Commissioners in the house of Adam Kishni.

Before the opening of the Commission the following addresses of welcome were presented.

George Kinsada, chief—Gentlemen, friends, you have seen our village, and I hope that we will talk together under the flag of our Queen. We thank God that he has shown his mercy to us in bringing you here that we can talk with you. We wish to let you know the hearts of myself and people, the people living in this village. We are very thankful to God, and thankful to you for coming to hear our grievances. That is all I have to say now.

Adam Kishni, chief—I thank God, and thank you for coming to hear our wishes, and the whole village greets you. I know God is strong to free people, and with His help you are going to free us.

Samuel Seymour, chief—I am going to say a few words to my brothers the chiefs—you. You are very good in coming to our village. You have heard what the others have said. We have been expecting you all the summer, ever since we heard you were coming. Now you have come our hearts are strong. We hope that you will be able to take the load off our hearts. We know that you have authority from the Queen to do such work.

Mr. Planta, in reply, said :

On behalf of Mr. Cornwall, the Dominion Commissioner, and myself, as Provincial Commissioner, I have to thank you for your greeting and for the cordial welcome given us as representatives of the Queen.

Our eyes are delighted with the many evidences of civilization, the comfortable houses, sidewalks and street-lamps of the village of Kincolith. We received the salute you fired not for ourselves as individuals, but in honour of our Queen. We were also very much pleased with the music of your brass band. You are indeed a bright example. Now, although we do not wish to cut any of your speeches short, still you know that a great deal may be said in a few words, and we hope that you will do so. We shall now proceed to business.

After the Secretary had read the Commission—

Mr. Cornwall addressed the meeting as follows :—

Mr. Planta and myself are here as Commissioners to hear whatever you may have to say before us.

The Commission has come in furtherance of the promise made last winter in Victoria. It was then proposed that the Commission should come in the early part of the year, in May or so. The Government were then prepared to send a Commission up, but some Indians from the Naas, who were then in Victoria, suggested it would be better to send later, so that all that has been done hitherto has been done to accommodate you all.

We should have come here three weeks ago, but one thing and another prevented it. Now we are here we want to know what the chiefs have to say, and to hear any complaints you may have to make. We will listen to you patiently, and we hope you will not hesitate to say anything you may wish to say.

All our duty is to hear what is brought before us and to report it to the Government. I personally represent the Dominion Government, and Mr. Planta is here on behalf of the Provincial Government. I can assure you that both Governments equally wish to hear all the Indians have to say, and to remedy as far as possible any grievances you may have to urge.

I am pleased to see so happy and contented a body of Indians, and I cannot conceive that you can have many grievances to put before us. We see all the evidences of comfort and well-being ; those before us are well dressed and comfortable in appearance, and everything tends to show that the Naas river, on which you have made your abode, affords all the means to make life happy and enjoyable for you.

We are now ready to hear you. We propose to take a letter written by the chiefs of Kincolith to Dr. Powell, the Superintendent, last July (appendix "A"), paragraph by paragraph ; and it would be well for you to let us know who are your spokesmen. It is not necessary for many to speak, as a few can explain the wishes of the body of the Indians.

Frederick Allen, native teacher, Kincolith—Ever since Mr. O'Reilly was here the chiefs of Kincolith have been troubled and dissatisfied about their land. Mr. O'Reilly did not consult with them or have a talk with them about it, and he did not give them a choice about their land. After he said he had given us our land he left, and then we knew nothing until Capt. Jemmett surveyed it and showed us the boundary ; then we saw it was too small. There was no wood upon it and no way of hunting. The first thing we want is land where we can get our living, such as salmon, food of all kinds, hunting and wood. It is our regular hunting grounds on Observatory Inlet and Portland Canal, and that is what we want. There is another place we want, Kit-na-max (on Portland Inlet), where we have always hunted and got salmon. We also want that.

Mr. Cornwall—There is a reserve there.

Allen—It is not in the right place. We want it further up the river, where we hunt and get salmon.

Mr. Cornwall—Why was it not pointed out at the time to Mr. O'Reilly ?

Allen—We did not understand then as we do now. We want the whole of the Kit-na-max River. We want from the mouth of Observatory Inlet right up to where we have our little houses for a salmon drying station, right at the head of the Inlet.

Mr. Planta—What distance is that?

Allen—The distance is got over by noon if we start very early in the morning with a fair wind. That is also where we have been getting timber. (A sketch map showing the Inlet being put before him, he points to it and says :) We want the whole of the Inlet and surrounding country with the streams entering it. We catch salmon in them and hunt over it all, and we get wood and berries there. And on Portland Canal there are several streams we want secured. Each chief has always had certain places where he and his tribe always hunted and caught salmon. We do not want the whole of that Inlet (Canal), only some places. We have good reasons for wanting these places secured to us. Sometimes the salmon is scarce in one stream, then we go to another. All the Naas Indians when the salmon is scarce up the river go to these inlets. We ask for the reserves on Observatory Inlet and Portland Canal and at Kit-na-max for the whole of the Naas tribes, not for the Tsimpseans or any other tribes.

Mr. Cornwall—Arthur Gurney, in the interview with the Provincial Government, said you wanted the reserve for all the tribes that used the cedar. (Page 265, Conference Report.)

Allen—We allow Indians up here fishing for oolachans to take cedar for making boxes, but not to hunt. We wish to explain why we are particular in asking for our hunting grounds: We are all hunters and depend on that for our living, and we wish the same privileges to descend to our children. The Chiefs have always owned those places, and have always allowed their people to hunt and get wood and salmon and other food there. We want to talk now about that part of the Naas River where the oolachans come. The big Chiefs who owned that part of the Naas River are now alive. They are George Kinsada, of Kincolith, who was the head chief, and Mountain, Tat-qua-kaas, and Kledach. We want Stoney Point well secured to us, the Kincoliths.

Mr. Cornwall—I quote Mr. O'Reilly's words on page 87, Annual Report of Superintendent-General of Indian Affairs, 1882:—

"I arranged that the resident Indians should have the exclusive privilege of cultivating the land, while the rights of those who have been in the habit of fishing should not be interfered with. For the purpose of carrying out this arrangement, a frontage on the river of one chain in depth, extending the entire length of the respective reserves, must be considered commonage. The settlement of the question met with the hearty concurrence of the Indians, and was highly approved by Messrs. Shute and Robertson, the missionaries of the Episcopal and Wesleyan Societies (who were present at my interview with the Indians), and subsequently by Mr. Duncan, of Metlakatlah, who takes a deep interest in the adjustment of the matter."

Allen—We want it secured to us that we may have authority over it and stop gambling and all sorts of bad things the heathen Indians do there.

Mr. Cornwall—Are there any Indians living at Stoney Point now?

Ans.—No; only during the fishing season.

Mr. Cornwall—I have already told you that it is reserved for the Indians in general when fishing.

Allen—We think we ought to have it for ourselves, as we started the fishing and built a little church there. We and other Naas Indians have houses there; but lately the Methodists have come and have a place for to hold service; but we think we have the right to the place, as we used it first. We look upon it as our own—we are sure it is ours—and when Dr. Powell sent this map (framed) he sent it to us. We will allow the other Indians to come for the fishing, but we want it for our own. There is always now a dispute about it. The Methodist Indians claim it, but we are the more powerful part of the Naas people, and we want to have control of it to keep order. There is a salmon stream, opposite Stoney Point that has always been in Chief Samuel Seymour's family. We want that secured. We have always used it for fishing, and the hunting grounds around it.

Mr. Planta—When you speak of hunting grounds, how far back from the river do you mean?

Allen—We don't know. We go about hunting everywhere.

Mr. Cornwall—Do you expect anyone to interfere with you?

Allen—No; no one interferes now; but some white people might want it, and we want to be able to say it is ours, and have a paper to show.

Mr. Cornwall—Were you here when Mr. O'Reilly was?

Allen—Yes; but I did not go up the river with him. George Kinsada went.

Mr. Cornwall—Then Kinsada pointed out all the places you wanted?

Allen—Mr. O'Reilly went up the river first, and Kinsada and Samuel Seymour met him at Stoney Point on his way down, and showed him all the places they thought of then. We got all the places we asked for then, but Mr. O'Reilly was in a hurry.

Mr. Cornwall—Mr. O'Reilly was here three days, and then up the river five days. That is a pretty long time, and you got all the places you asked for then.

Allen—Yes. We wish particularly to let you know that the Kincoliths were the first to start at Stoney Point and build a church there, about twenty years ago. The date is entered in this Bible (large family Bible produced). We had been using it for years before Mr. O'Reilly came. When we met Mr. O'Reilly at Stoney Point we were the only Indians there, and we thought that reserve was made for us. We used to live at Lac-alt-sap (Greenville) until we settled at Kincolith, on the 9th of June, 1867 (referred to Bible for date), and we built the little church at Stoney Point in 1868. Since then we have built a larger church there.

Arthur Gurney—Ever since Mr. O'Reilly was here we have been dissatisfied with our reserves. After he had made the reserves at Redcliff, Canaan, Black Point, and Stoney Point, on the banks of the Naas, which we thought were for us, the Fort Simpson Tsimpseans built houses on all of them, and this after they understood about the commonage of a chain wide along the river front, where they could have built; but they went and built on other parts of the reserves. After building strong houses they built a church on one of the gardens at Redcliff, and they kept some of our pits of potatoes, saying that they were on their land. We couldn't go to fight about it ourselves, because the Government had laid off the reserves. So we lost all of our potatoes. It was very hard; we had no seed and couldn't plant potatoes that summer, so we had to go without potatoes in the winter; yet we waited for the hand of the Government to protect us. We depended on the Queen's hand to defend us on our reserve. Not one of the chiefs here told any of their people to fight about this thing, because they all depended on the Government to set them right.

Mr. Cornwall—When you speak about fighting, do you mean about the potatoes, or the building on the land?

A. Gurney—Both; but more particularly about the building on the land. The church and the houses are standing there now. The Tsimpseans claim the land where the reserves are as their own, and they sometimes miss planks and sticks from those places, and they blame us for taking them, and say they will fight about it. We have the names of those five men who said so. They are: Oswald (Luk), Mark (She-quak-bala), Edward (Widali), Amos and David Swanson.

Mr. Cornwall—Are these Indians on the Naas reserves now?

A. Gurney—No; they live at Fort Simpson; they only go to the reserves during fishing time. All except David Swanson have gone with Mr. Duncan. Swanson is at Fort Simpson.

Mr. Cornwall—Do you expect them back again?

A. Gurney—I expect them to come back all the time, and they will make trouble as at Metlakatlah. They have destroyed the church there, and will do the same here and run away back to Alaska. The Tsimpseans say the reserves are for their use, because the notices on the reserves say "for Indians," and do not say what Indians. And that is why they say they will shed blood at Redcliff. Before the Tsimpseans put up their houses they (the Tsimpseans) sent messages by canoe challenging us to fight.

Mr. Planta—What Tsimpseans were these?

A. Gurney—The Fort Simpson Tsimpseans. George Kinsada answered that he did not want any fighting about it, he wanted peace. Three times Fort Simpson and Metlakatlah Indians came to Stoney Point to talk about it in an angry way, saying "the land was theirs and not the Nishkars' or Naas people's." Our chiefs did not want to quarrel about it; they trusted to the Government to set it right, and they are now waiting for that. When the Tsimpseans heard that we were leaving it to the Government to decide they got very angry about it. Now our chiefs want it made known that these reserves are ours.

Mr. Planta—Do the Kincoliths claim all four of these reserves, or only Stoney Point?

A. Gurney—We claim all four; we have gardens at all.

Mr. Cornwall—And have you had gardens there a long time?

A. Gurney—Yes, long before the reserves were made.

Mr. Planta—Did Kinsada point out all four reserves to Mr. O'Reilly?

A. Gurney—Yes, and Mr. O'Reilly asked whose gardens they were, and was told they were ours.

Mr. Planta—Do you claim the chain wide (the commonage)?

A. Gurney—We don't like the chain wide because it takes up some of our best land?

Mr. Planta—By claiming the whole of these reserves you are claiming all the oolachan fishing places, are you not?

A. Gurney—We want to have the four reserves secured to us, then we will allow the Tsimpseans to fish there.

Mr. Planta—Do not the upper Naas Indians use these reserves?

A. Gurney—Yes, but they have no gardens there. They come and fish there sometimes, but the Greenville fisheries are further up the river. We only get our grease at Stoney Point, but all Indians only catch oolachans where they are plentiful. The up river Indians get their oolachans at Greenville, but when they are not plentiful there they come down to Stoney Point, and we have no objections, as we sometimes go up to Greenville to fish; but we want Stoney Point for ourselves, because Greenville Indians own our old fishing grounds at Greenville, but if the fish are scarce there they are welcome to fish at Stoney Point. Captain Jemmett has surveyed Stoney Point, but he did not say to whom it belonged. There will always be trouble unless it is settled. The Kincolith chiefs, when it is theirs, will take care of it and will let all other Indians fish there. We depend chiefly on the fisheries for our living, and that is why we are so particular in getting a right place. If we can't get a good place like Stoney Point we can't make so much grease, which we sell and get what we want for our children.

Mr. Planta—If you get Stoney Point do you claim the other three reserves as well?

A. Gurney—Mr. O'Reilly settled that the other three were ours, but that Stoney Point was for all the Naas Indians.

Mr. Planta—Mr. O'Reilly's report says "that some ten or twelve families belonging to Lac-al-tsap (Greenville) village reside at Stoney Point, attracted by employment at Croasdaile's cannery, and that they cultivate vegetables there." Is not that so?

A. Gurney—They only live there one month during the fishing season. They have houses and so have we; also potato patches. When Mr. Croasdaile's cannery was working, several families settled near by for work, but now the cannery is closed they no longer stay there. The machinery is all out and there are no white people living there.

5:30 P.M.—The Commission adjourned its sitting at Kincolith until Thursday, the 20th instant, the Commissioners deciding to meet the Greenville and other up-river chiefs at Naas Harbour to-morrow, 18th, and to finish with them, so as to allow them to return home as soon as possible.

NAAS HARBOUR, October 18th, 1887.

Present—Hon. C. F. Cornwall, J. P. Planta, Esq., Commissioners.

Mrs. Morison, interpreter to the Commission, being unable to attend on account of stress of weather, the Rev. A. E. Green acted as interpreter.

The Commissioners to-day met the following named chiefs from villages up the Naas:—

From Greenville—Mountain, David Mackay, Chas. Russ, Kledach, Matthew Naas, Job Calder, husband of chiefess Victoria; Arthur Calder, son of chiefess Victoria.

From Kittix—Nease Youse, Tallahaat.

From Kit-wil-uk-shilt—Sabassah, Hawillah.

The Commissioners having shaken hands and exchanged greetings with the chiefs, the Commission was read by the secretary.

Mr. Cornwall, after explaining the object of the Commission, said—We have arranged to hear you chiefs from up the river to-day, so as to give you an opportunity to return home as speedily as possible. We will now proceed to business.

Job Calder, or Nouse, husband of Victoria, chiefess of the Naas Indians, and a chief of Greenville (Lac-al-tsap)—Chiefs, I see your faces to-day. I heard you were coming, but did not believe it; now I see you I do believe it and I am glad. I am not going to speak to you of myself at all; I am going to speak to you the words of the chiefess of the Naas River, Victoria Long-arm. There are many chiefs. At Greenville, where Victoria lives, there are Mountain, myself, and Nease Youse, and half a mile from us at another village there are Tat-qua-gaas, Kledach, Nee-ish-les-yarn, Laik, Kitchon, Waalsh, Nish Chan. These are chiefs, but my wife is acknowledged to be chief over all on the river. My wife has one word, and that word she has

sent me to bring to you is "That our land is too small. It is not large. It is not as much as we can use. We can't live on it. It is not what we asked for; not so large as we expected. When Mr. O'Reilly came up, my wife and the other chiefs told him what we wanted. Mr. O'Reilly did not give it. When the surveyor came up last year we asked him to a meeting. He came. We pointed out what land we wanted, but he didn't give it; he gave just what Mr. O'Reilly did; and that is where the trouble began, and it has been growing in our hearts ever since.

Mr. Cornwall—Were any of you present at the conference in Victoria last winter?

J. Calder—No; our delegate was John Wesley. He is now over at Kincolith, but we expect him here to-day.

Mr. Cornwall—I suppose you know what took place at that conference?

J. Calder—Yes, we know. John Wesley told us when he came back.

Mr. Cornwall—Here is what Mr. O'Reilly said at the conference: "I did everything in my power to ascertain their wants. I held consultations there with the Indians on my way up, and again when returning. There were a great many spokesmen, but it may be that some of the chiefs were absent and could not represent to me all the places they required. To every place mentioned by them I went, accompanied by some members of the tribe, and made a reserve. If any reserve is omitted, it was because it was not mentioned to me. Everything that they pointed out, every little patch of cultivable land, was reserved for them." Now, again from Mr. O'Reilly's report of 1882 I find a good account of the Greenville reserve. I see it contains 3,700 acres, while the total population is 302. It possesses many valuable tracts of land besides a large portion of swampy meadow land, plenty of timber of all kinds, excellent salmon fishing and oolachans, and all these old established fisheries are reserved, so that, according to Mr. O'Reilly, everything was given you that you asked for.

J. Calder—I won't speak any longer, I only give you my wife's word that there is not land enough; there is not what we asked for; the land that we get our food from is not on the reserve; and now Mountain, the next Chief to my wife, is here; let him speak for himself.

Mr. Cornwall—Were you there when Mr. O'Reilly was at Greenville?

J. Calder—Yes; I and Mountain and David Mackay were there.

Mountain (Chief at Greenville)—You great Chiefs, I am very glad to see you; I am so glad that the Governments of Canada and British Columbia have sent you here, wise Chiefs, to talk to us poor people; I am very glad to see you, and believe you will hear my people and give us what we want.

Mr. Cornwall—We are not here to give, but to report what we hear.

Mountain—Mr. O'Reilly came to our village (Greenville) and we had a meeting at our school-house, when I spoke for my people. Mr. O'Reilly called the meeting and was present. I pointed out to him where we wanted our reserve to commence up the river at a little stream near Aliquoth, near a mountain of the same name; the stream is not close to the mountain. I gave the name of the mountain to Mr. O'Reilly and told him I wanted the reserve to commence there, and I asked that the lower boundary should come down to Fishery Bay (Some-well-ansit), below and to include Stoney Point, on which we live in the summer. It is about two and a half miles down the river from Greenville.

Mr. Planta—How far above Greenville is Aliquoth?

Mountain—A little above On-de-qu-lay (No. 8) reserve on the other side. In the meeting, when I asked Mr. O'Reilly that the reserve should reach Aliquoth he shook his head.

Mr. Planta—Did any one point it out to Mr. O'Reilly from the canoe?

Mountain—No, sir; not one of our Indians went in the canoe with Mr. O'Reilly.

Mr. Planta—Whose fault was that?

Mountain—This is the reason: Mr. O'Reilly engaged his canoe and crew at Kincolith. He said to us: "I am going right up to Kit-la-da-max, and on my way down I will look at the place up the river that you speak of, and where you want the boundary to commence." That is why we did not go up with him; we did not want to go so far.

Mr. Cornwall—Mr. O'Reilly says that: "To every place mentioned by the Indians I went accompanied by some members of the tribe."

Mountain—It is not hard to explain, because Mr. O'Reilly was going so far up the river that we did not go with him, and he was gone a week or more. On his way back he set the upper boundary of Greenville reserve, came to our village and told us at another meeting what he had done, but we never knew where the upper boundary was until the surveyor came and put up the stakes last year. Mr. O'Reilly told us that he was going down the river to lay out

more reserves, so I sent my son, John Wesley, who went with Mr. Robinson, of Greenville Mission, down the river with Mr. O'Reilly. I hope, Chiefs, you will not get tired of me, as I have a great deal to say. I have a very sore heart this morning, since I have heard Mr. O'Reilly's words read, because his words make it appear as if we went with him and got what we wanted.

Mr. Cornwall—Mr. O'Reilly reports that every place pointed out to him was reserved.

Mountain—I don't understand what Mr. O'Reilly means by that, unless it is that when we went to Fishery Bay (Stoney Point) and pointed that out he did it; and that the Kincolith people came along to Canaan, wanted that for themselves, and we agreed to it, and Mr. O'Reilly did it; and that the Kincoliths asked for Redcliff, and he did it, and we agreed to that; but what we asked for our upper boundary he never did, and I want to say one word about Mr. O'Reilly's saying it is good land. He was there in the driest season and saw it at its best, but I want to say it is like a ship going along a shore—there is the shore, but the ship can't anchor everywhere. So on the reserve, there is the land, but you have to pick it out, like you have the place to anchor your boat, and in a large piece of land there are only a few little pieces that are good. There is another thing that I want to tell you about, and that is about a piece of land on the salt water on one side of Portland Canal. I spoke to Mr. O'Reilly and Captain Jemmett about the same thing. My forefathers always dried their salmon and did their hunting there, and formerly used both sides of the canal. (Being shown a sketch-map) Mountain points to Portland Canal and says the Hydahs, Stickeens and others all call the land on each side "Mountain's land," and the land I want and have been using is at the head of the canal. We can reach my land (mouth of the canal) from Greenville in half a day. It takes three days to reach the head of the canal where I make my dried salmon. I use my land now.

Mr. Planta—If you use the land now what more do you want?

Mountain—I want it measured and set as a reserve for my tribe, as the other Indians go there now. I never stopped anyone from hunting there if they asked me, but now they go without asking me. White men go up there looking and they might take it, and I want it reserved to avoid any trouble. I want to say that Stoney Point was given to us by Mr. O'Reilly. My son went with him. He asked for it. Mr. O'Reilly gave it to us, and we have seen his words in the blue-book to that effect.

Mr. Cornwall—Are there any Indians resident there now?

Mountain—There are three families living there now, but in winter they live at Greenville. In the summer there are as many as fifteen or twenty families of Greenville and Kit-tix Indians living there. We asked for Stoney Point as a reserve. Mr. O'Reilly gave it to us, and we are not willing that the Kincoliths should come to Stoney Point for oolachans, as they have two reserves of their own below it, but we are willing for all the up-river Indians to fish there because they have no reserves of their own for small fish. The Kincolith Indians have built a house and a church on Stoney Point reserve behind the one chain commonage—the church since Mr. O'Reilly was there, and the house since it was reserved. We want the Kincoliths to fish at one of their two reserves.

Mr. Cornwall—Do you catch oolachans at Greenville?

Mountain—No; we don't catch one there; the water is not good, it is too swift on the outside passage and too shallow on the inside.

Mr. Planta—Are Redcliff, Canaan, and Black Point reserves below Stoney Point, as favourably situated as at Stoney Point?

Mountain—Yes; the fish go along those places first, and they are quite as good, if not better.

Mr. Planta—Do any other Indians go for oolachans to these three reserves besides the Kincoliths?

Mountain—Yes; the Tsimpseans, and only they, except a few Kincoliths at Black Point.

Mr. Planta—Why do not the Kincoliths use these three reserves?

Mountain—We know why; they want to take our place (Stoney Point). They marched there playing their band, stuck up a flag and claimed it as theirs the first spring after Mr. O'Reilly was there, and the Kincoliths said it belonged to them alone.

Mr. Planta—Are there not oolachan fish enough in the Naas river for all comers?

Mountain—Yes; plenty for all. It is not the scarcity of fish we complain of; we can agree with all the other Indians from up-river and other places except the Kincoliths, but their being there is like two families in one house, and I think there should be two rooms for them. That is all I have to say.

Matthew Naas (chief)—I have been living at Kincolith, and yesterday morning we, the Chiefs of Kincolith, had a meeting, getting our hearts ready for you, and I heard their words and told them that some of those words were not good, and that I could not agree with them. My brother is a big chief living up by Mountain's side, where I used to live up the river. I wanted to do what I thought was right by the chiefs up the river, so they put me out and would not let me speak. White Chiefs, I am very pleased to see you, and thank you very much for coming. The Kincoliths left the upper river, came down and picked a place and lived there a long time, and they asked for their reserves on the lower part of the river, and got them; but now they are asking for a little of the upper river back again; that I don't agree with.

Mr. Cornwall—Do you mean Stoney Point?

Matthew Naas—Yes. I want to tell you about the tribes of Indians who come to Stoney Point. They are from Greenville, Kit-will-ack-shilt, Kit-lak-da-max, and the Skeena people who cross the grease trail there. You cannot think how many there are; they all come to that one point for oolachans. Three of my uncles were three of the greatest chiefs on this river. They are dead and I took their name and their places, and I have their word in my heart. It is a new thing for the Kincoliths to ask for Stoney Point. They left it long ago. They threw away the upper part of the river, and now they claim Stoney Point. That is what I could not agree with yesterday. I am the man the Kincolith people chose to go with Arthur Gurney and John Wesley to meet the Government at Victoria last winter, and I brought the reply of the chiefs (of the Government) we saw back to our people. When in Victoria I asked for a piece of land to be reserved on Observatory Inlet, which my forefathers and uncles and I have used for drying salmon, in the same way as Mountain and his forefathers used the Portland Canal. It was about that and some timber land that I went to Victoria. It is not good for the Naas river Indians to begin to push people, and so I could not agree to stop the Tsimpseans or others from coming here to make grease for food. They always came here to fish for food, and we want them to continue to do so. I want to be friends with them.

Charles Russ, of Greenville (a sub-chief)—For a long time we have had great trouble in our hearts, and we have felt very sore about our property; but we are all very glad you chiefs have come, and that we have a chance to lay everything before you. You have come; you see a few chiefs, the principal ones, here; but all the chiefs, both those who are here and many you have not seen, have but one heart about what I am going to speak about. You have heard the chiefs at Kincolith, and you know what they want. You have heard Mountain's and Job's words. My words will be the same, but they did not tell you all they wanted; part of it was left for me to say. We are not going to try to show you how wise we are, or how much we know, but to tell where our trouble is, and what our wants are. What we want is to speak about our property—our land. We want to have for ourselves what Mountain first pointed out to Mr. O'Reilly, as much as we need to use, and we want the words and hands of the chiefs on both sides, Indian and Government, to make a promise on paper—a strong promise—that will be not only for us, but for our children and forever. In the first place we did not like the name "reserve," but now it is all right—we want it. We don't want very much land for ourselves and the different villages; but if we have the reserves, there is one thing we want with them, and that is a treaty. We have no word in our language for "reserve." We have the word "land," "our land," "our property." Your name for our land is "reserve," but every mountain, every stream, and all we see, we call our forefathers' land and streams. It is just lately the white people are changing the name. Now it is called the Indian reserve, instead of the Naas people's land. If you ask the Hydahs, Alaskas, Stickeens, Bella Bellas, and Fort Ruperts, they will tell you that all this country is the Naas people's land, and we don't know when any change was made, or when it was taken from us. But now it is called "reserve" we want the word "treaty" with it. The change that was made from "our land" to "reserve" was made by the white people, and "treaty" is to come from them too. You have heard from the other chiefs what we ask for. We don't ask much for ourselves; we only ask for a little—the land that Mountain spoke of, up the river, to extend to Greenville reserve, and also the land on Portland canal, where he has a house. This land is only a little bit compared with what is outside of it. All these mountains and lands outside of what we ask for are for you; we are not asking for it. Go up the mountains and you will see other mountains, with nice valleys in between; all that too is for you—the white people. But we want a solemn promise—a treaty. In the past we were a numerous people, and we used all the land; but we are not so many as we were, and don't want it all now. We are different from the whites. We don't all live in one place, but have to scatter all over the country to make

a living. We want sufficient land now for our numbers. We want food, salmon, berries, animals for food and furs, timber for houses, canoes and boxes, bark for mats. Now these things are got in different places, and we want land where we can get them. The land where we get fruit does not yield timber; we go to different places for different things; we want a large piece of land. We are not foolish, and have not been saying foolish things. We have thought carefully a long time about what we want, and we don't speak unwise things to you wise people. We did not ask the Government to come and touch our land. They came: and when they commenced, then we began to see what we want and what we don't want. And now, if the good chiefs and our chiefs put their hands to a paper, that paper will stay with us and with our children, and children's children, and all will be peace, and that is what we want. Our people used to be numerous, but they are killed out by bad things. Liquor and other things killed them out. Now the good has come we are increasing again, and we think our people will become very numerous, and if there is no paper with them, the more numerous they become the greater the trouble will be. If we make a mistake now, we are making it not only for ourselves but for our children, who will suffer. Our children and their children will honour anything done by the chiefs present here to-day. My father was a chief of Metlakatlah, and my mother a Naas woman; that is why I am on the Naas. My father did not want his land and his father's land called a reserve; that is why he got up and left the country for Alaska; and we don't like the word "reserve" any more than he did; but now, if we have a treaty, we will be willing to live on a reserve.

Mr. Planta—By the word "treaty" you mean a paper making the reserve sure to you, do you not?

C. Russ—You see we only ask a little land for ourselves, and outside there is a great deal of land; we give that to you. Come, now (extending his hands) what are you going to give us, if it is only a little, with a strong promise, and then it will be finished?

Mr. Planta—Have you read the report of the conference, held last winter with the Government, at which your delegates were present?

C. Russ—Yes; all have read. All Naas and Skeena Indians have wanted to know, and have heard the words in the book. The deputation brought back copies of the report, and gave them among the Indians.

Mr. Planta—The Provincial Government hold exactly the same views with regard to the Indians' claims as were stated at the time of the conference, and they cannot recede from that position. I hand you some copies of that report for your use.

Mr. Cornwall—There are words of wisdom, spoken by the late Hon. Mr. Smithe, and reported on page 256 of the report of the conference, which you would do well to translate into the Naas language, so that you might learn them by heart. [See Appendix B.]

Mr. Planta—The whole question of the Indian lands in British Columbia was settled long ago by law, and the Government cannot go beyond the law. Once the Provincial Government had the sole charge of the Indians, but about twenty years ago the Imperial Parliament passed a statute called the "British North America Act," and under its powers the Queen made an Order in Council, which admitted British Columbia into the Dominion upon certain conditions. These conditions, which are known as the "Terms of Union," have the full force of law, and are binding upon both the Dominion and Provincial Governments, and, of course, upon all persons, Indians as well as whites, in this country. Under this law (reading from "Terms of Union"), "The charge of the Indians, and the trusteeship and management of the lands reserved for their use and benefit," belongs entirely to the Dominion Government, and all the Provincial Government has to do in the matter is to reserve enough lands for the Indians' use.

Mr. Cornwall—It is as well for you to understand that there is no probability of your views as to the land being entertained.

C. Russ—We hear your words and you have heard the words of our chiefs, but the words you have read to us we never heard before in our lives. When they made the laws that you speak about they had never been to see us; they did not know what we used or what we wanted. I would like to ask, sirs, if there was one chief of the Naas present when that law was made, and whether they asked him to speak for the Naas people? Or did they write a letter asking them about it? Why, they never even sent us a letter to tell us it was done. You see these chiefs present laugh. We cannot believe the words we have heard, that the land was not acknowledged to be ours. We took the Queen's flag and laws to honour them. We never thought when we did that that she was taking the land away from us.

Mr. Planta—The Provincial Government will always perform the duty cast upon them by clause 13 of the Terms of Union, by setting apart and handing over to the Dominion Government such tracts of land as may be deemed reasonably sufficient for all the purposes of the Indians, but cannot go further than that.

C. Russ—Set it apart; how did the Queen get the land from our forefathers to set it apart for us? It is ours to give to the Queen, and we don't understand how she could have it to give to us.

(Here an old blind Indian named Neis Puck jumps up and demands a hearing.)

Neis Puck—I am the oldest man here and can't sit still any longer and hear that it is not our fathers' land. Who is the chief that gave this land to the Queen? Give us his name, we have never heard it.

C. Russ—Chiefs, we hear the words the Government has said is the law about the lands and we want to say that what the Metlakatlah people have done, in leaving their lands because the Government said the land did not belong to them, we will do just the same; we will leave the country too. We love the land; we love the places where our fathers' graves are and where our children are buried; but we will leave them and go to a new country sooner than stay where it is said "the lands do not belong to us." We want to tell you chiefs that we don't want you to persecute us; we don't want the Government to persecute us or tie our hands like it did at Metlakatlah if we leave a great thing. Don't persecute us, don't tie us; pay us for the things that we may leave behind, our fisheries, villages, and improvements. Chiefs, we want to ask you for this: that you will not make trouble in our hearts if we leave, but we want you to let us leave in peace. The Metlakatlah people had trouble after they left; we want you to let us leave in peace.

Mr. Cornwall—What do you mean by that?

C. Russ—Our words are, "Our land all up the river and everywhere," and there are no two words about it. To-day we hear from the books it is not our land and that has broken us all down; and now if we leave our villages we want the Government to pay us for our improvements, then we can leave in peace and God can see what has been done.

Mr. Planta—Far from persecuting the Indians or tying their hands, the Government has, as far as possible up to this time, made every effort in their power to assist them by reserving large tracts of land for the use and benefit of the Indians on the North-West Coast, in accordance with the provisions of the law, and the claims that have been advanced by the Naas Indians for more land for timber and other purposes will be fully and liberally dealt with, so as to provide the Indians with sufficient land for all purposes and to thoroughly secure them in their possession of it.

5:30 p. m. The Commission adjourned until 9:30 a. m. to-morrow.

NAAS HARBOUR, October 19th, 1887.

Present—Hon. C. F. Cornwall, J. P. Planta, Esq., Commissioners. Mrs. Morison, Interpreter.

Kledach (a chief of Greenville)—Sirs, I have been hoping you were coming and when I heard you were come I came down to see you. I was so glad that I stretched my hand out to you yesterday. I have been thinking over what I would say to you, as I thought I should see you at my place to speak to you about the part of the river that is in my charge. I want to let you know how much land I want. I want from Al-que-soas, below Stoney Point, up to Al-e-quoth, above Greenville, the same as Mountain asked for, on the left side of the Naas as you go up. Also the mountains at the back, where we get our living; and I want the Queen to pay me for the rest of the land. I have been looking after the river all these years, and, although poor, have been trying to keep peace when there has been a prospect of trouble. I have always interfered and made peace when there has been trouble among the different Indians who came to fish there. I like to see them come to fish there and get their oolachans without any trouble.

Mr. Cornwall—What do they fish there?

Kledach—Oolachans.

Mr. Cornwall—We were told yesterday that you never caught any oolachans at Greenville.

Kledach—I mean the lower part of the river, Fishery Bay (Stoney Point). I have been looking after the land and the river as my forefathers did, and I want to see how my work

will end. Mountain has not been foolish; he has not left his old place altogether; he has only moved a little way from it; he is still on the same land as I am. I have all the property belonging to the old chiefs before me, and would have shown it to you if you would have come up to my place, as you are going to make peace on the river.

Mr. Planta—What kind of property do you mean?

Kledach—The land, crest-poles, and cabins, very old ones. I wish to show you the good work I have been doing all along. Sometimes the Kincoliths have objected to the other Indians getting small fish and I have made peace between them. The Kincoliths are trying to stop the Tsimpseans from getting oolachans on the river; and I ask you which is best, to be kind or unkind to your fellow men? I want to know what will be done about that.

Mr. Cornwall—That is certainly one of the things we shall bring before the Government.

Kledach—Let all these troubles on the river be put a stop to.

Mr. Planta—How do you propose to put a stop to them?

Kledach—I want peace; let them all get their fish together.

Mr. Planta—Who do you mean by all?

Kledach—Tsimpseans, Skeenas, and all the Naas Indians. I don't like the way those Kincoliths go on with me. They are wanting that place up there where we get the fish. They don't allow me to go anywhere to get my living on the salt water. So let them keep the salt water places and leave the other further up the river to me.

Mr. Planta—What places do you mean the Kincoliths want?

Kledach—Tsum-al-dod-stup (Fishery Bay). There are some of my people living there now watching it.

Mr. Planta—Did you hear what I told Charles Russ yesterday?

Kledach—No; I was at Kincolith.

Nease-youse (chief of Kit-tix)—I want to tell you what I want. I want Stoney Point or Fishery Bay, which belonged to our forefathers, to be secured to us.

Mr. Planta—What do you mean by "us"?

Nease-youse—I and these chiefs ask for the same place.

Mr. Planta—Do you want to include or exclude the Kincoliths?

Nease-youse—I don't want them there, because they always cause trouble. They can go to their own place, a little lower down.

Tal-a-haat (a sub-chief of Kittix)—I want to tell you of a place where I get my living, which I want to secure—Kinnamax, down on the salt water; Kinnamax river, on Portland Inlet. It belonged to my forefathers, and my people bearing my name have always had charge of it. I want it to be the same now. I have three little houses at different places on the river—one at the mouth, one about the middle and one at the head. I do not want any other tribes to take it away from me. I want all my people to use it.

Mr. Planta—There is already a reserve of five acres at the mouth of the river.

Tal-la-haat—For whom is it reserved?

Mr. Planta—Mr. O'Reilly says in his report that he reserved it for the Indians of the Naas river tribes.

Tal-la-haat—I don't object to their going there; but I don't want them to take it away from me.

David Mackay (a chief of Greenville)—The others have been rather hurried, and could not say everything they wished to say to show their wisdom.

Mr. Planta—Neither Mr. Cornwall nor myself are conscious of hurrying the previous speakers.

Mackay—I did not mean that, but that they thought you wanted them to be short. I wish to explain fully what all these people want. The Indians are all sorry now and are troubled. They have heard a little that the Queen owns the land, and that they would be driven away by and bye.

Mr. Cornwall—Where did you hear that?

David Mackay—We heard that the Indians of Victoria were given a reserve years ago, and now the land is wanted they are going to drive them away.

Mr. Cornwall—I am very glad to be able to set your minds at rest about that. A part of the law is that when a reserve is made for Indians it shall not be taken from them without their consent. In the case at Victoria, the reserve on which the Indians lived was very much wanted for railway purposes, but the Indians did not wish to give it up, and consequently they have not been disturbed upon it. All that has been taken is a narrow strip sufficient to make

a railway on; that is all the Government can take from a reserve—some piece is wanted for public purposes. You may rest assured that you are as secure in the possession of any land set aside for a reserve as anyone can possibly be. It is impossible to touch it without your consent, and if it is taken with your consent, its full value will have to be paid for it. A large sum has been paid by the Railway Company for the the piece of land taken at Victoria. Indians listen with open ears to all sorts of tales told them, but it is surprising you can believe such a tale as that. If we had come for nothing else it would have been well for us to come and explain this. The sole object of the Government is to protect the Indians in their persons and property.

David Mackay—What we don't like about the Government is their saying this: "We will give you this much of land." How can they give it when it is our own? We cannot understand it. They have never bought it from us or our forefathers. They have never fought and conquered our people and taken the land in that way, and yet they say now that they will give us so much land—our own land. These chiefs do not talk foolishly, they know the land is their own; our forefathers for generations and generations past had their land here all around us; chiefs have had their own hunting grounds, their salmon streams, and places where they got their berries; it has always been so. It is not only during the last four or five years that we have seen the land; we have always seen and owned it; it is no new thing, it has been ours for generations. If we had only seen it for twenty years and claimed it as our own, it would have been foolish, but it has been ours for thousands of years. If any strange person came here and saw the land for twenty years and claimed it, he would be foolish. We have always got our living from the land; we are not like white people who live in towns and have their stores and other business, getting their living in that way, but we have always depended on the land for our food and clothes; we get our salmon, berries and furs from the land. Now the reserves have been surveyed we see they are too small; one reserve is in size only enough for one person; the chiefs' hunting grounds are outside, also their places for getting berries, and their salmon streams, and it is very bad. Now I know the native chiefs are good to the white people, so they want only half of their land. They want from Alequoeth to Black Point, the same width on both sides of the river; that is small enough, with the hunting grounds around it. The chiefs love the white people and like to see them, and that is the reason we ask only for this small piece. Years ago, among the Indians, it was the way if any strangers went on our grounds to hunt or get their berries, or get their salmon from our streams, without paying the owners, it was to cause fighting and bloodshed. There is only one thing that can give peace among people, that is payment for anything. When we get that land we just spoke of, we wish the Government to pay us for the land outside that we wish secured to us. We wish to get a yearly payment for it, and we wish it to be written down. If an agreement were made of that kind, and the chiefs would write their names down, and the Government to do so too, on the paper, telling us about the yearly payment for the land on the outside, and this paper would be handed down to our children and children's children, and if the Naas Indians should increase and their children would see the small piece of land they have, and although they may not like it, yet seeing the paper of promise of the yearly payment, they would be satisfied; that is the principal thing I wish to speak of. We, the Indians of Greenville, want another paper besides that paper of promise, after that land is secured to us, to tell us that the land is ours and that we will not be driven off. This paper will also go down with the other paper to our children.

Mr. Cornwall—The Indian Act regulates Indian matters, and section 39 of the Act of 1876 says: "No release or surrender of a reserve, or portion of a reserve, shall be valid or binding, except on the following conditions: The release or surrender shall be assented to by a majority of the male members of the band, at a meeting or council thereof summoned for that purpose, according to the rules of the band." So you are as safe as can be.

Mr. Planta—Were not plans of reserves already made sent to Indians at Greenville?

D. Mackay—No; we have told you what these chiefs wish, and if the Government don't let us have what we wish, then we want them to let us have 160 acres apiece, and we will pick out our own old hunting grounds in different places. This is in addition to what we ask for in the reserves, and instead of the money. If we cannot get this, the chiefs and all will go to some place where we can be free. This is all I have to say for the people. Now I wish to speak about a piece of hunting ground that belonged to my forefathers on Observatory Inlet, a stream called Hoos-chat-ko. I want a paper securing me the right to it—not that I shall object to others hunting on it, with my leave. I have a house and get my salmon and

furs there. There is also a trail there. I have made it into a valley where I hunt. I don't want to sell it to any white people; I want it for myself and my people.

Arthur Calder (son of Chieftainess Victoria)—We wish you to understand that we are not now like the old Indians; we understand better. We at Greenville are like the white people. We build houses and roads like they do; we have firemen and bandmen, and lamps for our streets, which we bought ourselves. We are building a very nice church at Greenville, using our own money, with what help we get from the white people. We want a white man removed off his land in our village to make room for more houses. We told Mr. O'Reilly before, and he said he and the others would talk about it; but we have never had an answer. It is the same at Stoney Point; some white man has part of that, and we want that back—we want more room. Mrs. Snow has a house right among ours at Greenville; she has no land there; we want her away; she is not there now, but we want the house removed. And another thing we want is power given to the people of Greenville—power to keep order among ourselves.

Mr. Cornwall—That is all provided for in the Act respecting Indians.

A. Calder—On my own account, I want one of the streams reserved that belonged to my forefathers; it is the whole of the stream that runs through An-de-qu-lay, and above we can reach the head of it in three days; and I want a paper to show that it is mine, but anyone can come and hunt there. I must say, that we have a bell at Greenville which cost us \$200; our band instruments (mostly presents) are valued at \$900, and we have given \$800 towards a new church; we have a school which cost \$800. Now, it would be very hard if we had to leave all that.

Sabassah (a chief of Kit-wil-lak-shilt, fifteen miles from Greenville)—I am very glad to hear of your arrival; I am very glad to shake hands with you. Now, I am going to speak of the lands under my charge. I have been taking care of the land which belonged to my forefathers for generations; no one can say for how many. I have had charge of it ever since I was a child; I never went anywhere, but stayed to take charge of the land. I want from my village at Kit-wil-luk-shilt (reserve No. 7), down the river on both sides of the Naas, to a water-fall called Wall-yeauch-yeauch-anoth, about three miles. The whole of my tribe get their living there, and I want to have charge of it all; also up the river from Kit-wil-luk-shilt to another stream owned by Chief Hawillah. The stream is called Tsum-in-eath, on the left hand side of the Naas, going up stream to join Soothernes (reserve No. 1). My land was surveyed in my absence; I was in the interior. I spoke to the surveyor when I came home, and told him it was too small.

Mr. Cornwall—Were you there when Mr. O'Reilly was there?

Sabassah—I was there, but the reserve is smaller than I thought it was; the surveyor was angry when I spoke about it. Each chief has his portion of land, but I am above all sub-chiefs of that land and take care of it all. The land belongs to all the chiefs, and I am not afraid to ask for it, as it is all our own. We are not blind now as we were before; we understand about the land. The last thing we wish you to know is that we do not want an Indian Agent. At my village I have a fish-trap where I catch any amount of salmon, and I supply all of my people who pay for it.

Mountain—Sabassah is chief of the Kit-wil-luk-shilts.

Hawillah (a sub-chief of the Kit-wil-luk-shilts)—Chiefs, we are very glad to see you. The chiefs of this river have been in trouble. All who came before should have seen us and spoken to us before doing any surveying.

Mr. Cornwall—Did you see Mr. O'Reilly?

Hawillah—Yes, I saw him; he should have done as you are doing now, spoken to us, and we could have shown him the places we wanted.

Mr. Cornwall—Didn't you tell Mr. O'Reilly what you wanted?

Hawillah—Going down I did; not on his way up. I told him what I wanted. I said to him: "Why don't you survey this part (meaning the river spoken of by Sabassah, where we get our furs), it belonged to our forefathers for generations and has descended to us?" Mr. O'Reilly said, "by and bye." I showed him the size of the hunting ground, and he said "it was too large for me to take." I told him it was my own, and I wasn't asking it from anybody, and I have been waiting a long time to hear from Mr. O'Reilly, thinking of that word "by and bye," and that is what makes me glad you have come, as I think you will settle it, and I wish you could settle it now. I have been patiently waiting, watching the place.

The reserve is too small altogether, and the other chiefs have been blaming the two chiefs who were in the village when Mr. O'Reilly came for not speaking hard and asking for more. They are quarreling now about because of not asking for more.

If we get what we have been asking for, about the size of our reserves, we shall be happy. Kledach will be the same.

We want a paper of promise for payment every year for the land outside of the reserve; the same that David spoke about.

After our reserves had been surveyed, Mr. Green came up and built a school-house on our land behind Sabassah's house, and we don't object to that because he is going to teach our children about God. If it was any other white man we would not have allowed him to do so. We know that white people are not allowed on Indian reserves.

We do not live all the year on our reserves, only about five months in winter; but in the spring when oolachans come we all come down to catch them at Stoney Point; we all eat together. If the fish came up to our village we should not do so, but they do not.

The Kincolith people have had trouble with the Fort Simpson people objecting to their getting fish in the Naas. But Kledach has always interfered, as he wished them to get their fish together. We all meet there, Tsimpseans and all. We are always welcomed by the chiefs, who let us use their houses. I wish to explain what one of the chiefs said this morning about the property of our fathers. He means the stone implements, crests and other things they used to use. I wish you could see them. When we are planting our gardens now often we come across one of these stone things they used to use. And we are keeping them all together; and during all these years we have never come across any iron things to show that the land belonged to anyone but ourselves. We have seen only little stone weapons which used to be used instead of pistols. These were used when any strangers came on our lands to bother us, but we have given up all these old ways. Now kindness has come in the place of the old fightings, and your Government people have come and we wish to be kind to each other. If we get the things we want, we don't wish to have any quarrel with you or ill-feeling, we want peace. (Here Hawillah spoke of some private grievances in which certain white men not now on the Naas were concerned.)

Am-Clamman (sub-chief of Kit-wil-luk shilts)—Chiefs, I am very glad you are come to this land. We are not common ignorant people, we know something. We know what good we get from the land. We have such strong hearts watching this river, our food and furs. The land belonged to our forefathers. It is like a long purse full of money, it never fails, and that is why we want to keep it. It belongs to us now, so we don't want any strangers to get our food away from us, our own land; it has never been done before, any strangers claiming our land. There is not only one chief but four sub-chiefs in Kledach's village, and it is the same in Sabassah's. We want what Sabassah said about the land wanted, also across the river. We want the same distance reserved. We take great care of the whole of the river and we don't want any one to come on it. It has often caused fighting years ago between the Tsimpseans and Naas people as to who should own the river. Now, since the word of God has been preached among us there has been peace. The Kincoliths hearing that the Tsimpseans claim right to come to the Naas for small fish quarrel with them. They object to the Tsimpseans coming to the fisheries, but Kledach always makes peace among them. You saw us laughing yesterday when Neis Puck got up and spoke, because you opened the book and told us the land was the Queen's and not the Indians'. That is what we laughed at. No one ever does that, claiming property that belongs to other people. We nearly fainted when we heard that this land was claimed by the Queen. The land is like the money in our pockets, no one has a right to claim it. We all agree with what David said, that we should be paid for our land outside of what we want for ourselves. Kledach and our people are of the same nation, and we talk the same language; but we live further up the river on account of the hunting grounds, fisheries, and berries; but we always come together at Stoney Point to get our small fish, and we eat and drink together. Our houses are there, and what we use for making grease we leave there when we return up the river. The Kincoliths cause us a great deal of trouble; threaten to throw our things into the river, and one year they were going to do it. We don't want any more of this trouble, we want it stopped. I wish to speak about another salmon stream opposite the one spoken of by Hawillah and owned by Nease Youse, so that when he dies it will descend to his son, my nephew. I speak for Nease Youse because he is not here.

Tillahaat (re-heard)—I am not satisfied with the reserve of five acres at Kinnamax. I want the whole of the stream, and I want a paper too to show that I own it.

Mr. Planta—Mr. Cornwall, in opening the meeting, fully explained the object of the Commission, and I concur in what he said. I wish to say a few words to you, now that our meeting is about to close. As Commissioner for the Provincial Government, it was my duty to tell you yesterday that the Government could not recognize the alleged title of the Indians to the lands, and in doing this the Government of British Columbia is not acting of its own will, but according to what it is advised is the law. I told you yesterday what the British Columbia Government considered to be the law about the land; and I also referred you to the report of the conference between the Indians and the Provincial Government, held in Victoria last February, in which the late Hon. Mr. Smithe and other members of the Government stated their views on the matter. The Government still hold the same views as to Indian lands, and I hand you another copy of the report for your information. The Government will perform its duty as it understands it, by setting aside as much land as shall be considered necessary for the use and benefit of the Indians in accordance with the law, which is all it can be called upon to do. At the same time, both the Dominion and Provincial Governments, by sending this Commission, have shown that they are willing to hear what the Indians have to say. We have heard your words; have written them down; and we will faithfully report them to the Governments. These words will be printed, and all people will be able to read them, and, among others, you also for yourselves. I can hold out no hope whatever to you that the alleged title of the Indians to the lands will be recognized by the Governments, or that the Indians will receive any payment as owners of the land. Certainly, if they are so hasty and unwise as to leave for another country, it would not be reasonable for them to expect payment for their improvements. Let me ask you to wait patiently till you hear the result of this Commission, which will be made known in due time; and be wise men and not follow the example of the Metlakatians, who have acted so foolishly in abandoning their lands. We both thank you for the pleasant manner in which you have made your statements, and for the open way in which you have spoken.

Mr. Cornwall—I will not add anything about the land beyond this: I represent the Dominion Government, which has the sole care and control of the Indians, and I shall lay before it all that has been said to-day and yesterday, together with the remarks which I may have to make. I am sure the Dominion Government will most carefully consider all it sees and hears, and will take very good care that the Provincial Government treats the Indians fairly and liberally about the land. When the Indians were in Victoria last winter they laid great stress on reserves wanted on Observatory Inlet. You have forgotten to speak about that. To-day, I may tell you what Mr. Planta no doubt forgot to tell you: All these lands are reserved, and no white man can take them. Mr. O'Reilly is coming up next summer to lay out a reserve there if you wish it, where you can obtain wood for boxes and canoes; and then he will probably go further up the river than he has already done, and doubtless he will be instructed to do what is right to be done, after the report is received by the Dominion Government.

D. Mackay—I wanted to say a few words about what I had forgotten. I have just thought about the land wanted on Observatory Inlet for wood.

Mr. Cornwall—That is what we were empowered to promise on behalf of the Government.

D. Mackay—It is a most useful thing for the Tsimpseans and Naas people to get this. I want to mention that we have had a church at Fishery Bay or Stoney Point for nine years, and it is only two years since the Kincoliths built one there.

7 p. m.—The Commission then adjourned, to sit at Kincolith to-morrow at 10 o'clock, a. m.

NAAS HARBOR, 20th October, 1887.

An address signed by eleven chiefs was handed in to the Commissioners. [See appendix C.]

KINCOLITH, October 20th, 1887.

Present—Hon. C. F. Cornwall, J. P. Planta, Esq., Commissioners. Mrs. Morison, interpreter.

George Kinsada (Chief)—We greet you, I have been waiting for this day, waiting patiently, trusting that my prayers would be answered. Although I have heard bad reports I have paid no attention

Paul Kledach (son of Chief Kledach, of Greenville.)—I greet you, gentlemen. I have just come home from my forefathers' hunting grounds. I have been expecting you for a long time past, and thinking that you had arrived, I left my hunting ground to come and meet you here. I had a narrow escape just now; my canoe capsized and I was nearly drowned. I was in a hurry to get here; I was afraid I would not be in time to see you. I have lost my canoe, it is all broken up. I ask you, chiefs, to set things right now and grant the wishes of this village. We have been promised by every Government servant that Government people would be sent up here to settle our troubles and give power to the village, so we wish you to set things right and make it strong here. All the tribes around us have been persecuting us, yet we have been waiting for the hand of God and of the Government to keep us. You have heard what all the chiefs of this village said before I came. Now we all ask you to give us a strong paper about our land, with your hands on it, as you have the power.

Mr. Cornwall—When I was here on Monday I told the other chiefs that we were here to hear your wishes, and report to the Government below.

P. Kledach—What makes me ask this is because there have been promises made before. Government officers have promised that they would tell the Government, and we have never had an answer. We hoped when you came up you had power to give us these things; this is the last I am going to say. All the other tribes around us tell us that we are foolish, and that we lose by being loyal to the Government and the Church Missionary Society, and are trying to discourage us in every way. This is all I have to say. I am very thankful you have come.

F. Allen (resumed)—We wish the Tsimpsean houses on our gardens to be removed from all our reserves, and we also say that the chain wide commonage is too wide; it comes up on our gardens on the best part of our land in some places. This refers to Redcliff, Canaan, Black Point, and Stoney Point. We take care of all these places. I am now going to speak about the oolachan and salmon fisheries. Mr. O'Reilly himself mentioned something about the fishery rights; he said we got most of our living from these waters, but none of these chiefs spoke, as they did not understand as well as they do now. Our principal food comes from these waters; we make grease from the small fish, and dry salmon for ourselves and children. We not only do this, but also all the tribes around us. We see white people around us who keep cows and pigs; they get butter from the cows and grease from the pigs. We keep neither; we depend on fish for our grease, and we eat fish and grease; not like the white people, who eat beef and pork, and so we want to have the Naas River fishery secured to us, to own the fishery. We want part of the river opposite to our reserves; you know the size of our reserves, and we want the water the same size. The reserves are too small, they don't go back far enough, so we want the water as well. The Tsimpseans and others leave their net-poles in the water and go away, and that is very dangerous. We want the right to pull these up; it is more dangerous at night, dangerous in every way. Mr. Croasdaile and other white men, besides Indians, have nearly lost boats and canoes from this cause. These poles are about six inches through. Again, we want to have charge of the fisheries. We often have trouble from Tsimpsean and Naas Indians; they had a fight there last spring, some of the Greenville and Tsimpseans; these are the names: Matthew Lester, of Greenville; Altayeanch, of the Kit-la-da-max; Timothy Milton, a Tsimpsean, of Metlakatlah; and Alfred Atkinson, a chief of Metlakatlah. They quarrelled over the fishery; we couldn't stop them, as we had no right to interfere. Before, when there were some Indian constables here, they never allowed anything of this kind at the fisheries at Stoney Point, and there was no fishing allowed on Sunday. The constables kept peace; but now, since things have been changed, these troubles constantly come up, and we were told that the Government would give us authority again.

Mr. Cornwall—Who told you that?

F. Allen—Mr. Clifford, a magistrate, and Mr. Croasdaile. The council here used to try cases, and they were told they had no authority until the Government gave it.

Mr. Cornwall—That thing would come especially under the care of an Indian Agent, he can appoint constables. In all Indian affairs an Agent has the power of two Justices

F. Allen—When Mr. Hughes came up he had a meeting, and he told us that he had no power to do much until the Commissioners came up here; that is why we ask you to give us power here.

Mr. Cornwall—I suppose that Mr. Hughes meant that Indian matters were in too unsettled a state.

F. Allen—Why we want to have authority over the fishing is that we always had it before. Although we left our old place at Greenville, we have not deserted the Naas fishery; we came here to learn about God. We take care of the fishery now, never leaving here for any length of time, and we hope to get authority to keep that fishery.

Mr. Cornwall—You told us on Monday that oolachans were caught at Greenville; the Greenville people say they never catch any there.

F. Allen—Do you believe that?

Mr. Cornwall—It is hard to know what to believe; one says one thing and the others another thing.

F. Allen—It is a great pity you could not get up there to see the regular fishing places; they do catch oolachans there.

Mr. Cornwall—We were told on Wednesday that at Greenville the main channel is too swift and the slough too shallow in the fishing season.

F. Allen—(Sketch map shown, and points out the oolachan fisheries at Greenville)—Kledach and others come from there, and before we left that village to come here we always used to fish at Greenville. Strangers also from up the river used to come there to fish. Afterwards, when we came here, we could not go back to our old fishing places, so we went to Stoney Point, where only a few Indians came; then when the others saw that we did very well there, they came down too. The best oolachans we used to get near An-de-qu-lay (No. 8), above Greenville. Sometimes the fish are few at the lower reserves, and the Tsimpseans go right up the river. It is true that right opposite the village at Greenville there is no fish, but plenty in the Naas running through the reserves. I want to tell you the truth about everything. Who was it that said there were no oolachans at Greenville?

Mr. Cornwall—Mountain said there were no fish at Greenville, as the water was too shallow in the slough, and too swift in the main river.

F. Allen—If our chiefs had not left Greenville we should not want to go to Stoney Point, and there are so many other Indians at the other reserves that we have to go to Stoney Point, where our houses are. We don't think the Greenville people would like us to go to their reserves.

Mr. Planta—We would like to know how much of the frontage of Stoney Point is good for fishing. The reserve is one mile and a half long.

F. Allen—The whole length of it.

Mr. Cornwall—Have the Kincoliths any particular place there?

F. Allen—No particular place; wherever the fish are. Mountain has made some mistake about the fishing. The fishing is best where the current is strong at Stoney Point. Above Stoney Point, where the current is weak, there is no fishing.

Mr. Planta—Can't you use the lower reserves?

F. Allen—The Tsimpseans are there.

Mr. Planta—If they were off could you fish there? Is the fishing as good as at Stoney Point?

F. Allen—Stoney Point is the best fishing place. It would cause trouble with the Tsimpseans to put them off, although, when fish are scarce, the Tsimpseans come to Stoney Point. If we fish at the other reserves, we go right back to Stoney Point to prepare them. Our houses and church are there. The reason why all these chiefs of the Nishcars want to have charge of the fisheries is that there are only two Nishcar chiefs at Greenville—Mountain and Kledach. There are more of these chiefs here than at Greenville.

Mr. Cornwall—What about a woman they call Queen Victoria?

F. Allen—She belongs to a place further up than Greenville.

Mr. Cornwall—Is she head of the Naas people?

F. Allen—She belongs to up-river Indians. These Kincolith chiefs, and Mountain and Kledach, are the real heads of the nation. All these formerly lived at Greenville. We want to find out what the work of an Indian agent is. Some say it is for our good; some say not, and that we would be like slaves to the agents by and by; so we have been told by the Fort Simpsons and Metlakatlahs.

Mr. Cornwall—It is the Dominion Government that has the sole control of Indian affairs. One of the members of that Government is the Superintendent-General of Indian affairs. He is

charged altogether with the care and protection of the Indians, but he acts under the directions of the statute of the Dominion Parliament, the "Indian Act." He is appointed by the Governor-General to the position which he holds. Everything which concerns the Indians in all parts of Canada goes to his office, and is laid before him. Under this Act he is empowered to employ officers to carry out his directions, and among these officers that he may so appoint, is an officer called an Indian agent. The Indian agents (there are many of them) are appointed to particular districts, and they have each so many Indians or tribes under their direction, and it is their duty, under the Superintendent-General, to see that all the provisions of this Act are carried out. Under the Superintendent-General there is a Superintendent, who sees that the agents in this Province do their duty. The Superintendent in this Province is Dr. Powell. There is also a Reserve Commissioner, Mr. O'Reilly. His duty is completed when he has seen the land and laid out the reserves.

Now I will tell you what are the different provisions of the "Indian Act."

First, as to reserves—It says what Indians are to be lawful possessors of reserves, how their reserves can be divided, and the privileges of Indians with respect to them.

Next—How property of Indians who die shall pass.

Next—About trespassing on reserves, either by other Indians or whites, and of the removal of trespassers.

Next—Relates to compensation for any part of a reserve used for public purposes.

While we are talking of that, I will say something that may set your minds at rest. There has been an idea that the Indians of Victoria were to be deprived of their reserve, without their consent, or the consent of a majority of them. At Victoria the Indians did not wish to give up their land, and so they are left in possession of it. All that the Government has done is to take a strip through the reserve to run a railway upon, and the Indians have been paid a large sum for it.

The next section treats of how it is to be done if the Indians want to sell; of regulations about timber lands that belong to Indians, and how, with the Indians' consent, they can be leased, and the money received go for the benefit of the Indians, and then it goes on to say how such moneys are to be applied for the Indians' benefit.

Next come the regulations about chiefs. Then a list of things chiefs in council may manage and regulate, such as the care of public health, observance of order, repression of drunkenness and profligacy, construction of water-courses, roads, bridges, and fences, etc., attendance of children at school, division of land among themselves, etc., and the imposition of punishment by fines and imprisonment for breaking rules.

Then it goes on to give rules for the enfranchisement of Indians, so that they can have and enjoy the same privileges as the whites, when they have reached a certain stage of development and good conduct.

Then there are a great many regulations for the prevention of drunkenness, etc. Now, the duty of an agent in his district is to see that these regulations are observed; to help and assist the Indians in every way. In any case where an Indian has suffered wrong, or has a difficulty with a white man, he can carry the matter to the agent, and he will set him in the way to get his grievances redressed. Yesterday one of the Indians told us of a transaction with a white man, who has left this part of the Province, and who has gone away considerably in the Indian's debt. Now, if there was an Indian agent here, he would be able to tell him what to do to obtain justice. Then, in regard to such matters as the fisheries up the river, it would be the agent's duty to see the different chiefs or councils, and find out what their wishes were, and, if possible, carry them out. In all these particulars he would be most useful to the Indians. He is not there to undermine the authority of the chiefs in council, but to carry out their wishes in every proper way, and support their authority. The agent also is the medium through which all the wants and wishes of the Indians can be explained to the Superintendent-General. If they wanted any provisions of the "Indian Act" altered, they could represent their wishes through the agent; but if they have no such officer, it is difficult for them to know what to do. The Indian agent is in a position to speak with more authority and influence, in representing the views of the Indians, than a missionary has, who has nothing to do with Indians' secular affairs. The presence of a missionary among them should be desirable in every way, but the less he has to do with their secular matters the better. So that it would certainly be preferable that there should be some properly appointed officer to see to such affairs; and such an officer is the Indian agent.

F. Allen—That is what we have been trying to find out for a long time. Before people accept anything they like to know if it is good. Another reason why we wanted to find out is that last season, when preparing their grease, Fort Simpson Indians, Greenville and other upper river Indians were called together at the invitation of the Fort Simpsons. They did not invite the Kincoliths. It was to talk about the matter of an Indian Agent. All said they did not want one up here, and they are not friendly to the Kincoliths because they think we will accept an agent. Some of us, without being invited, got into the meeting and heard this ourselves. It was our wish when going to speak to you about an Indian Agent that Mr. Nash should not be present. (The Rev. Mr. Nash is the C. M. S. missionary at Kincolith, and he was not present in the meeting at this time.) And even we would not wish Mr. Collison to be present, as we want to hear straight from you about the Indian Agent, so that it might be unnecessary for Mr. Nash to explain afterwards. This is what causes trouble among the Indians, their teachers' explanation of the Indian Agent's work. We can't all read and understand for ourselves, so we always depend on the explanation of our teacher. Some of the missionaries frighten their Indians, telling them that an agent is a horrible thing, and that he would oppress them in everything, and the Indians believe him, and that is what causes the trouble. We, the Kincoliths, don't believe it, because our teachers have not told us so. Suppose an agent comes here and gives the village authority, would it always be strong in his absence, supposing he was away five months and couldn't come?

Mr. Cornwall—Yes, certainly. Whether the agent is present or not, there are certain regulations which may be made under the Act by the chiefs in council, and by the Act the council may impose punishment and enforce those punishments, which regulation would always be strong until altered by the council.

F. Allen—Suppose a bad white man came here to cause trouble, could we catch him ourselves and have him up before the council and make him pay a fine.

Mr. Cornwall—It depends on what the white man did. If he persisted in trespassing on the reserve the agent could order him to be removed; or if he were drunk or disorderly within the precincts of the reserve, you could arrest him and take him before the proper authority; and there are many clauses of the Indian Act which refer to the punishment of offenders on Indian reserves. The agent can have properly appointed constables to carry out the rules and regulations of the legally appointed council.

F. Allen—What we don't like is when anything of that sort happens and the man is brought up before a magistrate and he is fined, we think the fine should go to the village, so as to be used for the village.

Mr. Cornwall—It is that way now; half the fine in all cases imposed under the Indian Act does. The Indian Agent has to look after that sort of thing and see that it is done. You may tell your people that in all districts they have Indian Agents, and they always work in the interests of the Indians. White people complain that they do too much for the Indians.

F. Allen—We want to know when we shall get an answer to all this. We have written again and again about our troubles. We have spoken to several Government officials and to Mr. Hughes, and have always been told that it will be settled by and by. We were told too that when the commissioners came up it would all be settled, and now we are disappointed again. So we want to know if any answer is coming, when it will come, so that we can look forward with hope to the time. We know that we shall be troubled worse than ever by the other Indians after you leave.

Mr. Cornwall—I may say for Mr. Planta and myself that we are sorry you are disappointed now that we have come up; that we have not the power to settle all these matters at once. If they concerned yourselves only and no other Indians they could be easily settled; but, unfortunately, other Indians think differently about these things, and both sides have to be weighed. You may rest assured that something will come out of our being here, but some little time must elapse before an answer can reach you here. You see a great deal has been written down by us during the last few days, and this has all to be reported on to the Provincial Government. I also shall make a full report to the Dominion Government; then the two Governments have to consult; and all this, it is evident, will take considerable time. It is now the end of October and I suppose you can hardly expect an answer before next spring or early summer. Mr. O'Reilly will come up, and I hope then something definite will be settled about the reserves. All land on Observatory Inlet will be reserved in this way, that no white man can take it; and the Government authorized us to tell the Indians that a reserve would be made there to secure them wood. Beyond that we are not authorized

to promise anything, only to hear fully all you want. I may say that I think the wants and wishes of the Kincolith Indians, as explained, are easily understood, and I hope that as far as is possible all these wants and wishes will be met by the Government, but I can promise nothing about it.

F. Allen—We are really loyal to the Government, and so we wish the Government to be true to us. We have asked for really necessary things, so we wish the Government would let us have them. When the Government grants the wishes of those loyal to the English flag and gives us what we want at Stoney Point, when the Indian Agent comes we shall be glad to receive him.

Mr. Planta—Don't infer that because an Indian Agent comes the Government accedes to all your demands.

F. Allen—We don't wish to lose an inch of our land.

Mr. Cornwall—The appointment of an Indian agent is quite a different matter, and has no connection with granting what you ask.

F. Allen—How shall we know if our wishes are granted ?

Mr. Cornwall—The Indian agent will probably be up before the result of the Commission is known, and the result will probably be made known through him.

F. Allen—The reason we expected you to settle these things is that we wrote to Dr. Powell, and we thought it should be settled by now.

Mr. Cornwall—It might have been settled before, but in these things you only suit your own convenience. This Commission would have come early in the summer had it not been postponed at your instance. You think only of your own interests. You postpone important matters to suit yourselves. All might have been settled ere now but for you.

F. Allen—We are sorry to have given this trouble. We did not authorize Charles Burton to advise the postponement of the arrival of the Commission. Burton is now in Alaska with a circus troupe, he and other Indians. He walks on the tight-rope and does all sorts of things. He has been with a circus from San Francisco to France and England. We waited for you in June ; some came home expecting the Commission. We know we have reserves at Redeliff, Caanan, Black Point, Stoney Point, and Kincolith, and we want a paper from you with your signatures saying that they are ours.

Mr. Cornwall—A paper of that kind, signed by us, is not worth the paper it is written on ; it must come from the Land Office.

F. Allen—What makes us ask for another paper of authority is that we are told the maps we have are nothing. The Indians not loyal to the Government make fun of us (shows map).

Mr. Cornwall—These maps you show us are not official, as they are not signed by anyone. I have made a note of that, and will ask the Government to send you copies of these maps and papers we have with us, and which are signed.

F. Allen—We are asking for what always belonged to us, but we want to get it in a proper way, lawfully, and we trust we shall get it. We have been told that the Lord never withholds any good thing from them who walk uprightly, and we know the Queen will do the same to those who are loyal to her Government. That is the reason we held that service this morning, to thank God for His goodness. We want to refer again to what we said before about Portland Inlet and Canal. There are three chiefs here, two nephews and the other a brother of Mountain's, living here, and they wish to have the reservation made so that the right will descend to them when he dies. They will not object to other Indians going there. They are : George Quack-soo, Alfred Walls, Henry Alfred. Paul Kledach claims Alice Arm as his hunting ground ; he wants that. Chief Clubux owns Hastings Arm as his hunting ground. When he dies, his brother, Patrick O'Brien, wishes it to descend to him. All the other little streams where we hunt and get our berries come from the same source, at the head of the Inlet.

Peter Latimer—I wish to tell you of the trouble I have had. John Mathieson has taken my garden across the harbour at Grey's Point. When I first came here I got that piece and used it as a garden, up till the time when some white people came there. The first year Mr. Croasdaile was there I planted it. The next year I went there, and as it had been taken by John Mathieson I asked payment for it, but he would not give me anything for it. I used to get 40 sacks of potatoes from it. I went with Mr. Collison and asked for payment for it, and he said : "Let Mr. O'Reilly pay you for it ; he drove me from my old place up the river."

Another year Mathieson offered me oakum worth three dollars in payment for it. I took the three dollars and told his daughter that I was not satisfied, that I wanted fifteen dollars more.

Mr. Planta—In opening the meeting, Mr. Cornwall explained the object for which the Commission had been sent, and the limit of its power. I am the Commissioner representing the Provincial Government, and I have to say that the Provincial Government will do everything they are called on to do by the law in the matter of setting apart sufficient land for the benefit of the Indians, as they may be reasonably required to do by the Dominion Government, particularly as with regard to the timber reserves in this neighbourhood mentioned by Mr. Cornwall. It is just as Mr. Cornwall says: the Dominion Government have the sole charge of the Indians, and I endorse all he has said about the Indian Act and the advantages it will be to the Indians to have an Indian Agent among them. I, together with Mr. Cornwall, will report every word said to the Provincial Government, and I hope a satisfactory conclusion will be come to by that Government. In our joint names I thank those present for the very dignified way in which they have conducted their share of the business of this meeting. On our part, the performance of our duty has been pleasant and we thank you all for your patience and attention.

6 P. M.—The Commission then adjourned to open at Fort Simpson, on arrival there of the "Sir James Douglas."

October 21st—A letter from the Kincolith Council was handed to the Commissioners (See Appendix D).

FORT SIMPSON, B. C., October 21st, 1887.

Present—Hon. C. F. Cornwall, J. P. Planta, Esq., Commissioners; Mrs. Morison, Interpreter—Mrs. Dudword being present as a check, on behalf of the Indians, at their request.

The meeting with the Indians—of whom there were about forty assembled—took place at the Mission school-house.

The secretary having read the Commission—

Mr. Cornwall—Mr. Planta and myself constitute a Commission sent by the Dominion and Provincial Governments. I represent the Dominion Government, and Mr. Planta the Provincial Government. We have come here in pursuance of a promise made by the Government at Victoria last winter to a deputation of Indians from the North-West Coast, who came down to confer with them. The Indians then asked that a Commission should be sent up here to investigate their wants and wishes. It was at first arranged that the Commission should come up here in the spring, and the Government were prepared to send the Commission then; but they deferred doing so until the present time, at the request of the Indians. We should have arrived here a fortnight earlier, but circumstances prevented it. However, now that we are here we are prepared to listen attentively to what you have to say, and we trust to your good sense to confine yourselves to practical questions, to tell freely and simply what grievances you have to complain of, if there are any such; also your hopes and wishes. It would be well for you to agree among yourselves who are to be your spokesmen. You are all, I presume, resident here, and it will be unnecessary for many to speak on the same subject. We have just returned from the Naas river, where we had interviews with many chiefs living in that part, when they intelligently laid before us the different matters of which they complained, and we hope your people will do the same. It will be well to choose your speakers; we are not here to decide, but to write down all your words, and report them to the Governments.

Albert Shakes (a chief of a tribe of Tsimpsians)—I wish to tell you that we are all happy. The Tsimpsians are happy because the Government has kept its promise in sending the Commissioners. That is what we wish, that the Government would treat us rightly, and so we are glad to see you. You see there are only a few of us here now. The reason why we are glad is, that Commissioners have been sent up here before to settle things, and have never done so; so we hope this time our troubles will be settled. Knowing that you are chosen to be sent as Commissioners, we hope the trouble will end now you have come. We are bringing our troubles before you now; of these we will speak, of our own things. We say this is our land,

but the Government say it is theirs. They haven't bought it from us; they haven't talked with us before buying it,—the land that God has given us to live on. Mr. O'Reilly came up here with the chain to survey the land, and we asked him not to do so, as the Government had not consulted us about it. He would not listen, but shook his head and went on, but said he would do as he liked.

Mr. Cornwall—Were you present?

A. Shakes—Yes.

Mr. Cornwall—How long ago was this?

A. Shakes—We have the time written down.

Mr. Cornwall—Mr. O'Reilly in his report says, "I had several interviews with the chiefs of the tribe in presence of the Rev. Mr. Crosby, and of Mr. Hall, agent in charge of the Hudson's Bay Co.," and he speaks further, on page 90 of the report on Indian affairs for 1882, of the time he laid out the reserve on the Tsimpsean peninsula. I just mention this to show what is said by Mr. O'Reilly, who has a good many of these affairs on hand. This is the published account of what happened.

A. Shakes—He did not talk the matter over with all of us. The people were not all here.

Mr. Cornwall—What's the use of saying "the people were not all here"? Are they all here to-day? Its all nonsense to talk in that way. By and bye you will say that the result of this Commission is no good, because the Indians are not all here to-day.

A. Shakes—Mr. O'Reilly said he would call on his return from the Naas.

Mr. Cornwall—So he did.

Mr. Planta—Here it is in the report. He says, "In subsequent conversations with the Indians, they requested me to reserve the entire Tsimpsean Peninsula, between Work's Canal and Chatham Sound, down to the Skeena River, containing about 350 square miles. This application was strongly supported by Mr. Crosby." But unfortunately for the Indians' view of the case the Provincial Government could not grant so large a quantity of land.

Mr. Cornwall—Go on now and say what you want like a practical man.

A. Shakes—The others will tell you all; I only wish to tell you our trouble. The chiefs can do so now they have authority to do so. Mr. O'Reilly came when the Tsimpseans were not expecting him, and when they were not prepared; they didn't hear before-hand that he was coming. We have asked the Commissioners to come this time to talk with them. We have authority to speak now, and we want the Commissioners to hear us and settle the trouble about our land.

Mr. Planta—I don't want to interrupt you unnecessarily, but I must remind you that the Commission read, and as explained by Mr. Cornwall, authorizes us only to hear and report to our respective Governments what the Indians have to say, and not to settle or determine the questions submitted to us.

Paul Legaic (handing in a document)—This contains an account of our troubles, which we wish you to see, as you may not have heard of them before. [See Appendix E.]

Mr. Cornwall—Did you live at Metlakatlah?

P. Legaic—Yes; I have come back to this place from Metlakatlah. You have heard what the people here think, and I wish to say a few words. We are very glad, friends, because you have come to visit this land. Our hearts are strong, chiefs, because we have seen you now, having heard that you are going to settle our troubles. We know that it cannot be settled here now, but that you are going to take it away. This will be the last time we shall speak about our land. If it is not settled, we shall go on talking till it is. We have lost our brother; he has gone away, and one is left here, and you have heard of it, so you have come up.

Mr. Planta—Who is the brother who has gone away, and who the one left?

P. Legaic—I mean Metlakatlah people who have left; and we are waiting to see what you will do, if God's mercy is left to us. I have just opened the meeting. The people of the village are going to speak together; we, the chiefs, will speak again.

Richard Wilson (a Tsimpsean)—Chiefs, we are here to talk of our troubles, and you have promised that you will be patient over it. The Government hold us this way: They are hard on us, and we feel it a burden; it is hard for our flesh. Ever since we have had the troubles, we have not seen kind chiefs like you. The chiefs who have been here before always go against our wishes, and go against what we say we want done. We are not bad tempered; we have always tried to do what is right. We know that it is the only way to settle things right—not to do it rudely. Although we sent one of our chiefs, Herbert Wallace, to the Dominion Government at Ottawa, paying his expenses, to tell them our troubles about our

land, we did it all very kindly. Sir John promised Herbert Wallace that the troubles would be settled, but it was not done. By not settling the troubles, it looks as if the Government were trying to tease us.

Mr. Cornwall—Did he go by himself?

R. Wilson—He was the only one from this place, but he went with two Metlakatlah Indians, John Tait and Edward Mathers.

Mr. Cornwall—Was no white man with them?

R. Wilson—Mr. Duncan went with them.

Mr. Cornwall—Did they pay his expenses?

R. Wilson—We don't know, as they started from Metlakatlah. We only know about Herbert Wallace. This is one of the things we have tried. We have tried other things, always in a proper way; we have not used anything that is not right.

Mr. Planta—What trouble did Sir John promise to have settled?

R. Wilson—About the land, which is our only trouble

Mr. Planta—What do you mean about your land?

R. Wilson—We have asked for land enough for our use, but the surveyors have always come and surveyed just a little piece, which we never expected, knowing that the land was given us by God. Had Sir John come with some other chiefs and consulted us about our land, and both parties had been satisfied, and then sent surveyors to survey it, everything would have been all right, but they have never done so. They made no treaty with us about our land. We have been treated very hardly. I and John Ryan went down to Victoria last winter to see the Government about our land. We arrived in Victoria with Mr. Crosby, whom the Indians asked to interpret for them. Mr. Crosby went against his will, as he did not want to go. The Indians pressed him. We are always sorry when the Government has done things against our wishes. They would not allow Mr. Crosby to interpret, but used an ignorant person.

Mr. Planta—Who was that?

R. Wilson—Charles Burton, a Kincolith Indian. We are satisfied now, and happy to see that you are doing everything in a proper way, getting proper interpreters for one thing. Everything went well when I went to Victoria, but I did not tell the Government everything these Tsimpsians wanted; so I asked for a Commission to be sent to see the chiefs themselves and talk together as we are doing now. There is another thing, the Government sent surveyors to survey our land before they sent the Commission. Now we hope that things will be settled between the two Governments and us Indians. We are not impatient, we want to wait and see that things are settled in the right way. I suppose I needn't mention the other chiefs, Dr. Powell and Mr. O'Reilly. They treated us very hard. We are always patient here; our hearts are not shallow. We want to see our troubles settled about our land. We ought not to be troubled about it. People are not bothered about their own houses that their fathers build and made warm. The land is the same, God gave it to us to live on.

Mr. Planta—Do you mean the land forming your reserves?

R. Wilson—The land has been surveyed for our reserves, but we have not accepted it yet. We objected. We don't wish for reserves. They are not right, they are not good things. We have seen it on the Naas; the reserves there on which we built our houses. The Naas people destroyed the houses and tools and burnt the lumber. That is the reason we know reserves are not good. The land is our own; God has given it to us to get our living from.

Mr. Cornwall—The reserves on the Naas are for the Naas people, not for the Tsimpsians.

R. Wilson—One chain wide was given to us by the water.

Mr. Cornwall—That one was given to all the Indians.

R. Wilson—The Naas Indians never owned below Greenville. The land below there belonged to the Tsimpsians, and they got their living there before the Kincolith mission was started. Legaic's forefather's place was opposite Kittix.

Mr. Cornwall—Don't you get your living there now?

R. Wilson—We do. Our houses are there; our forefathers' graves are there; the old stone tools of our fathers are there. Why I speak of it, I want it secured; I want it strong. It is not strong; our tools and houses are destroyed.

Mr. Cornwall—Do you want a reserve there?

R. Wilson—I want the land there secured to us.

Mr. Cornwall—Just now you said a reserve was a bad thing. I suppose you meant it was a bad thing if secured to anyone else?

R. Wilson—We don't want a reserve there; we want to own the land there. The land has always been our own; as we are afraid there will be trouble yet between the Nishkars and the Tsimpseans; and we think if Mr. O'Reilly had known that the Tsimpseans had always owned the land, he would not have reserved it for the Naas people. You look into it chiefs. We do not want to claim the whole thing; we want our fishing places there. We are not claiming any land belonging to others; it has always been our own. We hope to get justice from your hands, from the Governments, to settle our trouble. Some of the Tsimpseans have died and never seen their troubles settled, and soon now we hope it will be settled. Our brothers, the Metlakatlah people, have left the country because the Government have been hard on them; but we are patient, we want to see the justice of the Queen's work. Give it to us now. We have heard of the Queen's kindness but we have never seen it—her kindness to us she calls her children. We want it now, and what will descend to our children; that is why we are crying out now. We are very sorry our brothers have gone to Alaska, but we know they have got what they wanted. We are patient here, and expect to see the Queen do the same to us. We don't wish those in Alaska to be better off than we are. England is a mighty nation. The others shouldn't be better off than we are. They are all right in Alaska. I have shown you the trouble of our people, and have told you what we want in a friendly way, not angrily. We are glad to see you. We have never seen you before, and you are kind to us. We don't want smaller village to have more land than larger villages here; and so we ought to have a big piece of land, enough to get our living from. One of our chiefs will tell you how much land we want. You may not like it, but we must tell you.

Alfred Dudword (claiming to be a Tsimpsean chief)—Chiefs, we are very glad to be talking with you. Everything that Richard has said about the trouble here is quite true. I wish to speak of it too. There is one thing troubling the Tsimpsean chiefs and people, that is because the Government chiefs did not come and consult with the chiefs here about the land. White people come any way and survey the land round here. All the land round Fort Simpson's Bay to Legaic's pole is taken up. This is what is troubling the Tsimpseans, their land is getting smaller and smaller. These people don't do anything roughly. You have heard that they are patient, not that they are not strong to help themselves. But we are patient; we don't want to act like children, we want everything settled properly. We know that the Government has sold that land across the Bay and all around. That can't be helped, now it is done. There is another thing the Government has done, they have given the Tsimpseans' land to the Hudson's Bay Company. We wish the Government would get that piece of land back from the Hudson's Bay Company and give it to us. There are ten Tsimpsean houses on it. The land was cleared years and years ago by Tsimpseans. You can see it has all been cleared all round by Indians. There was quite a forest there, and we think it strange the Company should claim the land.

Mr. Planta—What land do the Company claim?

A. Dudword—All around at the back of the hill outside their fence. The Government put a post in by Legaic's pole; we want it taken out again, and that part of the land, from there to the Company's fence, given back to the Indians. Another thing is, the Government don't wish the Tsimpseans to form a nation of their own. They don't let us have our own way to do our own wishes. We are like slaves; we feel like slaves. The Tsimpseans have left their old heathen ways, and they know about God now, and want to be like civilized people, and those who look after us don't let us do that. You see the bridges and roads, how they are now; we can't keep them in order. I speak of it because I think of the council we had here, and we were told the council had no authority to do anything in the way of keeping our village clean and in order.

Mr. Planta—Who told you that the council had no authority?

A. Dudword—Judge Elliott and Mr. Hall, and also the Commission that came to Metlakatlah, telling us that we cannot have authority until an agent comes among us. But the Tsimpseans do not wish an agent among them; that is why we know we are not free, and a nation of our own. About the reserves, which we do not want: Mr. Davie, the Commissioner to Metlakatlah, said in answer to the Metlakatlahs (several of the Tsimpseans were there) "that they hadn't an inch of land;" "the Government has charge of it for you;" and this is why the Metlakatlah people have left, and that is why we do not want reserves. After the Commissioners told them they hadn't an inch of land of their own, and yet they tell of the reserves. We know that the Tsimpseans will be like white people some day—our children. About the land which God has given us—it seems the Government have taken it. We are

very much puzzled because we are not allowed to take what is our own. This is what the village wanted: We wanted the whole of the Tsimpsean Peninsula; one more chain com-monage, besides that which is on the Naas River, so as to make two chains wide; and the whole of the salmon streams on the Skeena, where we get our salmon.

6 P.M.—The meeting then adjourned until 9 o'clock A.M. to-morrow.

FORT SIMPSON, October 22nd, 1887.

Present—Hon. C. F. Cornwall, J. P. Planta, Esq., Commissioners; Mrs. Morison, interpreting; Mrs. Dudword present for the Indians.

At 9 o'clock A.M., the time of meeting, only a few Indians were present. During the time of waiting, in answer to the Commissioners' enquiry as to "where the old men were," only a few having been seen at yesterday's meeting, the Commissioners were informed that a number of them were out fishing, but that a large number of old men of the place had died during the last nine years. After the lapse of half an hour, some Indians having in the meantime arrived, the meeting was opened.

Mr. Cornwall—Punctuality in business is one of the most important things in civilized life. We came here at the exact time appointed, nearly half an hour ago. And we don't think your coming late shows the respect due to the Commissioners, or says much for your idea of the importance of this business. I don't say this angrily, but merely as a hint to you.

R. Wilson—We wish to be excused and to ask your pardon for being late this morning. We have told you that the size of the land we want to keep for our use, what we think is enough for us now. Before the others left we wanted the whole country, from the Naas to the Skeena; now the others, the Metlakatians, have left we have told you what we want now, which is much less. I repeat, about the two chains on the Naas, which is one more than now; we want it to be our own—not less and not more—where we get our living; that is what we want, we want it to be our own as long as we live. As long as it is not settled as to who shall own it there will always be trouble there. We have told you how much we used to own on the Naas, from Kittix down to the mouth,—all of the fishing; we want to keep a little of that now, that is what we want on the Naas. Now, about the land round here, the land of the Tsimpseans, we used to own from Kittix across to Kit-sum-kalum, on the Skeena, about fifty miles from the mouth, and we owned the whole of the Skeena down to the month; but now we only want to keep the salmon streams, hunting grounds and places where we used to get our berries on the Skeena. About our land we are living on now; we want the whole of the Tsimpsean Peninsula, we think it is enough for us. As I said yesterday, we expect the Tsimpseans will increase, and that is why we want to keep that much; that is what we want, not less and not more; and then outside of that the rest of the Tsimpsean land—perhaps one of these men will speak about it; if not, we will leave it all in the hands of the Government, what they will do about it to us, or for us, they will know what to do about it. Look across the bay here, we have seen it in the papers and here also heard about the "land grabbers." I suppose the land has been sold; we don't know anything about it. We haven't seen half a cent of the money we suppose it was sold for. It was our own land. It is the same with the land everywhere, which the white people have everywhere, from here down to the Skeena, where canneries are—Mr. Williscraft's, Mission Point, Inverness, Aberdeen, Essington and other places. There is a Frenchman—St. Armand—living near here; he can't read or write, and yet he buys the land, and we don't know what is done with the money. All this we leave in the hands of the two Governments, they will know what to do about it for us. We think unless the two Governments change the law there will be endless trouble here.

Mr. Planta—In what way do you want the law changed?

R. Wilson— I could tell, but we would rather leave it in the hands of the Government; they make the laws. We have tried everything and have always failed, and the only thing we can do is to keep this much of the land we have spoken of. Unless the Government changes the law, taking our land like that and selling it to others there will be no peace here. We feel that we are not treated well by the Government taking our land, and selling it like that without consulting us; we feel very sad about it. We don't like doing anything to our village. Look at the bridge and roads going to ruin; we are afraid we shall always be oppressed like that; not only that, they have taken hold of the hands of the people and keep them down saying, "the Council have no authority." These Councillors were the strength of the village; they can't do anything now. The law is keeping us back as if it would like us to give pot-

latches as we use to do, keeping us back from civilization. The Tsimpseans don't wish that; now, they wish to go ahead. You see how dirty and miserable the village is, different from civilized towns that make their own rules and laws. I have seen it in books, there are laws for cats, dogs, fish, for the protection of and prevention of cruelty to animals and other things, and yet we are not allowed to have laws.

Mr. Cornwall—Every law affecting anyone in the country affects the Indian in the same way as the whites, with very few exceptions.

R. Wilson—We want for our foundation the law of British Columbia and the Dominion; let that law settle things for us properly, and not take away the law we had for ourselves. We used to dance, give potlatches, and other things; we want the law to put a stop to all that, and we want a new law to be given us (not the old thing), the laws that are used by all white people's towns, which give life to the towns. We want that among us on the land we wish to keep. We don't want to keep this land and be strangers to the white people, so we wish those laws. Let the Government consider it and settle it, that we use the same laws as the white people.

Mr. Planta—Do you mean that you don't want to come under the Indian Act?

R. Wilson—No; we don't want the Indian Act, or the Indian Agent. We have seen how it works in Victoria among the natives there, where they have an Agent. One of the Tsimpseans went there to teach the Flatheads, and the Indian Agent ordered him out of the house, and from that we see they don't want us to be civilized, but to keep to our old heathen customs.

Mr. Planta—Do you understand the provisions of the Indian Act?

R. Wilson—We know it; we like half of it, but not the other half, so we want the Queen's law, and not a separate law called the "Indian Act," for it isn't right. We don't want the "Indian Act," it will keep us back instead of going ahead. See how it is at Fort Rupert; there was an Indian Agent there. The Indians are still giving potlatches, dancing and gambling, and still following their old heathen ways, and although there used to be an Indian Agent there, he didn't stop these things, he never said a word, but looked on and rather enjoyed it. I think the Indians sometimes gave him something at these potlatches, and he didn't refuse. It isn't right; it is like only playing at something. The Act may be all right; perhaps it is the man himself. I don't know what to call it; that is the reason we want the English law for our foundation, not that we wish to go against the Queen or her Governments; we are under that flag and we wish to have their laws. I repeat what I said yesterday; we are very patient here, our hearts are not shallow, or like feathers or shavings, light and blown about. When we say anything we keep it. Let things be settled now before there are any troubles; we are depending on God. We wish this of you two gentlemen who represent the two Governments; we want our troubles settled now; that is all I have to say.

Charles Abbott (a Tsimpsian)—I am not a chief, but I am a Tsimpsian. I wish to speak as I have something to say.

Mr. Planta—Has Wilson been telling us his own wishes or those of the Indians?

C. Abbott—The chiefs and those present all say that they wished Richard Wilson to say what he has said. We have seen you now, and we know now that you have been sent by the Governments, because you are wise men. We know that wise people are not sent for any foolish thing, but for something important. Richard has already told you about the land, so that I shall not say much, only this: The people wish to say something about that post on the beach, which Mr. Tuck, the surveyor, placed at Legaic's pole. We talked with Dr. Powell some time before that in Neshoots', a chief's house. There were four hundred people there. At that meeting Dr. Powell told them the number of feet outside the H. B. Co's fence; the distance outside the fence; where they were to build; their own land; and, when they left the building, Dr. Powell showed them the place. There was about fifty feet from the fence, but when the surveyors came, they put the post where it is now. We see that if we accept that, perhaps they will by and bye move it somewhere else further on.

Mr. Cornwall—No power can interfere with any Indian reserve, except with the consent of the Indians themselves, otherwise than for public works. Before any part of a reserve is touched, unless for public works, the consent of the Indians has to be obtained, and, if their consent is given, they have to be paid full price for the land taken. They hold it by the strongest of titles, which nothing can override.

C. Abbott—Why have we seen parts of it taken off before the reserve question is settled? We do not want reserves; how can we, when we see parts of them falling off all the time?

There is one wish that the whole of the Tsimpseans have, which is, that that post should be taken up this year. We had copies of papers--protests we made every time they were going to survey the reserve. We suppose you have copies of these protests, as the surveyors would take copies, and say they would send them on to the Government. We haven't been trying to find out about the reserves--not firm--but the Government has been showing us themselves by taking parts off all the time. We see that now, the chiefs and myself, that it isn't right. A wise person does not like to see his work getting smaller, or kept back; he wishes to see it increase, and so now we want wisdom and power, so that we can help ourselves about the land. We want to get the truth; we want to keep our own land. A man has always a right to keep his own things--our land, we live on it now.

Mr. Planta--Is your house on the piece of land taken off?

C. Abbott--We are not ashamed to say that the whole place is the Indians' land. I am not speaking about my own house, but about the whole of the land taken off?

Mr. Cornwall--Mr. Planta asks if your house is on that piece of land surveyed off for the company? Say yes, or no.

C. Abbott--No; but it is part of our village, and that post should be removed. Now we have a chance to speak with you, the Tsimpseans want to be like men. We have seen what the law has done about the land. Richard has mentioned about part of the land being taken; the law has to do with that. We want a strong law about the land we keep here for ourselves. We want the Government to give us laws that we can use on our own land; to leave the laws to the council to use, so that we can get the money for the use of the village.

Mr. Planta--Do you mean the fines or taxes for the use of the village?

C. Abbott--When Dr. Powell was here; he gave the council a law that they could fine everyone that was bad in the village. That fine would go to the use of the village roads and other things. We did that after Dr. Powell said so; but two men, Judge Elliott and Mr. Hall, said "we had no right to do so." Mr. Hall would do it in this way: The council would try some one, and then Mr. Hall would try him again, so that he made us think we did not have authority to do so. Mr. Hall once summoned all the councillors. That is why we Tsimpseans want to take charge of our own land; that is why we want power from the Queen to use her laws. Dr. Powell put laws into our hands, and those people made fun of them, so we know it is not strong. Once before, people came and took down our speeches like you are doing now, and said they would show it to the Government, and that we should get an answer next year, but we never got it. So we hope this time we shall get a law among us from the Queen's authority.

Mr. Planta--When did people like ourselves come and take down your speeches?

C. Abbott--Mr. McKay. Twice in this school-room he took down our words. After Mr. McKay took them down, he promised he would show them to the Government, and bring back the answer himself, but he never came. We hope you will not be like Mr. McKay. Several things in the books about the Indians (report of 1882) are not true, but now we want to get at the truth.

Mr. Cornwall--As far as you have gone, you have spoken very clearly, so that we think it will be unnecessary to go any further on these subjects.

A. Shakes (resumes)--We have been wishing to have an opportunity like this, and there is more the people wish to say. Have you copies of our protests against Mr. O'Reilly surveying the Naas, and against Mr. Jemmett's and Mr. Tuck's surveys?

Mr. Cornwall--No.

A. Shakes--We have copies here, which we hand in for your perusal. We wish them returned. (See Appendices E, F, G, H, I, J.) There was no notice taken of these protests. The Naas fishery grounds is one of the things that trouble us.

Mr. Planta--Do you object to other Indians fishing on those grounds?

A. Shakes--No.

Mr. Planta--Do you desire the Commissioners to understand that you wish the Naas fisheries below Greenville exclusively for yourselves?

A. Shakes--No; we only tell you what belonged to our forefathers, and what we claimed is getting smaller all the time. You said yesterday "the Naas didn't belong to us," and we were surprised to hear it.

Mr. Cornwall--Who said that?

A. Shakes--Mr. Cornwall.

Mr. Cornwall--I said the reserves on the Naas were made for the Naas people.

Mr. Planta—Don't you catch small fish there now regularly ?

A. Shakes—Yes, we do. We have houses there. We had regular villages there years ago, and used to give potlatches there.

Mr. Planta—And what you want is to have peaceable use of the river.

A. Shakes—We now want two chains width of our own. We put two roads or ways before you now, because we see why our brothers, the Metlakatlans, have gone across, and two from here have joined them.

Mr. Cornwall—Have all the Metlakatlans gone ?

A. Shakes—All of Mr. Duncan's people.

Mr. Cornwall—All of them ?

A. Shakes—All.

Mr. Cornwall—Wasn't Paul Legaic one of Mr. Duncan's people ?

A. Shakes—Before there was a mission at Port Simpson he left for Metlakatlah, to learn the truth.

Mr. Cornwall—How long has he been back from there ?

A. Shakes—About three years and a half. I wish you to notice the big pole on the beach that belongs to Legaic ; that shows that he belongs to this place ; the pole has been here for years. The two roads are : We wish to keep the whole of the peninsula ; also the salmon streams on the Skeena.

Mr. Cornwall—Are there not Indians resident on those streams, or some of them, on the Skeena ?

A. Shakes—There are some there now, hunting.

Mr. Cornwall—Are there not some always living there ?

A. Shakes—We go early in the spring and return in the fall.

Mr. Cornwall—Then no Indians make their permanent homes there ?

A. Shakes—Some used to formerly ; now they return here.

Mr. Cornwall—Then we are to understand that in the winter there are no Indians there ?

A. Shakes—No ; because there is nothing to do—no hunting, no berries. We used to make there our regular homes, years ago ; but now we want our children to learn in the school, so we live here. We wish the Queen to give us authority about the land. We see that this peninsula is small enough for us, and so we want each person to have 160 acres outside of the peninsula. This peninsula is not good for gardens for us to get our food on, so we want to pick away good places outside the peninsula. It was that which caused the Metlakatlans to leave, because they couldn't get this ; they have it now. These are the two roads we put before you, which we ask the two Governments to settle. The Tsimpseans wish you to pay great attention to what we have to say, and not to the white people, who say things about us to the Government. We wish you to know, too, that we wish to be one church in one village, either Methodist or Church of England. That is what cause trouble around here.

Mr. Planta—The Commissioners are sensible men, so that there can be no use in saying things over and over again. It will not make it any more strong with us. If there are any papers you wish to hand in, the Commissioners will be glad to see them or take copies of them.

[Letters handed in (see Appendices O, Q, R, S, T.) Letters N and P were kindly furnished by the Indian Department, on request.]

Gemmuc (one of the principal men)—The Tsimpseans are very glad and pleased because we have shown you everything in our hearts. You have heard what we want. It has been the cause of the trouble ; for that is why all the Tsimpseans wish the law to be changed. We hear that a law has been made that people could claim other people's things. The owners protest against the taking of that property, and yet is done ; the law does it. There is one thing the Tsimpseans and their chiefs wish—that it be acknowledged the land is ours, that God has put us on the land. You can see, chiefs, you got your own land where God put you, and this land is the same to us. We wish the Queen's laws so we may be free. In the presence of God it is a solemn thing, and the judgment of God is a solemn thing. The voice of God came first to you, and God will blame you if you don't settle things satisfactorily ; you will be responsible to God. We want to have the Queen's law, so that we can live under her flag.

James Hayward (a Tsimpsian)—There is one trouble we have not spoken of, something that weakens the Christians here—the Hudson's Bay Company selling liquor here, selling it to white people, and when they are drunk they come among us. Drunken white men have threatened to shoot some Tsimpseans.

Mr. Cornwall—Is there a Magistrate here?

Hayward—Yes.

Mr. Cornwall—Then your duty is plain: If a drunken white man threatens to shoot, you should complain to the Magistrate.

Hayward—We have, but the Magistrate won't move.

Mr. Cornwall—I can hardly believe that. The magistrate is obliged to issue a summons.

Hayward—We think that because Mr. Hall sells the liquor that he won't move.

Mr. Cornwall—Is not Mr. Wootton here?

Hayward—This happened before Mr. Wootton came. This is one of our troubles we wish you to know, and is what we all wish, that liquor should be taken away from here. They can sell us everything else they like, but not that. We wish this to be written down with the rest, so that it may be considered.

Mr. Planta—As Commissioner for the Provincial Government, I wish to tell you that that Government has by law but one duty to perform as regards the Indians' lands, and that is, to set apart for the use and benefit of the Indians such quantities of land as the Dominion Government may reasonably require it to do. This duty the Provincial Government will carry out in a fair and liberal manner. This same thing has been told to the deputation that went to Victoria last February, by the late Honourable Mr. Smithe and others, at the conference which was then held. You have already seen copies of the report of what then took place, and I leave another with you, so that you may read and study the words of the Government. I shall take care to report every word we have heard from you, and shall also make a report on those words. As Mr. Cornwall will tell you, the sole control of the Indians rests with the Dominion Government. I cannot say whether or not your demands will be complied with, more than this, that I am sure that they will have due consideration, and you will be liberally treated. Now, one word as to the attitude you should assume, and that is: you will do well to maintain a patient, peaceful demeanour, and that because the Government has the most friendly feelings towards you, and everything it does is influenced solely by considerations for your benefit and advancement. You must not suppose that the Government has any but such feelings, and, consequently, you should meet them in a right spirit, and should not be opposed to them. The happiness and welfare of each inhabitant of the country, whether Indian or white, is the true object for which the Government exists. The Rev. Mr. Crosby's name has been mentioned in the course of the day, and his influence over the Indians spoken of. I fervently hope that that influence will be used and exerted by him to promote a peaceful solution of the difficulties which at present exist.

Mr. Cornwall—You have heard what Mr. Planta has said, and I hope will understand and will follow his good advice. There are now several matters of which you have spoken on which I have something to say to you. I think we understand very fairly your different wants and wishes. One of your principal points of complaint is concerning a piece of land belonging to the Hudson's Bay Company on which some of your houses are built. That is a matter which I know has already been carefully looked into, but I have no hesitation in saying that when the representations you have made are laid before the Government the whole thing may be reconsidered and such relief afforded you as may be possible; and from what I know of the Hudson's Bay Company, and of their invariably kind dealings with Indians, I am sure that they will, if possible, meet the Government half-way and assist the settlement of the difficulty. I have, however, been given to understand that when the Hudson's Bay Company settled themselves here fifty years ago there were no Tsimpseans living on the spot, but that subsequently Indians flocked round the place. If that is so it is not difficult to understand that the Company should claim the land immediately about their buildings, and that it is you who have encroached upon and squatted on the Company's property. But while saying this, I repeat that I hope the matter will be set right to your satisfaction. Then, as to the matter of the oolachan fisheries on the Naas. That is also a matter which may, I think, be settled rightly. We have heard here what you Tsimpseans have to say about it. On the Naas we heard the Naas people on the same subject. We have heard all this, and have also learnt that many other Indians use these fisheries. Now, the interests of all have to be taken into consideration, and when the Reserve Commissioner, Mr. O'Reilly, was on the Naas it was all these interests he had to consider and to provide for. Yet this is a subject on which the Government and all concerned must be glad to have further information; which we shall now be able to lay before them, and I have no doubt that this is a question which may also be satisfactorily arranged. A great deal has been said about the improvements, government, and

regulation of this village, and it seems to me that you do not fully understand that which you have talked to us about. You seem to me not to be aware that the "Indian Act" supplies most distinctly the remedies for the wants and difficulties which you have described. One of the most important parts of the subject is the manner in which the practical management of an Indian reserve should be conducted. It is provided in the "Indian Act" that the chief or chiefs in council may make regulations and rules in regard to different matters, and also provisions to ensure the enforcement of such rules and regulations, and that by means of fines or imprisonment, or both. But that does not by any way mean that you yourselves can enforce those regulations by fine and imprisonment; all that has to be done by other properly constituted authority. There must be some Magistrate to punish in a properly legal manner those breaking the rules and regulations. Again, under the Act, the chief or chiefs in council may make rules and regulations respecting "the care of the public health," "the repression of drunkenness and profligacy," "the construction and maintenance of water-courses, roads, bridges, ditches, and fences," "the care of schools," and many other things, all of which your council can do under the Act, if the council is properly constituted on a reserve under the Act, but not otherwise. But you Tsimpseans seem to think that if you could have a government of your own, without the intervention of the "Indian Act," you would be better off. You seem to think that if you came under the general law in such matters, and were in the same position as towns and cities inhabited by white people in the power of governing yourselves, that you could manage better; but I can tell you that you would be only in the same position in this regard as that in which the "Indian Act" puts you. No city or town can govern itself without a law being made enabling it to do so, and that law lays down what subjects the town can take into consideration and about which rules and regulations may be made. The town government cannot do what it likes; it can only do that which it is empowered to do by law; and all the rules and regulations which it can so make can only be enforced by the aid of the existing law, and not arbitrarily by itself or by its own made rules. If any of the rules so made by the town government are infringed the offender has to be taken before the town Magistrate, who looks into the case and administers the law. The two things are just alike. Under the "Indian Act" you are able to do this. The town or city under the general law can only act in precisely the same way. But the "Indian Act" provides a simple way which anyone can understand and work under, and under which you can govern yourselves. I cannot help thinking that in this matter something or somebody has led you astray, and that you do not really thoroughly understand what you have been speaking about. It is quite useless for you to attempt to put yourselves beyond or outside the law; to say this law or that law we do not want here. That is not the way to bring about the object you may have in view. You may exert yourselves so as to bring about a change in the law, but in the meantime you must accept the law and abide by the law as it is. In reference to this part of the question comes in more or less that of the Indian Agent. I think you were and are foolish in objecting to the presence of an Indian agent among you. If you had among you as agent a good man, you would find him of the greatest assistance to you. He would understand the law and always be here to assist you in all matters connected with it. You could apply to him in all matters relating to yourselves, and to your intercourse, your transactions, or your difficulties with white people. In the case to which reference was made just now, where a drunken white man threatened to shoot an Indian, had there been an Indian Agent to whom you could have applied, no doubt the affair would have been looked into in a proper way. At present there is no one here whose duty it is to attend to your matters, your troubles, your difficulties. Your missionary no doubt takes care of your spiritual and perhaps bodily wants and necessities, but however willing he may be to help you in secular matters it by no means comes within the scope of his duties to do so; nor in matters where the law is concerned will he probably be always able to give you proper advice. So, from all points of view, I think it would undoubtedly be a great advantage to you to have an Indian Agent who could thus advise you and protect you in all matters which concerns your interest. If you, with the assistance of an agent, were working under the provisions of the "Indian Act" there would probably be no necessity for you to complain to us of the untidy state of your roads or the want of repair on your bridges; under it, you could do everything necessary to put your village in a proper state and to secure its continuance in such. Now I come to the question of the great reserves of land you have asked for. The law at present is that they should be of a size to meet your apparent necessities. Now, although you have asked for the whole of the Tsimpsean peninsula, perhaps you hardly understand or appreciate its extent when stated in acres. It is really about 220,000 acres. Now, supposing there are 800

Tsimpseans, that would give 290 acres to every man, woman and child. I only mention this to show what an immense amount of country it is, and yet one of you has said that you wanted besides that 160 acres apiece to make gardens of. Now, what man here wants a tenth part of 160 acres to make a garden of? I should like to see Tsimpseans cultivating gardens, but I have been up and down the coast and seen no signs of it except in little tiny patches. I am sorry to see that cultivation of the land is not at all the way in which you engage yourselves. Then of what use to you is the enormous extent of land you so freely speak of? Perhaps you will say "you are better engaged doing things which bring in more money." First, you commence the season by engaging in the Naas fisheries, then you go and work in or for the white man's canneries, saw-mills, and other things, and finish up the year in a little hunting and trapping. You spread yourselves over hundreds of miles of country making money everywhere. Now does any one restrain you in all that movement? Do you not go where you like? Are you not protected wherever you go as far as is possible as long as you behave yourselves? Then what do you mean by telling us that you are not free? You are as free as the birds of the air; you go where you like, you do what you like, and what can you have to complain of? I am gratified in coming here, and after having heard you all speak to find that really there is so little to complain of. Your very look and appearance tells me that you are well off and comfortable, and that being the case you should be contented. I am sorry that having heard of the large number of the Tsimpsean people, so few have been here to meet the Commissioners, who have been sent here at so great an expense to the Government, solely to hear the expression of your wishes and any complaints you might have to make, and although we have listened to some good speeches from those addressing us, I am surprised to see so few elderly men here—men who might be the elders and counsellors of the people. I do not think there is a man present so old as myself, and I imagine there must be many such in the Tsimpsean nation. I have nothing further to say except that I am pleased that our meeting with you has been conducted in a business-like and orderly manner. Our best efforts will be used to induce the Governments to give their attention to the matters we shall bring before them from you, and they will doubtless do what they can to remedy any grievances of yours which appear to be real.

6:30 p. m. The Commission then adjourned, to sit at Metlakatlah on Monday the 24th inst.

METLAKATLAH, October, 24th, 1887.

Present—Hon. C. F. Cornwall and J. P. Planta, Esq., Commissioners; Mrs. Morison, Interpreter.

The meeting was held in the Mission School-house at the request of several Chiefs and principal men now present to hear certain statements they wished to make.

The Commission having been read by the Secretary—

Mr. Cornwall—We have come here as a Commission appointed by the Governments, myself by the Dominion Government, and Mr. Planta by the Provincial Government. The object of the Commission is to inquire into the wants and wishes of any of the Indians of the North-West Coast. The chief object of the Commission was to visit the river Naas, and to hear what was to be said there. We have been there and at Fort Simpson for some time, and have listened to what the Indians have had to advance. But the Commissioners are further empowered to hear what the Indians on any part of the North-West Coast may wish to say, and we have, consequently, come here to see what the Indians of Metlakatlah may wish to lay before us. We should like you to enter into anything that affects you in any way, and to give us a full and true exposition of your wishes and wants. Our duty is to hear what you have to say, and to report your words to the Governments. We have not come to settle matters, but merely to report, so that the Governments may come to a conclusion as to what ought to be done.

Donald Bruce (a chief)—I wish to tell you all about our hearts and about our village. We have been living here all the time on the Tsimpsean's land, watching it through all the persecutions. We would not do as we wished ourselves, but have always depended on the law which has been guarding us. So we wish to be helped to be free from our oppressors—those Indians who have gone across. It is only the work of the Government that has protected us all along from being destroyed by those people.

Matthew Aucland (one of the principal men)—Chiefs, we are very thankful that you have come to visit us, and we are thankful to the Government for all the work it has done among us. We look to them as our fathers looking in the face all the time. We have a few things we wish

to speak about. You have heard a great deal said about the land by all the Indians you have met. We wish to say a little, too, about it. We are all very glad to see that our land has been surveyed, and we have a wish we want to lay before you, to do for us about the land. We want a strong paper given us, showing us that we own the land in the reserves.

Mr. Cornwall—Do you mean the reserves as a whole?

Aucland—Yes, so that it can be divided among us Tsimpseans. Children always tell their fathers what they want. I want you to know how far we want, just a little bit more.

We want the whole of the Island called Kai-en, instead of the little portion laid off, so that the other Tsimpseans can see what we have got here.

Mr. Cornwall—Then you mean the reserve for Metlakatlah Indians?

Aucland—Yes; we have a small reserve there—Cloyah. We heard it was for Metlakatlah, but we want all the Island.

Mr. Planta—All the reserves laid out by Mr. O'Reilly on the Tsimpsean Peninsula and Islands around are for the Tsimpsean Indians.

Aucland—There are two sets of Tsimpseans—the Metlakatlans and Fort Simpson Indians—and we want the reserves divided. We want it made clear to us about the lands, as there are some bad white men among us who say we are slaves on the reserves, telling this in the ears of ignorant Indians, that we are slaves; so we wish it made clear to us about our land.

Mr. Planta—Have you any objection to tell us who told you that?

Aucland—I can tell you the names—Mr. Duncan, Mr. Tomlinson, and Dr. Bluett. These three men are the cause of the trouble among the Tsimpseans. That is the cause of what you see in this village, empty houses and everything you see about the village now. Such a thing as this has never been seen among any Indians—a whole tribe leaving their village just because of the talk of strangers. There is another thing I wish to tell you about—our fishing camps on the Skeena. We wish them to be surveyed; they are very useful to us.

Mr. Planta—On what part of the Skeena are they?

Aucland—Near the mouth.

Mr. Cornwall—Do you know there are reserves at different places there?

Aucland—I know; but we want three more.

Mr. Cornwall—Mr. O'Reilly, in his report, says you got all you asked for.

Aucland—We are frightened to say what we want.

Mr. Cornwall—Speak out; don't be afraid.

Aucland—There are some white men's fishing camps near there, and we want our own secured to us. Their names are: Kshaoom, about three miles above Inverness, on the opposite side of the river—there are two little houses there now; Me-an-law, almost opposite Port Essington—there are Metlakatlan and Tsimpsean houses there; Kishneclt, a little above and opposite Port Essington. I wish to explain about Kshaoom: There is an open passage; we want a little on each side. This is all we wish to say about the land. I wish now to speak of our trouble in this village—the misery; how sorry we are; our hearts are crying—grieving. If it wasn't for the presence of Mr. Wootton, who has authority and who has cheered us, we should have felt very bad. We feel cheered now that Mr. Wootton put a stop to those people destroying the church entirely. We are now asking each other how we can get help to fix the church again. It is very hard for us; the church being almost destroyed, and we are poor and can hardly afford to fix it again. We leave our trouble in the hands of God above and the Queen's Government; this sometimes cheers the few of us left in the village. We wish you to think what can be done to this man who led the people who destroyed the church.

Mr. Planta—Who is that?

Aucland—Mr. Tomlinson. We ourselves sent him a notice to leave the village, and we never got an answer. We leave it with you; we don't want him to be here long.

Mr. Planta—When did you send the notice?

Aucland—We sent him and Dr. Bluett two letters on the 10th and 11th of October. Here are the copies (see Appendices K, L, M). There are more things we wish to speak about: Can we use the school-house for a church, as we have not had a proper place to hold service in?

Mr. Cornwall—You have the school in your possession now, have you not?

Aucland—Yes; can we use it now as a church, or not?

Mr. Cornwall—Mr. Planta and I both think you have a perfect right to use it if you please.

Auckland—It is like asking a favour from a father; we don't want to keep anything back. We want to speak about something else. We want the Government to help us about the mill, as it has been broken up all to pieces.

Mr. Planta—By whom?

Auckland—By Mr. Duncan's people and Mr. Tomlinson, and we wish to repair it.

Mr. Planta—Whose property is that mill?

Auckland—It was built partly with the Church Missionary Society's money, but we don't know much about it; we think now that anything Mr. Duncan built on our land when in the Society's service is ours.

Mr. Cornwall—I think if the Government could send up a good Indian Agent, that is one of the matters he could enquire into and act upon, as well as the removal of any objectionable person from the reserve.

A. Leighton (one of the principal Indians, and who had worked in the saw-mill for years)—I want to give you a title to what I am going to say: "The petition of those under the English flag." Chiefs, we know that you won't be tired of our petition. We want an Indian Agent now; give it to us now. As long as there is no Indian Agent here we know we cannot do anything in the way of protection if those people should come over again. There is something else we want to ask for from the Government. That is a Government teacher to teach our children English. I suppose the Government will pay him. We want them to be taught well; we see how it is now; they don't know enough, they are easily led by bad men. The bad men used to tell the Indians that the law would make the Indians like slaves, and so believing this, because they are ignorant, they left the village. We want about our land made clear to us, how far the Fort Simpson land is, and how far ours—we mean how much we have got, and how much the Tsimpseans.

Mr. Planta—Does that mean only the peninsula or all reserves?

Leighton—We want a line drawn north of Metlakatlah, dividing our land from the Fort Simpsons.

Mr. Planta—Were you in charge of the saw-mill?

Leighton—Yes; I was at the mill about twelve years altogether.

Mr. Planta—Do you recollect who built the mill?

Leighton—The Indians helped to build it, and were paid a little and told it was for their use. I wasn't paid much, because I was told it was for the use of the village.

Mr. Planta—Is the machinery there?

Leighton—No, it was taken out.

Mr. Planta—By whom?

Leighton—By Mr. Duncan's people, and for certain, Mr. Tomlinson and his son took it out with their own hands.

Mr. Planta—How is the frame-work of the building left?

Leighton—The beams are cut at different parts of the frame-work and broken up.

Mr. Planta—Was that necessary to get the machinery out?

Leighton—It was not necessary; they could easily have unscrewed it and got the machinery out.

Mr. Planta—Is the frame-work left of any use?

Leighton—It needs repairing; they need not have broken anything; as it is, the wheels are all smashed, the iron teeth knocked out, and some of the felloes of the large driving wheel are cut out; the beds of the saw and planing machines and the beams and bearings are cut right out. None of this was necessary to get the machinery out.

Mr. Planta—Where is the planing machine?

Leighton—They have taken it away.

Mr. Planta—Whose is it?

Leighton—Mr. Duncan used to buy these things when in the Society's service, and used to say they were all for the use of the Indians. We asked for a flag; one was given to the village by Dr. Powell, but when those people left to go under the American flag, they tore it into ribbons like you see it now (flag produced). Mr. Duncan's people used to shoot at it.

Auckland (resumed)—Something we forgot to say about the fishing grounds on the Naas and our hunting grounds on the streams on the Skeena. We want to find out the names of reserves on the Naas (map of reserves shown).

Mr. Cornwall—At all the reserves at the oolachan fisheries there is a commonage reserved of one chain in width for the use of all Indians.

Auckland—We want a place almost opposite, but a little above Redcliff and below Canaan, where there is a rock and a whirlpool; it is called Kit-cum-gun; we want a reserve there for Metlakatlah Tsimpseans. We hope and expect that none but the Queen's Indians will be allowed to go to the Naas to fish; we don't wish the Tsimpseans who have left here for another flag to come back and get their fish at the Naas and Skeena. They say they are Americans now, and we don't want the American flag here.

Mr. Cornwall—Are there any other American Indians who fish there?

Auckland—Yes.

Mr. Cornwall—How many?

Auckland—Sometimes thirty or forty canoes, ten persons at most in each canoe—men, women and children. Mr. Duncan boasts too much and says "he can almost rule this land," although he is on the other side, and his Indians believe that. We hope the Government will move and do something to protect this land from the others. About the hunting grounds we had always on the streams we ask for on the Skeena. Each man or family had a certain stream on the big river, and we want these retained by the families who have always owned them. In the old time no one but the owner had the right to go to these places; lately, white people have been telling us that any one can go to them, and so Indians from Tongas and all around have been going to these streams, where they were not allowed before, so furs are not so plentiful as before for the owners; that is principally where our living and clothes used to come from.

Mr. Cornwall—Formerly, but not now?

Auckland—We still go there for furs, but seldom get any. When we get through working at the canneries we go to these places to hunt, but never get anything; they are always full of Indians from different places.

Mr. Planta—We wish jointly to thank you for the greeting and reception we have met with here at Metlakatlah. We have taken all your words down, and will report them to the Government. We hope a satisfactory conclusion will be reached as to your wishes. We are glad you wish to have an Agent; we think one will be able to conduct the affairs of the Indians in this part of the country in a way which will produce a biding confidence in the fairness and justness of the Government's intentions towards the Indians. We wish you farewell, and cannot help feeling that the meeting on your part has been very agreeably conducted.

VICTORIA, November 16th, 1887.

Mr. O'Reilly, Indian Reserve Commissioner, who met the Commissioners by request, to give some information in regard to the Nishkar and Tsimpsean reserves, said:—In October, 1881, I went to the North-West Coast to set apart reserves, principally fisheries, at the urgent request of Mr. Duncan, who said that unless immediate action was taken, the Indians would be great sufferers, and much discontent would be the result. There was a great demand that season for land on which to establish canneries. It was impossible to give the Indians on the Naas river notice of my proposed visit, as Mr. Duncan's representations were made so late in the season. In regard to the reserves on the Naas, I did not lay them off on my way up the river; I did so on my way down, as I then knew more about the wishes and requirements of the different chiefs. I noted all the places pointed out on my way up, and every place so pointed out was afterwards reserved. The Indians wanted particularly Grey's land at Lachkal-tsap (Greenville). It was impossible for me to give it to them. I extended the reserve two miles above Greenville, so as to include the whole of the oolachan fisheries. When defining the reserves, I was guided by a desire to include all the land necessary for the Indians. I was also guided very much by Mr. Duncan's suggestions. He supplied me with a rough sketch of all places where he thought reserves were necessary. I laid out more reserves, however, than marked on his sketch. The reserves at Redcliff, Canaan, Black Point and Stoney Point are essentially fishing reserves. It was necessary to make a commonage at the oolachan fisheries to prevent disputes among the large bodies of Indians who resort to them.

Mr. Cornwall—The Tsimpseans want two chains wide of a commonage.

Mr. O'Reilly—They are not directly interested in the tillable land at the reserves as the Naas Indians. If two chains were given, it would encroach too much on the land fit for cultivation, of which there is a scarcity on these reserves. I did not consider that the Tsimpseans had any rights to special reserves on the Naas, except for fishing purposes.

Mr. Planta—By the term “resident Indians,” used in your report, did you mean to convey the idea that you had reserved Stoney Point to any particular Indians, either from Kincolith or Greenville?

Mr. O'Reilly—I had no such intention. That, I judged, would come within the province of the local agent.

Mr. Cornwall—The Metlakatlah Indians ask for the whole of Kaien Island, and certain places on the Skeena where they say they have houses.

Mr. O'Reilly—There is a place for the Tsimpseans on Kaien, and several on the Skeena. When I laid out the reserves, there were several Metlakatlah Indians with me, and all places they pointed out were reserved.

Mr. Cornwall—They also want a line drawn north of Metlakatlah, defining their reserve from the Fort Simpsons'.

Mr. O'Reilly—I think it would be desirable to do that.

Mr. Cornwall—For whom did you reserve Kinnamax, on Naas straits?

Mr. O'Reilly—For the Naas tribe. There is good fishery here for dog salmon; a fish in great demand among the Indians, but worthless for canning purposes. Kinnamax reserve has not yet been surveyed.

Mr. Cornwall—Cannot copies of the maps of reserves be sent to the Indians?

Mr. O'Reilly—As soon as the surveys are completed, it is the practice to send certified maps of the reserves to the agents in charge of the different districts. When the survey of all the reserves on the Naas is finished, certified maps will no doubt be furnished.

Just before the close of the work of the Commission at Victoria, a long letter, dated Port Simpson, October 24th, 1887, was received by the Commissioners, purporting to be signed, on behalf of the people of Port Simpson, by certain nine Tsimpseans.

The letter was in a great part a reiteration of statements of demands already submitted to the Commission by the Indians, together with comments upon what had taken place at the meeting at Port Simpson, but the following extract the Commissioners consider it necessary to publish:—

“We have the words of Mr. Smithe in the report which Mr. Planta handed to us, and it has been read to us, but we do not agree to those words, and the plan of the Government about our land. From what we have seen of it (the “Indian Act”), and the agents who carry it out, we believe we should be no better off than the worst heathen about us, as our chiefs pointed out to the Commissioners. What we want is a municipal law, backed by legal authority, without the bondage of being under a bad Indian Agent, who would take us backwards rather than forwards. We have only one way left, after our patient waiting and protesting against the surveys and the way our protests have been treated, and that is to follow our brethren into Alaska.”

## APPENDICES.

### A.

VICTORIA, B. C., 29th July, 1887.

*Lieut.-Col. Powell, Indian Commissioner:*

SIR:—On my way down to the coast last winter I was called upon to attend several council meetings of the Kincolith Indians, for the purpose of hearing their explanation of certain grievances in order that I might convey a statement of the same to the Indian Commissioner on their behalf.

In compliance, therefore, with my promise to these Indians, I now submit a statement of their grievances for your information and consideration.

No. 1. Concerning Mr. O'Reilly's laying out of the reservations:—The Indians did not understand at the time the full meaning and consequences of the Commissioner's visit. Little or no explanation was given, and the Commissioner was in such a hurry that the Indians had no opportunity of conferring together, or of taking counsel on the subject. They think, therefore, that a full and patient hearing should be now given to them on the question of their land.

No. 2. Encroachments on Niska reservations:—These Indians are feeling very sore with regard to the gradual encroachment of the Tsimpseans on their territory. The following is a list of Tsimpsean Indians who told Frederick Allen (a most intelligent Nishka) that their tribe are determined to take up quarters on the Naas River: Oswald (Liik), Mark (Shigiakbala), Edward (Widate), Amos, David Swanson. The latter declared that blood would be shed on the Naas ere long. There is evidence of the foregoing design being gradually carried into effect.

Already there are strong houses and a church built upon Nishka (Redcliff) reservation by the Tsimpseans. Some of these houses have been actually built upon the cultivated plots of the Kincolith people, thus depriving the following persons of the use of their gardens: Moses, Matthew Allen, Abel, Henry, Frank, Luke, Mary Gwasie.

The Tsimpseans have also broken open potatoe pits belonging to these people and have stolen potatoes therefrom. One case of this kind was brought before Judge Elliott, who promised that the matter should be investigated, but this promise was never fulfilled.

Arthur Wellington, a Fort Simpson Indian, has taken the Canaan reserve for himself, and holds it against those to whom it is reserved, notwithstanding his having been warned to leave by Mr. O'Reilly.

No. 3. The oolachan fish:—This fish being the principal source of food to the Indians, they, therefore, request that the water frontage of their fishing reserve be carried out five hundred yards from the shore for the whole extent of their reservation, and so secure to them an undisputed title to a bona fide fishing ground.

No. 4.—The delegates sent last winter to confer with the Government by the Kincoliths were unable to follow their proper instructions in laying their real grievances before the Government, because of there being certain Tsimpseans posted beside them as watchmen.

Their real grievances are those now stated:

No. 5. Indian marriages:—The welfare of the Kincolith community is threatened by the indifference with which the young people treat their matrimonial alliances. They marry according to law, and after a while separate and form new and immoral connections, or desert their wives and children and live at Victoria or elsewhere, there being no law or properly constituted authority in the village from which to seek redress or to which appeal can be made.

No. 6. Indian Agent:—On several occasions the Kincolith Indians have expressed their desire to the Indian Department to come under the Indian Act, and to have the benefit of the services of an Indian Agent, for which cause they are disliked by the surrounding tribes and have to endure much annoyance, while as yet they derive no benefit or support from the Government in return for their loyalty, while on the other hand, those who are manifestly disloyal and anxious for rebellion have every reason to think themselves justified because the matters in dispute are ignored by the authorities.

No. 7. Reserve title:—The Kincolith Indians have found themselves in a very humiliating position in asserting their claim to lands disputed by the other Indians, in not being able to show a written authoritative document setting forth their title to their lands and the extent of them.

The following Indians composed the council: George Kinsada (chief), Adam (chief), Moses (chief), Luke (chief), Abel, Frederick Allen (secretary).

On behalf of the above,

I remain, Sir, your obedient servant,

(Signed)

JAMES B. McCULLAGH,

Missionary C. M. S

## B.

Hon. Mr. Smithe—There is no such (treaty) law, either English or Dominion, that I know of, and the Indians, or their white friends, have been misled on that point. Now, you seemed a little while ago to desire to be placed, as nearly as possible, on the same footing as white men. You say that you ought to be as good as white men, and I quite agree with this; and all we wish is, and all we wait for is, for you to get a little advanced beyond where you are now, when you will be able to read and write, think and understand as (and thus be just as good) white men. All men are of the same flesh and blood, and there is no difference between them, except that the white man knows and has been taught more. Now you are going entirely out of that position, and want to be placed in a better position. White men, you know, hunt as well as Indians. I, myself, am very fond of hunting, and am free to go

upon the hills with my rifle and kill game, but I have no more right to go there than you have. You, also, have a perfect right to go there, as every Indian. The land belongs to Queen Victoria, who permits us to go on that wild land—on land that has not been cultivated; that has not been paid for by some white man—and we are glad to make laws to regulate it, and have the privilege of hunting there. But you wish to have the exclusive right of hunting over these lands, which is more than any white man claims or desires. If you have not got land enough reserved for your purposes, I am quite sure that Mr. O'Reilly's one wish is to make such a reserve as he is satisfied is requisite and necessary for any of the tribes, whether of the Naas or of Port Simpson. And if, in the past, Mr. O'Reilly has made any mistake, and misunderstood any of their wants and wishes, he is perfectly ready to go again and hear what you have to say; and if you can show him that your reserve is too small, he will be prepared to ask the Provincial Government to give you more land. But, in so far as that goes, there need be no difficulty at all. If your reserve on the Naas is too small, it can be made larger, and both the Dominion and Provincial Governments will be perfectly willing to give you additional land for your purposes. But when, in addition to that, you want hunting grounds, it becomes a very different question. Now, why do you want those hunting grounds? It seems to me to be the desire of everybody, both the Indians and their teachers, to raise the Indians out of the position which they have held in the past, when they were little better than wild animals that rove over the hills, when they required a large extent of land to gather berries from, or for hunting over. This being their only means of subsistence, one could understand that it was necessary for them to have this greater extent of country. But now the Indians have been taught other and better ways, and are leaving and giving up their old habits, and they do not require to go picking berries over the hills as their forefathers did. This wish is absolutely nothing but mere sentiment, and it seems to me far better to be contented to accept the same position as a white man in that regard; to be the same in the eyes of the law: to ask no more, and to take no less. You don't want to be slaves—compelled to live on your reserve, and not go out of it; and I can quite understand that whatever the occupation of an Indian—whether he works daily as a carpenter, or at any other trade, whether following the plough or digging his garden—he wishes to go to the mountain occasionally, and kill a deer or a grouse. If you wish, the hills, deer, and grouse are there. Take your rifle and go; there will be no one to hinder you. Should you wish anything more than this? It's all the white man wishes, and it's all he gets. The Indians, indeed, are specially favoured. When a white man comes into the country, no land is given him; no reserve is made for him; and he does not own a single inch until he has paid for it. The land all belongs to the Queen. The law provides that if a white man requires a piece of land, he must go to the land office and pay for it, and it is his. The Indian is placed in a better position. A reserve is given to each tribe, and they are not required to pay for it. It is the Queen's land just the same, but the Queen gives it to her Indian children because they do not know so well how to make their own living the same as a white man, and special indulgence is extended to them, and special care shown. Thus, instead of being treated as a white man, the Indian is treated better. But it is the hope of everybody that in a little while the Indians will be so far advanced as to be the same as a white man in every respect. Do you understand what I say?

### C.

*The Honourable Mr. Cornwall and Mr. Planta, Commissioners:*

We, the chiefs of Greenville, Kit-am-kee-da, Will-ski-tum-wil-i-kit, and Kit-wan-silthe, all desire to send you our words, that our hearts are not quite satisfied on one little thing, because we did not reply to the law you opened to us about our lands when you closed your sitting here to-day. And one thing we wish to bring to your notice before you leave the river, viz.: That yesterday we told you that the law and report you read to us, and what Mr. Commissioner Planta said—he must speak to us from the Government of British Columbia, to the effect that we were not the owners of the land, but that the Queen owned it—did not satisfy us, that we could not receive it into our hearts, and we wish to tell you that when we heard it again to-night we did not change our minds. The land was given to our forefathers by the great God above, who made both the white man and the Indian, and our forefathers handed it down to us, and we have not given it to anyone. It is still ours, and will be ours till we sign a strong paper to

give part of it to the Queen. And we shall pray to our God to give you great wisdom, and guide us all that we may find peace.

	(Signed,)	VICTORIA, per JOB CALDER, x.
	"	DAVID MCKAY, his mark, x.
	"	MOUNTAIN, " x.
NAAS HARBOUR,	"	CHARLES RUSS, " x.
Oct. 19th, 1887.	"	NESS-YSET, " x.
	"	TALL-A-HAT, " x.
A. E. G.	"	CLEE-TOOK, " x.
	"	SE-BAS-SA, " x.
	"	AH-WEL-AGH, " x.
	"	AM-CLAM-AM, " x.
	"	ARTHUR CALDER, " x.

D.

KINCOLITH, B. C., Oct. 21st, 1887.

*The Commissioners :*

DEAR SIRS,—We forgot yesterday to tell you that we did not wish for a treaty, because we do not know what is meant by it.

We forgot to ask you to explain it to us. We wish the Government to satisfy us with respect to the things we have requested of them. Some have said that they want a treaty for the sake of getting money. All we require is for the Government to preserve our supplies of food and lands.

Signed, FREDERICK ALLEN,  
Secretary of Kincolith Council.

E.

PORT SIMPSON, Oct. 8th, 1887.

*To the Members of the Land Commission :*

SIRS,—We are pleased to meet you, for we have looked forward to your coming as a peaceable settlement of what has been a great trouble to us for years. It has made our hearts bleed to be treated as we have been about our land, the inheritance which God gave to our fathers, and it was for this reason we sent three of our number to Ottawa, in 1885, to meet Sir John Macdonald. He promised us in fair words we should have what we needed, but nothing was done. The servants of the Government sent here have never treated us like men. Mr. O'Reilly came here in 1881, without sufficient notice to our people, and hence there were not many home, and when he met us he would not give time for our chiefs to speak, nor listen to our wants, but went on and, as he says, laid out reserves, although we protested in writing against it. Now we want you to see what he has done. He has taken twelve houses of chief Legaic's tribe and given them to the Hudson's Bay Company; and although we sent letters to Dr. Powell and to the Hudson's Bay Company against it, no notice was taken of it, and we were told that the Company's line commenced at Legaic's pole. Now if you look at this you will see that it is not just; and as the Company could take plenty of land to the east, up the harbour, we cannot tell why they wish to enclose their houses on our land, and we were told by Dr. Powell when he visited us that the Hudson's Bay Company's land would not come more than a few feet west of their fence. Then all at once we found a man here surveying, for the Government he said, all round the north-east side of the harbour, and we were told that this land had all been claimed by the white chiefs in Victoria, and they said they had bought it from the Government, and this before our claim had been settled. We wrote about this, but received no reply.

In the fall of 1883, Dr. Powell came up in a war ship to Metlakatlah, but we think he was ashamed to come up here, for his words to us had all been broken, so he sent Mr. McKay as agent. He met us, and listened kindly to our trouble, and said our claim was just. We said if

he would go and lay it before the Government and get it settled, we should then be glad to have him come back. He went away and never came back, and we thought it was because he wished to carry out our wishes that he was not allowed to come back.

And again, the war-ship came to Metlakatlah; and we were told that the Chief of the Government, Mr. Davie, said that not one inch of the ground belonged to the Tsimpseans; and then you know there was trouble at Metlakatlah about the two acres on Mission Point. All this sending of war-ships at, and putting Metlakatlah people in gaol, and the way we were treated about our land, cause us great trouble and made our hearts weak. Our council that had for years kept the roads in good order and built bridges, and endeavoured to repress immorality among our people, was put down by Judge Elliott, who said we were no council; and now you see our village is in a bad state, and our young people who once had great respect for the village council, have none now. We have wondered what would come next. We have been put down and discouraged by those who should have encouraged and helped us; but we have been kept by our teachers and our profession of religion from breaking the laws, and they have always encouraged us to believe that we should have our rights.

When Mr. Jemmett came to survey on the Naas, we sent him a letter protesting against his work until we had the land matter settled. But he went on, and we are told that our fishing stations which he marked off are but one chain in depth from the water's edge, and on this we were to be allowed to build no houses. This seemed very strange to us, for here our fathers used to live two or three months in the year, and we had large houses on this ground long before Mr. O'Reilly or Mr. Jemmett were born. This made us feel sore and angry and, had we been as we once were, we should have been tempted to fight; but, no, we prayed to God to help us and waited, and now we do hope you will see that we have at least two chains' width in our fishing claims on the Naas. All the Upper Naas people will agree to this, as they know it is our just right. When Mr. Jemmett came here to our own village and commenced to survey and take the line from Legaic's pole, we protested against it, and called him to a large meeting and told him we did not wish him to go on with the survey. He said he would send our words to the proper quarter, and the matter would be attended to. In the meantime he went on with his work, and we never heard that any notice was taken of our protest.

Feeling that all our attempts to get a hearing had failed, and that some of our people were becoming exasperated, and, desiring to prevent an outbreak, we decided to make one more effort, and, calling a large meeting last January, we appointed a deputation consisting of our missionary and two men of our tribes to go at once to Victoria, in company with Mr. Green and some Naas Chiefs, to wait upon the Government. Though in the midst of a great storm, our deputation proceeded without delay to Victoria, when, strange to say, the Government did not wish to meet the missionaries, and would not allow them to be present at their interview with the Indians. We have not forgotten that yet. The Government promised that a land commission should be sent to put our land matters right. We expected it here in the spring, but instead of that we were surprised in the early summer by the arrival of Mr. Tuck and a party of men to go on with the survey. A meeting was called of the few people at home, and we protested against his surveying the land. Mr. Tuck said, in reply, that he could not stop his work, but he promised that our words should be sent to the Government. And now you have come, we ask you to be good enough to take time and listen to our wishes and hear the words of our chiefs, and we do hope that your visit will be the means of bringing peace and confidence to our hearts again. We welcome you to our village, and will do all we can to make your stay here pleasant and happy. And do not feel sorry if we have to say some words you do not like to hear.

We suppose you have all the papers concerning our land question, and our letters of protest before you, but we thought it well to call your attention in this letter to some of the circumstances of our grievances.

As you are no doubt aware, the Government have never had to send a war-ship to us, and although a Judge lives here, he would have no work to do were it not that the Government has given the Hudson's Bay Co. licence to sell liquor, and bad white men come here and get drunk and then give it to our people. This has given us great trouble. For many years the Hudson's Bay Co. sold no liquor here, and our young men were safe from the temptation, and bad men did not dare to trouble our wives and daughters, but we fear for all this now. This is aside from the land question with which you come to deal, but it is a thing that troubles us much, and we hope you will do something to have it put away from our midst.

At your pleasure we will call a public meeting. We have had letters from the Government to tell us of your coming, and we hope you will find time to meet us before you go to Naas, and as a large number of our men have been awaiting for your coming, and would like to be away soon.

On behalf of the people of Fort Simpson,

(Signed)	PAUL LEGAIC,	his mark.	X
"	DAVID SWANSON,	"	X
"	ALBERT McMILLAN,	"	X
"	WILLIAM KELLY,	"	X

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F.

INDIAN RESERVE SURVEY, PORT SIMPSON,  
November 5th, 1886.

DEAR SIR,—I beg to inform you that I have just arrived here from Naas River to survey your reserves. I shall be glad to explain to you anything I can with regard to these reserves that you may wish to know.

I remain, etc.,

(Signed)

W. S. JEMMETT.

To Indian Chief, Port Simpson.

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G.

PORT SIMPSON, November 6th, 1886.

SIR,—We have received your letter, and wish to ask you to be good enough to wait until our chiefs and people come home, then we shall be pleased to have a meeting and hear your explanation about the survey of our land. All we wish about our land is justice and peace as long as we live.

We are, etc.,

(Signed)

	PAUL SCOWGATI,	his mark	X
"	JAMES HARVARD,	"	X
"	OWEN,	"	X
"	LECI,	"	X

W. S. Jemmett, Esq.

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H.

PORT SIMPSON, November 6th, 1886.

SIR,—At the meeting held this evening you heard the words of our chiefs that they do not wish you to go on with the survey of any reserve for them and their people, as they have not been satisfactorily treated with in the matter, and they hereby protest against the survey of our land, or any part of it, the inheritance of our fathers.

Signed by request and in behalf of the Indian Chiefs and people of Port Simpson.

W. S. Jemmett, Esq.

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I.

PORT SIMPSON, November 8th, 1886.

SIRS,—I have just received your letter, signed by request of the Indian chiefs, etc., of Port Simpson, protesting against the survey of the land, which protest I will forward to the proper authorities. I heard the words of the chiefs on the evening of the 6th instant, and will also report them; in the meantime, as I stated at the meeting on Saturday, I have no power to discontinue or stop the survey, which I must carry on.

I remain, etc.,

(Signed) W. S. JEMMETT,

Surveyor to the Dominion.

Chas. Price, Alfred Dudword, Paul Scowgati, and others.

J.

PORT SIMPSON, May 20, 1886.

*Capt. W. S. Jemmett and others,**Surveyors of Indian land on the Naas :*

SIRS,—We have heard that you have come to survey land on Naas River. We think that we should have been told by the Government, as the Government well know we are all interested in the reserves on the Naas. For generations we have lived on the Naas part of the year. Our fathers had large houses there, and spent some months there to gather small fish and fix their food, and we still hold our claims to those fishing grounds, as you will see by our houses, etc., being still there. This is one reason why we sent a delegation to Ottawa about our land, and, as it is not yet settled, we do not wish you to survey the land now.

Judge O'Reilly started all the trouble on the Naas, between us and the Kincolith people, by saying he had given us only a chain wide for our fishing grounds.

These people have, just a few years ago, moved down to Kincolith, at the mouth of the river, and we do not see why they should wish now to plant our fishing grounds that we have held so long. We have no objection to their planting all the ground up the river at their old homes, but we do not wish them to plant on our fishing grounds. If they do, we shall always have trouble. One of our chiefs was sent up with Judge O'Reilly, and pointed this out to him, but he would not listen, so now we do not wish to have our land surveyed till we have heard from the Government at Ottawa.

All we want in all the land question is our rights; so you have heard our words, and know that we do not wish the land surveyed till it is properly settled.

Signed on behalf of the Indian council at Port Simpson.

ALFRED DUDWORD,	his mark	X
PAUL SARGEAN,	"	X
GEORGE RILEY,	"	X
DAVID SWANSON.	"	X

K.

METLAKATLAH, October 10th, 1887.

*Rev. R. Tomlinson :*

DEAR SIR,—Will you please remove your cattle from the village, as we do not wish them there.

By attending to this you will save further trouble.

Yours faithfully,

(Signed)	PAUL SEBASSA,
"	DONALD BRUCE,
"	ALEXANDER HILLS,
"	JAMES PREVOST.
"	ALBERT LEIGHTON,
"	PETER VENN,
"	JOHN LEIGHTON,
"	MATTHEW AUCLAND,
"	CHARLES RYAN,
"	HENRY PREVOST.

L.

METLAKATLAH, October 11th, 1887.

*Rev. R. Tomlinson :*

DEAR SIR,—We, the Indians of Metlakatlah, have had a meeting, and, having talked matters over, have all agreed that we should let you know we want you to leave our village at once, as you are the man who brought the Indians to destroy the church.

Yours, etc.,

(Signed)	PAUL SEBASSA,
"	DONALD BRUCE,
"	CHARLES RYAN,
"	JOHN AUCLAND.

M.

METLAKATLAH, October 11th, 1887.

*Dr. Bluett :*

DEAR SIR,—We, the Indians of Metlakatlah, have had a meeting, and having talked matters over, have all agreed that we should let you know we want you to leave our village at once, as you are the man who brought the Indians to destroy the church.

Yours, etc.,

(Signed)

PAUL SEBASSA,  
DONALD BRUCE,  
CHARLES RYAN,  
JOHN AUCLAND.

N.

PORT SIMPSON, August 16th, 1879.

*I. W. Powell, Esq. :*

SIR,—I beg to address you on the question of Indian land at this place. For the last five years the Indians have been looking towards your visit among them to bring about the probable settlement of what is to them a matter of great importance, and a cause of great uneasiness amongst them. This you heard in their various speeches when they met you in Council on the occasion of your late visit, as also in the address which we presented to you.

Now that they have met you and heard from you the assurance that their land will be set apart for them, and as they hear that there is a probability of a northern route of the C. P. R. with its terminus here, they are the more urgent in the desire that the survey of their lands be made at once, and thus save trouble and annoyance in the future in the settlement of the question.

I quote from an address written for the people here when it was expected that you would visit here three years ago, and bring surveyors with you. The council said then: "We wish to have the whole of the peninsula, on which we reside, as a reserve;" and this is what, in my opinion, ought to be allowed them; and then, if the C.P.R. comes, let the Government sell the lands for the benefit of the Indians.

I hear that a number of gentlemen have taken up land on the P. S. Bay. Is it not a great mistake to let this be done before the Indian land question is settled?

Hoping to hear soon that the Commission is on the way, and that the land question may be fairly settled,

I have, etc.,

(Signed) T. CROSBY.

O.

INDIAN OFFICE, VICTORIA, 16th Sept., 1879.

SIR,—In reply to your letter of the 16th ult., upon enquiry I find that the Hudson's Bay Company's land does not include the village site at Simpson. I am further informed that the Company would give more land back of the village (where the church is) if required. I believe it is the Commissioner's (G. M. Sproat's) intention to settle the matter very soon, so that my assurance to the Indians will be realized. If you will allow me to suggest I think you should not propose for them or to them what they are to have, as their claims will have every consideration, and your suggestions will embarrass the Commissioner. Mr. Sproat is appointed to do justice to the natives in land matters, and I have no doubt that this will be done in respect to the Port Simpson Indians.

I am, &amp;c.,

(Signed)

I. W. POWELL.

*Rev. T. Crosby.*

P.

PORT SIMPSON, B. C., Aug. 15th, 1882.

*I. W. Powell, M. D., Esq.,**Superintendent of Indian Affairs, British Columbia, Victoria :*

SIR,—A number of the Kitch-pat-locks tribe are very much grieved at the line between the Indian reserve and the Hudson's Bay Company running right through their part of the village, from what is known as Legaic's pole, and by this plan they are left out, or they are left on the Company's land, twelve new houses of them, and they do not see why they should be treated in this way after building themselves new houses, and they request that instead of the line taking from Legaic's pole that it should start from the mouth of the little creek which runs back of the Fort and comes out about fifty or sixty feet to the west of the Hudson's Bay Company's fence. They say that they hope that this humble request may be granted them as their houses are built.

On behalf of fifteen heads of families, twelve of whom have houses built already.

Yours truly,

(Signed) T. CROSBY.

In behalf of—

Nish-woo-mak,	Wm. Clark,	Matthew Stupen,	John Junt,
George Pemberton,	Daniel Nease-nats,	Wm. Tate,	Henry Pierce,
William Kelly,	Abraham Quat-by-osk,	Gakah,	Jemmy Shards.
John Tate,	Geo. Shepherd,		

Q.

INDIAN OFFICE, VICTORIA, Sept. 11th, 1882.

SIR,—I have the honour to acknowledge your letter of the 15th ultimo, written on behalf of several Indians whose names are appended thereto, complaining of the manner in which the dividing line has been run separating the reserve recently made by Mr. Reserve Commissioner O'Reilly and the Hudson's Bay Company's property at Port Simpson. In reply I have to state that these complaints should have been made to the Commissioner when at Port Simpson, as all matters in connection with the reserve of Indian lands have been delegated to that gentleman by both the Local and Dominion Governments.

I will, however, bring your statements to his immediate notice and will be glad if you so inform the Indians whose names are signed to the above and other communications forwarded at the same time by you in regard to the insufficiency of reserve lands for Port Simpson Indians.

I have, &amp;c.,

(Signed) I. W. POWELL,  
*Indian Superintendent.**Rev. T. Crosby, Port Simpson.*

R.

PORT SIMPSON, B. C., November 4th, 1882.

*I. W. Powell, Esq., M. D.,**Superintendent of Indian Affairs, Victoria, B. C.*

SIR,—We, the undersigned, the chief of the Kush-pach-ah-lots tribe of Indians, beg to inform you that, according to advice you gave us when you visited this place some years ago, we have gone on and built fourteen new houses on the land near the Hudson's Bay Company's fort, and other members of our tribe would build houses near those already built did they feel safe in doing so; but Judge O'Reilly has made the dividing line between the reserves and the Company's land from Legaic's pole northward, thus cutting off our right to the land on which our houses stand, and which line, if not changed, will cause us great expense and trouble in moving those houses to other sites. In our present circumstances, we feel we cannot do this. Our fathers had built on this land long before the Company had a footing here, and their bones are lying all around. On this account we feel that our claim is undoubted, and that we cannot give up the land. We hope you will take our case into favourable consideration, and

cause the dividing line between our reserve and the Company's land to be drawn to the eastward of the sites of our houses as occupied by us.

I am, etc.,

(Signed) JOSEPH NEASE-WAH-MAC, his X mark,  
On behalf of the tribe.

Witness:—D. JENNINGS.

S.

INDIAN OFFICE, VICTORIA, November 18th, 1882.

SIR,—I have the honour to acknowledge receipt of your letter respecting the dividing line between the Hudson's Bay Co.'s land at Port Simpson, and complaining that fourteen new houses belonging to your people are not included within the reserve line.

In reply, I have to inform you that all matters connected with the setting aside of reserves were delegated to Mr. O'Reilly by the Governments of the Province and Dominion, and your complaint should have been made to that gentleman when he was laying off the reserve. I am sorry to hear, however, that there is any apparent injustice, and though I am not, for the reason above stated, in a position to make any promises that the line will be rectified, I will, nevertheless, make inquiries into the matter before confirming the reserve, and will see what can be done.

I am, etc.,

(Signed) I. W. POWELL,  
Superintendent of Indian Affairs.

To Joseph Neash-wa-mac and others,  
Care of Mr. D. Jennings.

T.

PORT SIMPSON, B. C., March 8th, 1883.

I. W. Powell, Esq., M. D.,  
Agent of Indian Affairs, etc., Victoria, B. C.

SIR,—Yesterday we received your kind letter of the 18th February. You do our hearts good when you say that you will see justice is done between the Kish-pack-ah-lots tribe and the Hudson's Bay Company, in the matter of the dividing line between the reserve and their property.

At one time, about two years ago, in the presence of Captain Brondage, Mr. Hall told us that we could build all the houses we liked near the Fort; that the Company would have no objection to our building there as long as we "trade with the Company."

There are several young men who would like to build houses on said land near their friends, twelve houses having already been built. Some have the materials on hand, which will rot if not put up.

It was by your direction and that of Mr. Hall's that our friends began to build their houses where they now stand.

We have, etc.,

CHIEF JOSEPH MORRISON (Nish-wah-mack), his mark	X	} Native Council.
ALFRED DUDOWARD (Nish-now-wo),	" X	
MOSES McDONALD (Kneec-shot),	" X	
ALBERT NELSON,	" X	
DAVID SWANSON,	" X	
WILLIAM KELLY,	" X	
HENRY PIERCE,	" X	
SAMUEL MUSFRAME,	" X	
JOHN RYAN,	" X	

Written at request of the Council by D. J.

## U.

VICTORIA, B. C., November 9th, 1887.

Hon. John Robson,  
Provincial Secretary.

SIR,—I have the honour, by direction of the Commissioners, to forward herewith an extract from the statement made by Albert Leighton, a Metlakatlah Tsimpsean, in the course of the inquiry, the Commissioners thinking that the information will form a useful addendum to the depositions already submitted to the Government.

I have, etc.,

(Signed) A. LINDSAY,

Secretary to the North-West Coast Indian Commissioners.

*Extract from statement made by Albert Leighton before the Commissioners at Metlakatlah on October 24th, 1887.*

Mr. Planta—Were you in charge of the saw-mill ?

Albert Leighton—Yes ; I was at the mill twelve years altogether.

Mr. Planta—Do you recollect who built the mill ?

A. Leighton—Yes ; the Indians helped to build it, and were paid a little, and told it was for their own use. I wasn't paid much, because I was told it was for the use of the village.

Mr. Planta—Is the machinery there ?

A. Leighton—No ; it was taken out.

Mr. Planta—By whom ?

A. Leighton—By Mr. Duncan's people, and, for certain, Mr. Tomlinson and his son took it out with their own hands.

Mr. Planta—How is the frame-work of the building left ?

A. Leighton—Different parts of the frame are broken up ; the beams are cut unnecessarily.

Mr. Planta—Was this necessary to get the machinery out ?

A. Leighton—It was not necessary to cut anything ; they could easily have unscrewed it and got the machinery out.

Mr. Planta—Is the frame-work left of any use ?

A. Leighton—It needs repairing. They need not have broken anything ; as it is, the wheels are all smashed, some of the iron teeth knocked out ; the feloes of the large driving wheels are cut out ; the beds of the saw, and the planing machine beams and bearings are cut right out ; none of which was necessary to take the machinery out.

Mr. Planta—Where is the planing machine now ?

A. Leighton—They have taken it away.

MEMO.—The Commissioners believe that the saw-mill machinery referred to is that which was taken out of the cannery, and is now in the charge of Constable Anderson.

FORT SIMPSON, Oct. 22nd, 1887.

Walter Birnie Anderson, being duly sworn, makes oath and says :—

On Saturday Oct. 8th, about 6 a. m., I heard a knocking at the door of my house here, and upon getting up I found two Indians, and they handed me a letter for Mr. Wootton, S. M. I gave him the letter, and he then said we must go immediately, as there was trouble at Metlakatlah, that the Indians of Duncan's party had broken into the church at Metlakatlah. We started down on the bishop's steamer, which had been sent up for Mr. Wootton ; arrived there about 10 a. m. We saw that windows had been taken out of the church, and holes broken through the roof. We heard hammering going on inside. After a little time Mr. Wootton instructed me to go over and stop anything in the way of destruction inside the church. He swore in several special constables, and placed them under my orders. I left them at a distance from the church and went over alone. Found the doors locked, and then climbed through one of the window openings. Found inside ten or eleven men chopping the lining of the church and tearing it off. I ordered them all to desist and to leave the building, to which order they paid no attention. I then called over the specials and opened the door of the church. When they came over I ordered them to clear the building and turn all the men out.

To Mr. Cornwall—Were the constables whites or Indians ?

There were some whites and some Indians.

To Mr. Planta—Two whites and two Indians.

Some of the men inside acted in a turbulent manner, and resisted going; some went quietly. While engaged in clearing the building Mr. Tomlinson came in—Mr. Tomlinson and Dr. Bluett. Mr. Tomlinson asked by what authority I stopped proceedings on a building he considered their property. I told him, by authority from my superior officer, the Stipendiary Magistrate, and, upon his arguing further about the matter, I called on him and his son to assist me in my duty of clearing the building, keeping peace, and stopping the work of destruction. He wanted to know by what authority I called on him to assist. I told him that I thought it was my duty, and referred him to Mr. Wootton. We then cleared the building and boarded up the window openings, and other openings broken through the walls, and ordered all the seats which had been removed outside to be placed back in the church. While this was going on Mr. Tomlinson formally told me that he was minister of that church, pointed to an Indian near as his churchwarden, and ordered me to leave the building. I said, my orders were to stay in the building, and that it did not look much like a church. Then we locked up the church. That ended the matter; that was Saturday. On Monday, I think it was, I got into the cannery through one of the windows, let in the specials through the door, commenced to search for church windows and other church property. Found, after a great deal of search, the windows, hidden away in one of the upper stories, the organ, pulpit, and chancel railings. On Oct. 13th I found the altar cloth, church lamps, bible and little things for the altar, contribution boxes, etc. I had all these things put into the church again. Took possession, also, of a lot of saw-mill machinery, supposed to belong to the village mill, and locked it up in the jail. Put a lock on the cannery and took the key. There were many other things in the cannery which were ostensibly Tomlinson's things, not claimed by the residents of Metlakatlah, and which I gave out could be taken by application from the owners. Previous to taking the cannery I took possession of the village hall, guest-house, and school-house, put locks on them all and handed the keys to one of the Indian specials.

By Mr. Planta—When did you return to Metlakatlah?

I came here on Tuesday, the 11th, and went back to Metlakatlah on the 12th. On the 14th the Commissioners arrived at Metlakatlah. I returned to Simpson on the 15th, and went back to Metlakatlah on the 18th, and returned here to-day.

Mr. Cornwall—Did you know any of the men in the church?

No; I knew their faces slightly, but not by name.

Mr. Cornwall—Were any warrants issued for their arrest?

Yes. No arrests were made; all escaped.

Mr. Cornwall—Did they go as soon as they were turned out of the church?

Yes; almost at once, so I am informed.

Mr. Cornwall—But they were recognized?

Ans.—Yes; by the Indian specials, so I am told. I stayed at Metlakatlah until this morning.

Mr. Planta—Did any of Mr. Duncan's Indians come to the place afterwards?

Yes; five Indians from Port Chester on the 20th. I knew all of them, three of them by name.

Mr. Planta—What did they do or say?

They went to see Mr. Wootton first. Yesterday morning, the 21st, they met me, and one spoke very civilly and asked me whether I could tell them anything about their houses, as they heard that the Government had seized all the buildings on the reserve. Many of them, they said, had left property in their houses (meaning the party that had gone); these things they wished to leave until next year, until it was good weather, when they would remove them to Port Chester. I told them that I did not think anyone would interfere with their private goods, lumber, and things of that description, but that they were leaving their houses all open and exposed at their own risk, and that if I saw anyone interfering with them I would stop them, and that I would tell the remaining residents of Metlakatlah not to interfere with them, but that the risk of anything being lost or destroyed was their own. They appeared to be satisfied, and thanked me. I told them at the same time that public buildings, such as the church, they had no business to touch. They said they supposed that was right.

These Indians may have been in Metlakatlah 24 hours. They didn't speak of the outrage at all.

I understand that the Indians who committed the outrage went overland to Arnand's, and there got a canoe to Port Chester. I have the warrants for their arrest in my possession.

To Mr. Planta—No; I have no reason to apprehend further trouble. Of course, it is impossible to tell.

(Signed) W. B. ANDERSON.

Taken and sworn by the above named Walter }  
Berney Anderson, at Port Simpson, B.C., on the }  
22nd day of October, 1887, as the same appears }  
upon this and three preceding pages, before us, }

(Signed) C. F. CORNWALL, }  
J. P. PLANTA, } *Commissioners.*

METLAKATLAH, October 24th, 1887.

Charles Frederick Morison, having been duly sworn, made oath and said :—

I was looking out of the window of my house on Friday, the 17th inst., and saw a boat or canoe arrive with Indians in it. I don't know all the Indians' names, but recognized them as people who had lived in the village here. When they got out of the boat, they most of them went in different directions along the road towards the church. That same afternoon I heard the noise of hammering and chopping, which sounded as if inside the church. I went to the side window, and from there saw a number of them taking the windows out, and ripping the outside lumber and shingles off. I went out and saw them all. That was all I saw that day. I did not go inside the building. That evening the steam launch went up to Port Simpson to notify Mr. Wootton of what was taking place.

By Mr. Planta—Did you see any white people at the church, Friday ?

I did not see any on Friday. I remember seeing Mr. Tomlinson and son walking up from the boats on Friday; also Dr. Bluett; they all came together. Next morning, when Mr. Wootton arrived, I was asked to the Mansion House here and sworn in as special constable, together with Mr. Price and two natives, Matthew Auckland and Albert Leighton, and placed under Mr. Anderson's orders. The Indians on Saturday morning were again busy inside the church, and we could see them packing things about inside, and chopping on the tower. After we were sworn, Mr. Anderson went across alone to the church and knocked. There was an Indian chopping in one of the windows. They did not offer to open the door for him, but still continued at work, and took no notice of him.

By Mr. Planta—What time was that ?

Ans.—About mid-day. So Mr. Anderson climbed in through the window, the Indian in the window still continuing his chopping. He remained inside the building a few minutes, the Indians still continuing work, when the big centre door of the church opened, and Mr. Anderson called to us to come over. The four of us went across and into the church, and there we saw all the Tsimpsean Indians hacking away with axes, as if trying to make a general wreck of the place.

To Mr. Planta—The benches were all outside, and other parts of the inside fittings; also the windows, and everything that could be moved. Mr. Anderson told several of the Indians, and told them to stop, as they would be liable to arrest and to be locked up. They would not stop, so Mr. Anderson ordered us to turn them out. While we were getting these people out (there was slight scuffling getting the axes from them), Mr. Tomlinson and his son, and Dr. Bluett, came into the church, and Mr. Tomlinson asked Mr. Anderson what right he had inside there, as it was private property. I forget exactly what Mr. Anderson said, but something to the effect that he was on duty. Then Mr. Wootton came over. I forgot to say that previous to this I said to Mr. Tomlinson that if he had influence on these people that I considered it was his duty to stop them. Mr. Anderson called on Mr. Tomlinson to assist in quelling the destruction, but he paid no attention. His son was then called on to assist, and he replied that he would have to ask his father's permission first. Mr. Wootton then came over and stood on the step of the church and read the Riot Act, and then Mr. Tomlinson asked him if he would take all the responsibility of reading the Riot Act, and Dr. Bluett asked if he knew the penalties for reading the Act unnecessarily (they were both very rude). After a little while we got all the axes away from them and put them out, and then orders were given to carry the benches in, which was done by the villagers here and the boys from the school, while I and Mr. Price stood on the steps. Dr. Bluett told us that it was another high-handed proceeding, with neither law nor justice in it. While Mr. Anderson, Mr. Price and I were standing in the centre door of the church, Mr. Tomlinson, with a half-breed lad named Benson, unlocked

the door and came in ; the key was in Mr. Tomlinson's hand. He stood up with Benson and said : " I am the minister of this church, I am in possession, and this (pointing to Benson) is my church-warden. You have no business here, and will you leave the building ?" He spoke in an excited, sharp tone of voice. Mr. Anderson said " No," as he was there by order, and both Mr. Price and I also refused to go out. He then left, locking the doors after him. The seats were then carried in, the windows boarded up, and a padlock and staple put on the front door by Mr. Anderson.

When we put the Indians out they dispersed about the village. Some went into a building near the church where Mr. Tomlinson was, as if to confer with him. This was quite late in the day, about 3 o'clock.

To Mr. Planta—No ; some of the Indians remained in the village. We saw them again on Monday in the cannery. Most of the Indians who were wrecking the church went away in the direction of Williscraft's mill on Saturday. I don't think all the Indians who came to the village were engaged in wrecking the church. There were others besides those who went into the church. They did a great deal of damage by chopping the inside lining of the church, chopping the beams and timber and pillars of the church and bell tower ; they tore off some of the outside lumber and made holes in the roof ; they might have removed the windows without doing damage, but they appeared to want to wreck the building as much as possible. They also broke up some seats and damaged a great deal of the inside lining by ripping it off. There is not the slightest doubt in my mind that if they had not been stopped by Mr. Wootton and Mr. Anderson they would have torn the building to the ground. That was all they did that day.

Mr. Cornwall—What amount of damage was done ; how much would it cost to repair it ?

Ans.—I can't exactly say, but think in my own mind about \$1,500.

To Mr. Planta—The windows are about twelve or fifteen feet long. The place was quiet on Sunday. On Monday, 10th, a little steamboat came from Williscraft's mill with three men, Tolmie, Spence and Robinson, who were sworn in as specials, and we were ordered to go down to the cannery and search for the windows. The doors were bolted, but we could see Indians inside, who appeared to be busy at something. Mr. Anderson got in by a window and opened a door, and we all went in. A. Leighton, M. Auckland, and other Tsimpseans were with us, and he told them to look for village property. We found, amongst other things, the church organ, which had been bought by general subscription. Messrs. Tomlinson and Bluett came then, and asked us if we knew that we were on private property. Mr. Anderson referred him to the Judge, and we went on with our duty in returning the various things belonging to the village, which were pointed out by the Tsimpseans with us. Mr. Tomlinson did not say to whom the property belonged. We then cleared the buildings of the strange Indians. We then went up stairs into a loft and found all the church windows ; these were all carried back to the church. Mr. Tomlinson and his Indians disclaimed all knowledge of the whereabouts of the windows. All the church property we could find was carried back into the church.

Mr. Cornwall—Do you know anything about the reputed ownership of the cannery ?

Ans.—Only from hearsay, that it belonged to the village. Part of the cannery abuts on the church reserve, part on the water. I was told by Mr. Tuck that it is on the church reserve. A great many of the windows of the cannery were taken out. We took possession of the school-house, guest-house, and the long building, the village hall. No damage had been done in these buildings, but in the guest-house were the remains of some of the church seats which had evidently been used for a fire. Some of the chopping done to the church endangered very much the stability of the building. On the bell-tower they had chopped away the stairs, and chopped on three of the corner-posts so as to endanger its safety very much.

(Signed) CHARLES F. MORISON.

METLAKATLAH, October 24th, 1887.

Having heard the statement of Mr. Morison, and having been duly sworn, I have to state that I was one of the special constables mentioned by him and employed with Mr. Anderson, and that I fully corroborate Mr. Morison's statement.

(Signed) ALFRED E. PRICE.

I have to state that the cause for the reading of the Riot Act by Mr. Wootton was this : That Mr. Tomlinson and Dr. Bluett were speaking very loudly on the steps of the church,

questioning the authority of Mr. Wootton and Mr. Anderson, and the Indians were so excited that Mr. Wootton got the book and read the Riot Act. This was at five minutes to one o'clock. After the reading of the Riot Act they dispersed quietly; these were the Indians that had been turned out. A search warrant had been granted for the cannery to search for the windows. The Indians who were engaged in the work of destruction left on Saturday evening overland in the direction of Williscraft's mill, before the warrants for their arrest were issued.

(Signed)

ALFRED E. PRICE.

METLAKATLAH, October 24th, 1887.

Having heard Mr. Frederick Charles Morison's testimony, and having been duly sworn, I hereby state that I was one of the special constables mentioned by him and employed with Mr. Anderson, and I fully corroborate the statement made by Mr. Morison. In addition, I have to say that we asked Mr. Tomlinson if he knew where the organ was, and he told us "No." (We did not talk with the Indians.) I knew where the organ was, and I told Mr. Anderson where it was and that it was the church organ; then Mr. Anderson asked Mr. Tomlinson: "Is this the organ?" and Mr. Tomlinson said "Yes." After we took the organ out we opened cases in the cannery and found church lamps, altar cloth, and other things. After we got all the things belonging to the church we found part of the machinery of the mill in cases in the cannery, and also all kinds of tools for all kinds of work belonging to the village in cases ready to be taken away. On all of the cases was Mr. Tomlinson's name.

Mr. Cornwall—Do all the Indians here think they have a share in the property?

Answer—It was started on our land, and we think we have as good a right to it as the Indians who went away. Mr. Morison has told everything. I heard from Donald that one of the Indians who came in the canoe said Mr. Duncan was going to give them one hundred dollars for taking the church down.

(Signed)

MATTHEW AUCKLAND.

METLAKATLAH, Oct. 24th, 1887.

Having heard the statements of Fredk. C. Morison and Matthew Auckland, and having been duly sworn, I hereon state that I was one of the special constables sworn in to act with Mr. Anderson, and that I fully corroborate the statements of Morison and Auckland. In addition I have to say that these are the names of the Indians we saw in the church on Saturday doing the damage: Harry Range, Peter Simpson, Adam Gordon, Matthew Reive, George Eaton, Bob Kitikshaw, Weenats, Shakloh, Kobogak, William Ligi Shanks; and these are the names of those who took the church bell away: Andrew Usher, Timothy Melton. This was a short time before that, perhaps two weeks. Charles Powell saw them taking the bell away.

(Signed)

ALBERT LEIGHTON.

METLAKATLAH, Oct. 24th, 1887.

Donald Bruce, being duly sworn, makes oath and says as follows:—

On Saturday, when they were destroying the church here, Adolphus and Paul Sabasa were quarrelling about the church. I went up to them and stopped them, and Adolphus then told me that there were others waiting to come after these young men who were only sharks; that they would come and finish the whole thing and break it all up; that they, the old men, were constantly having meetings over there at Port Chester about destroying the church. Adolphus said that Mr. Duncan was strong over there, and could get his own things from here. Adolphus said that the Bishop ought to buy the church if he wanted it. I said it belongs to the English, not to the Americans. I said that lots of people in England and on this side, as well as the Indians, gave money to the church, and that the two gentlemen who came out from England explained everything to the Indians. Adolphus said that the people at Port Chester were paying these young men for what they were doing; that Mr. Duncan did not wish it done until all of his things had been removed, and then they could destroy the church. I told him I was one of the men who had worked on the church for two years. While we were working on the church Mr. Duncan told us when money came from England, but when the trouble commenced he said it was his money. I did not have any conversation with the Indians who were here a few days ago. I want to say that twice from the Indians

now here subscriptions were taken up to build the church. All the men who came to break down the church were young men, and had nothing to do with building the church; they were children then. We expect trouble again when these people come over again, and something should be done to prevent them doing more mischief. There is fresh trouble every year. We thought we should have peace when they left, but it does not seem as if it was going to be so. Whenever we see any of them we expect trouble.

(Signed) <sup>his</sup> DONALD X BRUCE.  
mark.

METLAKATLAH, Oct. 24th, 1887.

Peter Venn, being duly sworn, saith as follows:—

I heard from my brother-in-law, one of Mr. Duncan's people, that he heard from Mr. Tomlinson that as soon as the young men arrived back at Mr. Duncan's place the whole of the men of the village at Port Chester rose and wanted to come over here and destroy all the buildings that had been taken by Mr. Wootton, but three of the men, John Tait, Robert Hewsen and Edward Mathew, persuaded them not to do it. I asked my brother-in-law if that was all they were going to do about it and he said no, they were going to take it to law; and they say it is the Bishop who has taken the church—they don't mention Mr. Wootton and the Indians—and that if the law decides that the church belongs to the place here, they would then come and destroy everything. He told me that thirty of the principal men of Port Simpson said they had given money towards the church, and that if the Bishop takes this church they want their money back. My brother-in-law also told me, when they heard at Port Chester that Mr. Anderson was going to put a notice on the church that it was not to be touched they told their lawyer over there about it, and that the lawyer told them "to wait; if they keep your church you will see something." They have always commenced trouble with us. Then he went away. Afterwards word came to Mr. Duncan that no notice had been put on the church and nothing was done; but this is what frightens us.

(Signed) PETER VENN.

Taken and sworn by the above named deponents,  
Charles Frederick Morison, Alfred E. Price, Matthew  
Auckland, Albert Leighton, Donald Bruce, and Peter  
Venn as the depositions of the said deponents as set  
forth on the foregoing pages, numbered from 5 to 16,  
at Metlakatlah, on the 24th day of October, 1887, be-  
fore us,

(Signed) CLEMENT F. CORNWALL, }  
" J. P. PLANTA, } *Commissioners.*















