

Ethnohistory Field School Report

2013

A Preliminary History of Sq'ewlets Reserve Boundaries

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The Ethnohistory Field School is a collaboration of the Stó:lō Research and Resource Management Centre and the History Departments of the University of Victoria and University of Saskatchewan.





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Images from Google Maps

At the end of May, 2013 Violet Pennier sat down with me in the Elders Room at the Sq'ewlets Band Office. Her late husband John Pennier had been chief of the Sq'ewlets Band for many years, and she recalled that he would often tell the story of when his grandfather Joe Hall had taken him on a walk around the perimeter of their reserve land. John was an eight year old boy; he remembered his grandfather showing him the survey pegs that marked the reserve's borders and telling him "Always remember, sonny, this is your land, and if you don't fight for it, they'll just take it away from you." That conversation between Chief and future Chief would have occurred sometime in the mid-1940s. The boundaries they were walking would likely have been those of Scowlitz Indian Reserve No. 1 on the east bank of the Harrison river where it meets the Fraser—the reserve where both men grew up about fifty years apart. Their circuit would have been short compared to thirty years before, enclosing just 262 acres rather than 616; they would have walked two and a half kilometres or so along the two river banks in a rough shallow 'V', then upon reaching the Canadian Pacific Railway tracks returned along them a little over two kilometres to their point of departure. At some point they would have stopped and looked across the Harrison at a large hillside that their ancestors had terraced and made their home; now known as Williams Indian Reserve No. 2, twenty-four acres also granted to the Sq'ewlets Band. Finally, they would have crossed Harrison Bay, perhaps by the CPR bridge, but more likely by canoe, and walked the perimeter of Squawkum Creek Indian Reserve No. 3, three hundred and ninety-two acres of wooded hillside. By the 1940s, these three pieces of land were what Sq'ewlets people were able to call their own, and with comparatively minor changes, they are what they continue to be able to call their own today.

Chief Andy Phillips, Grand Chief Clarence Pennier, and David Schaepe of the Stó:lō Research and Resource Management Centre had suggested that I research a preliminary history of Sq'ewlets' transformation from being a 'Tribe' to being a 'Band.' Given the complexity of that story, spanning over one hundred fifty years, we narrowed my focus to one central aspect of it: the creation of the Sq'ewlets

reserve, and in broad strokes, the subsequent evolution of its boundaries. Several Sq'ewlets elders agreed to sit down with me and discuss that history. Allen Williams, John Williams, Betty Charlie, Clifford Hall, and Violet Pennier all helped me understand what I was researching. I would like to address this, the fruits of my further research into the work of other academic historians and in the B.C. Archives, to them.

'Well, the whole Stó:lō Nation were one people until the government came in and started drawing lines.'

-Allen Williams, Sq'ewlets Elder, 2013

In my conversations with Allen and John, Betty and Clifford, and Violet a few things became quite clear. Each Elder told me that the transformation over the decades from existing as a Tribe to being a Band is a sad story. A Tribe was what Sq'ewlets had been before being fit into first the British and then the Canadian systems of administration. Clifford explained to me, “a long time before the white settlers come in... there was no such thing as reserves or bands – we were just the Stó:lō Nation”¹ and at that time the only boundaries were hunting boundaries, or as Allen called them “our natural boundaries.” John told me there were no definite lines between tribal territories. They were something more the way Allen described them: “some stories I heard...the reserve would end here and then there'd be a little piece in between where it was shared;” And yet, as shared, negotiated and indefinite as these boundaries were, both Betty and Violet remembered how everyone knew where they were. They didn't have to be drawn on a map, they barely needed to be spoken about, everyone just knew. Betty told me “it worked the same all over...you didn't just go into somebody's territory and go hunting and fishing.”

But if someone did ask to come into a Tribe's territory, as James Duncan a Xwelitem farmer would one

1 All quotations of Sq'ewlets Elders throughout from three interviews with the author in May 2013, held at the Stó:lō Research and Resource Management Centre (SRRMC) Library: Allen Williams and John Williams interview with Orion Kereszties and Rhea Lhondsdale, May 28th 2013, Squawkum Creek I.R. 3; Clifford Hall and Betty Charlie interview with Orion Kereszties, May 28th 2013, Scowlitz I.R. 1; Violet Pennier interview with Orion Kereszties, May 29th 2013, Scowlitz Band Office.

day repeatedly ask of Sq'ewlets, the answer was usually yes; Clifford gave an example, “in the early nineteen hundreds the Sts'ailes people, the fishermen anyway, they used to come down—my grandpa was the Chief then—...then they'd ask my grandpa if they could go fishing in our territory out the Fraser river. He used to always say 'well, go ahead.'” However, this permission was conditional, it went without saying that if a Sq'ewlets person then wanted to go fishing, the Sts'ailes fishermen would “have to respect the Sq'ewlets fisherman because that was our fishing territory.” Allen Williams says this practice extended into relations with Xwelitem when they arrived: “We're really hospitable people...the government came in and told us something [and our response was] 'Oh, okay, sure;' you know, we were ready to share with them, all them government guys that came in.” In hindsight, for Sq'ewlets Elders, the chief advantage of this shared and negotiated system of use-rights was that it meant that Stó:lō people shared and negotiated with each other:

Betty: People got along.

Cliff: There was no 'this is ours' and 'you can't come in here' and 'this belongs to Sq'ewlets and this to—' it wasn't like that. We used to share.

Betty: And if one band had a hard winter then the other bands would help them.

Cliff: Even like, Chieftain-wise, if something happened to a chief here in Sq'ewlets the chief in Sts'ailes had to come and help out down here.

Each Elder emphasized these points, and each Elder described the transition from Tribe to Band as a negative transition from cooperating with each other to share access to resources, to competing with each other to gain access to resources; and a transition from being connected and supporting each other, to being isolated and relying on the Canadian government. Violet, throughout her conversation with me, emphasized the networks through which Stó:lō people supported each other, and how in very specific ways—the creation of reserves and band lists, the replacement of Stó:lō names with Bible names, the suppression of traditional medicine use, the necessity of roads, automobiles and money, the effects of alcohol and residential schools—these support networks were disrupted and people were dislocated. She commented, “I don't know how Indian Affairs got so much control over our people.

Because, as a child the little things that I remember about our people was that we always looked after one another and didn't need the government looking after us; we were survivors all the time.”

For each Elder the reserve and band system was something imposed not chosen. As Cliff said, “Probably when white settlers came in then they started forming tribes into bands” and Betty concurred, “Yeah, Indian Affairs did that. Seems like they set the boundaries.” Cliff and John described the governments' different imposed logics:

Cliff:...They used to survey the territories, like, back as time went along the government would go by population. There's like so much land for each person and they'd count how many people were left in the band. Then they'd have surveys done and the bands kept getting smaller and smaller.

John: [T]he government came in and made the reserves and made them big. Then they came back and said we weren't farming the land; we never did farm the land! We used all the land! Hunting and fishing and trapping; where our natural boundaries were...

Violet emphasized how reserves split up families, tribes, and the Stó:lō as a whole; she said “they sectioned us off to reserves...one part of your family was on this reserve and the other part of your family was on that reserve.” This contributed to the political disunity that several Elders emphasized as an effect of reserve creation; Violet concluded the political process was reduced to “competing to say that 'this is my boundary,' 'that's my boundary' and that is a real negative when you think that we were all one group of people at one time and we all worked together and we all moved in the same direction at the same time.” Betty and Cliff also contrasted this old political process to the contemporary process;

Betty:...the chiefs wouldn't just say ‘Oh, I'm going to do this' they'd gather the other chiefs together and then they'd talk about it and then they'd decide. It's not like that today

Cliff: Today it's like 'you don't come from here, so you don't have a say' that's the way it is today.

And John was specific about the reserve system's continued impact in contemporary Stó:lō politics:

John: I think that those lines that you drew made a great impact on the reserves. They

drew the lines a long time ago but the generations coming behind, like the younger people that are running the Bands now, the tribes, learn to rely on those lines that are drawn. That's where the split come. I remember the first time they split, the Elders had quite a time to get Stó:lō Nation, Tribal Council, back together, everybody was happy, all the old timers then, Richie Malloway and all them were happy, they were all one group in the Fraser Valley here—then all of a sudden they're split again.

Allen and John, Cliff and Betty, and Violet taught me the meaning and relevance of the history of Sq'éwlets' transition for Tribe to Band. They also spoke about some of the specific roles that the reserve system played in the process. In return I have turned to the archives of the administrations that imposed the reserve system, as best as they could, on the Stó:lō people, in order to try and find out what details I could about the reserve creation process for Sq'éwlets in particular. I hope that Sq'éwlets Elders might find these details interesting, and might be inspired to correct interpretations or guesses that I have inevitably made throughout.

[T]he government came in and made the reserves and made them big...
-John Williams, Sq'éwlets Elder, 2013

There were several different periods of reserve creation in the Fraser Valley. During these periods new reserves continued to be created, and old reserves had their boundaries changed as Xwel'item government policies and attitudes changed. The first period was just six years: from 1858 to the spring of 1864. In these years Governor James Douglas was in charge of reserve creation policies. He believed in making large reserves, and told his surveyors to mark out reserves that were defined “by the Indians themselves.”² Governor Douglas believed that nothing could threaten the success of British Columbia as a British settlement more than indigenous opposition; he commented that “their enmity would entail on the settlers a greater amount of wretchedness and physical suffering, and more seriously retard the growth and material development of the Colony, than any other calamity to which, in the ordinary course of events, [the Colony] would be exposed.” As a result he was very anxious to

² March 6, 1861, Chief Commissioner of Land and Works R.C. Moody to Mr. Cox, *Papers Relating to the Indian Land Question (PRILQ)*, 21; and Cole Harris *Making Native Space*, 'The Douglas Years,' 17-44.

avoid “having the native Indian tribes arrayed in vindictive warfare against the white settlements.”³ He also believed that large reserves would allow 'the Indians' to be self-supporting. This would be cheaper for the government, which was very important to him, and further, he believed that large reserves would lead indigenous people to assimilate more quickly to the colony's capitalist economy and European culture. He thought that leaving them an adequate land base would allow First Nations to build up enough capital over time that they would not enter settler society as poor people; as a result, participating in that society would be more attractive to them.⁴

Colonial records show a reserve at Sq'ewlets was first created in 1868, which makes it a product of the second period of reserve creation in B.C. This means it was created according to very different policies than those overseen by Governor Douglas in the first period. However, both oral and historical records hint at the possibility that Sq'ewlets may have in fact had a much larger reserve made before this. Sq'ewlets' 1868 boundaries were decided by Mr. H. M. Ball, the Stipendiary Magistrate for the lower Fraser, and Mr. B. W. Pearse, who was the Assistant Surveyor-General. Their assignment was to go about reducing the reserves in the Chilliwack area that had been laid out by Sergeant McColl four years before in the spring of 1864, just before Governor Douglas retired. McColl had created reserves according to Douglas' instructions that “the Indians were to have as much land as they wished, and in no case to lay off a reserve under 100 acres.”⁵ McColl followed these instructions and created over 40,000 acres of reserve land in the central valley on both sides of the Fraser;⁶ as Joseph Trutch later

3 March 14, 1859, Governor Douglas to the Secretary of State for the Colonies, E.B. Lytton, *PRILQ*, 16.

4 Ibid.

5 1864, 16th May, William McColl's Report to the Chief Commissioner of Land and Works, *PRILQ*, 43.

6 Cole Harris, 'The Native Land Policies of Governor James Douglas' *BC Studies*, 174, (Summer 2012), 110; The records of McColl's work that Cole Harris relies on are held at: Ministry of Environment, Lands and Parks, Office of Surveyor General, Survey Plans Vault, Victoria, IR, 31T1; one possible research avenue that I have not followed that might provide a clue to whether Sq'ewlets had any interaction with McColl is to see if Sq'ewlets signed any of the petitions that were sent to Governor Seymour after Trutch had the reserves in the lower Fraser valley reduced, see: Robin Fisher 'Joseph Trutch and Indian Land Policy' *BC Studies*, no. 12, Winter 1971-72, p16.

disparagingly described McColl's work, "He seems to have merely walked over the ground claimed by the Indians, setting up stakes, at the corners pointed out by them, including the lands they chose to ask for." From the records that McColl left behind, it does not seem that he created a reserve at Sq'ewlets, however, it is unclear why he did not. His original instructions were to mark out reserves between New Westminster and the Harrison River, situated as it is on the east bank of the Harrison it seems unlikely that Sq'ewlets was meant to be excluded. In addition, and more interestingly, two and a half weeks after his original instructions McColl was sent another letter telling him specifically to lay out the Indian Reserves in the locality of the Harrison River. The letter emphasized that he should do so "irrespective of the claims of settlers."⁷ This instruction suggests some conflict at the Harrison between settlers there and either Sq'ewlets or Sts'ailes people, or both. In late 1862, or early 1863, Sq'ewlets people had "strongly protested" a pre-emption claim made by a settler John Donnelly, that was "within the limits of what they claimed...as their 'settlement.'" It seems that the colonial administration sided with Sq'ewlets against Donnelly but he remained in the area, and it may be that the conflict came to the attention of the administration once again a year later.⁸ Unfortunately, at the BC Archives I was not able to find anything that gave any more detail than the letter to McColl, but evidently the conflict was noteworthy enough that someone, perhaps Sq'ewlets people, had alerted the Acting Chief Commissioner of Land and Works—then Mr. Chartres Brew—about it, and he felt some action was necessary. Despite these instructions, no record exists of McColl visiting Sq'ewlets. Perhaps that early May the river was high and Sq'ewlets was flooded as it periodically was, making it impossible to survey; fifteen years later when the Commissioner of Indian Reserves Gilbert Sproat was in the vicinity he did not survey Sq'ewlets for that reason.

7 1864, April 25th, A. R. Howse to William McColl, *PRILQ*, 44.

8 1872, June 21st, Land and Works Department to Mr. C.P. Donnelly Care of John Donnelly, GR-0868, British Columbia Department of Lands and Works, Box 1, Chief Commissioner correspondence inward, Folder 4, file 219 to 257, on Microfilm at the B.C. Archives (BCA).

If McColl had marked out a reserve at Scowlitz, but for some reason no record of it exists, it would help explain what Allen Williams called a discrepancy between the oral history and the government records I showed him. Allen told me about the existence of several old government made reserve boundary markers that people had found over the years, each labelled 'Scowlitz.'⁹ He is not sure whether they all still remain, but together their locations make a straight diagonal line between Sts'ailes and Sq'ewlets that suggests the boundary of a Scowlitz reserve much more extensive than anything I have found on record. Its not unlikely that McColl would have arrived at such a boundary if he had indeed consulted with Sq'ewlets; the line that the monuments mark includes much more extensive territory, but stops short of Sts'aileis territory, similar to how Sq'ewlets elders today—and likely then as well—describe the limits of their 'natural' territory. Further, the records that do exist of McColl's reserves show that he tended to make large blocky reserves, that were not always perfect squares and often included diagonals.

When Douglas retired in 1864¹⁰ he was replaced by Governor Frederick Seymour. Governor Seymour took less interest in Indian Reserves than Douglas had, and so his Chief Commissioner of Land and Works, Joseph Trutch, took charge of reserve policy. Trutch had been a business man deeply involved in the economic development of the new colony's settler society. He was much less concerned than Douglas with keeping good relations with First Nations, and much more concerned with giving settler farmers and business men what they wanted. Whereas Douglas had felt that a key to the colony's success was creating large and liberal land reserves for First Nations, Trutch believed the key to the

9 Allen Williams interview with Orion Keresztesi, August 1st, 2013; held at the Stó:lō Research and Resource Management Centre (SRRMC) Library: “Mirving Felix knows about the one on Mount Woodside...James Point knew about the one up on the power line. And Russel Point knew about the one over by that barn I was telling you [where Allen's brother-in-law did auto-body work for Fenn Pretty] right across the road from that graveyard.”

10 Historians are beginning to believe that he was pressured out of office for several reasons, including his mixed-race ancestry and Metis wife, Adele Perry 'Colonial Power and Colonial Lives: Rereading James Douglas' Presentation at the Canadian Historical Society Annual Meeting, Victoria, June 2013.

colony's success was to give "large and liberal" land grants to settlers.¹¹ He found that large reserves stood directly in the way of that goal. On the particular topic of the McColl reserves, he believed that though "[t]he Indians regard these extensive tracts of land as their individual property" they did not deserve the property since in his opinion they made "no use" of the land and were "not likely to do so." Further the land was "greatly desired for immediate settlement." He finally concluded, "I am, therefore, of opinion [sic] that these reserves should, in almost every case, be very materially reduced."¹²

And all of a sudden he comes back again, he looks at the land, our people aren't farming it, 'oh, they don't need that 40 acres, shrink it down to 10 acres' or something like that, eh. All of a sudden the reserves start shrinking and they never quit after that.
-Allen Williams, Sq'ewlets Elder, 2013

Trutch sent Pearse and Ball to carry out these reductions.¹³ Along with them was the surveyor Mr. J. B. Launders, who afterward following the instructions Ball and Pearse gave him, did the work of surveying the boundaries of the reserve precisely. The map that Launders produced of the reserve (see Illustration 1) notes the chief of Sq'ewlets at this time as being named 'Cul-kithl.' Ball and Pearse claim that as they made their decisions about each reserve's boundaries they were, 'in nearly every case,' accompanied by the Chief of that village. It is impossible to know based on the documents I've found whether Chief Cul-kithl, or many Sq'ewlets people were there while Ball and Pearse walked around their homes. Certainly some Sq'ewlets people were there since on other occasions colonial officials note that they did not create a reserve because no one was home when they visited. Since none of the Elders I spoke to recalled any stories regarding this moment, it is also difficult to say whether Cul-kithl was even the person who most Sq'ewlets people considered chief. I have come across cases where other

11 Robin Fisher 'Joseph Trutch and Indian Land Policy' *BC Studies*, no. 12, Winter 1971-72; this article provides an extended discussion of Trutch and his reserve policies in contrast to Douglas; also see Cole Harris' *Making Native Space*.

12 *PRILQ*, 42.

13 Ball reported that they reduced the size of all the reserves they visited 'with one exception' and he specifically mentions visiting the Harrison. It is unclear whether they went to the Harrison and reduced a reserve there that they had record of but we no longer do, or whether Sq'ewlets is that one exception Ball refers to, and he and Pearse created it for the first time in 1868, *Ibid.*, 52.

bands later protested that the Xwelítem officials had gotten their chief wrong.

They used to survey the territories, like, back as time went along the government would go by population. There's like so much land for each person and they'd count how many people were left in the band. Then they'd have surveys done and the bands kept getting smaller and smaller.
-Clifford Hall, Sq'ewlets Elder, 2013

However, regardless of these questions Ball and Pearse were not concerned about consulting with the Stó:lō people, whose land they were defining, anyway. In keeping with their superior's policy, they felt no responsibility to listen to Stó:lō people, as McColl had done. Rather, they had instructions from the colonial government about how they should decide the size and location of a reserve. Trutch's policy was a formula; reserves should include 10 acres per family. If any lands in the area had been settled on by any “white persons” the reserve boundaries should avoid those lands.¹⁴ It was on these instructions that Pearse and Ball based their decisions. They did seek to ensure that chiefs were “satisfied with the lands allotted to them,” but it is clear that this was more about convincing the chiefs that they should be satisfied, rather than asking them what boundaries would make them satisfied. They also listened to the settlers in the area of each reserve; 16 men, all the settlers in the vicinity, accompanied Pearse and Ball while they reduced the reserves around Chilliwack; Pearse reported they were very helpful in pointing out the reserve markers left by McColl.¹⁵ At the end of their work, Pearse and Ball proudly reported that they had successfully undone McColl's reserves and that this would ‘throw open about 40,000 acres for settlement by white men.’¹⁶

The result of these policies, Pearse and Ball's visit, and the surveying work of Launder, was the first official reserve at Sq'ewlets. It was 330 acres, which, if the formula was being strictly followed, suggests that 33 families were living at Sq'ewlets. In 1881, just over a decade later, Peter O'Reilly

14 Ibid., 46; and *Making Native Space*, 58.

15 *PRILQ*, 52-3.

16 Ibid., 58.

found a total population of 38 people and in 1913 Chief Joe Hall told the Royal Commission on Indian Affairs (also known as the McKenna-McBride Commission) that 16 families lived at Sq'ewlets. So, either the number of people living at Sq'ewlets dropped dramatically after 1868, or Pearse and Ball allotted a larger reserve than their instructions strictly called for. It is difficult to speculate why they might have done so. Launder's map of the reserve notes that the soil of the reserve was 'good' and covered with 'Fir, Small Cottonwood, and Alder, Crab-apple thickets,' but it does not note, as later maps do, that the majority of those 330 acres were flooded several months out of every year; this might have affected Pearse and Ball's thinking, it may also have made the area slightly less desirable for settlement by farmers. I also do not know on what basis Pearse and Ball decided to make the reserve to the south of the village as opposed to the north; perhaps Sq'ewlets people requested this, preferring land along the Fraser rather than the Harrison, or perhaps the land to the north was some of the prairie that the settler Henry Bateson (whose farm is marked on the reserve map,) never had official claim on, but made regular use of to harvest a 'wonderful crop of wild hay' which he would sail up Harrison Lake and sell at Port Douglas.¹⁷

17 Daphne Sleight, *People of the Harrison* (Abbotsford: Abbotsford Printing, 1990) 7; After reviewing this paper Naxaxalhts'i, Sonny McHalsie, SRRMC Cultural Advisor commented that he recalled a map of Chilliwack that recorded gardens around the east side of Young Street, which belonged to Scowlitz. He asked if I had come across any references that might explain why these gardens were not included in Scowlitz reserve lands. I did not come across any references to these gardens, but think it is important to note Naxaxalhts'i's comment here in case a future researcher may find reference to them.

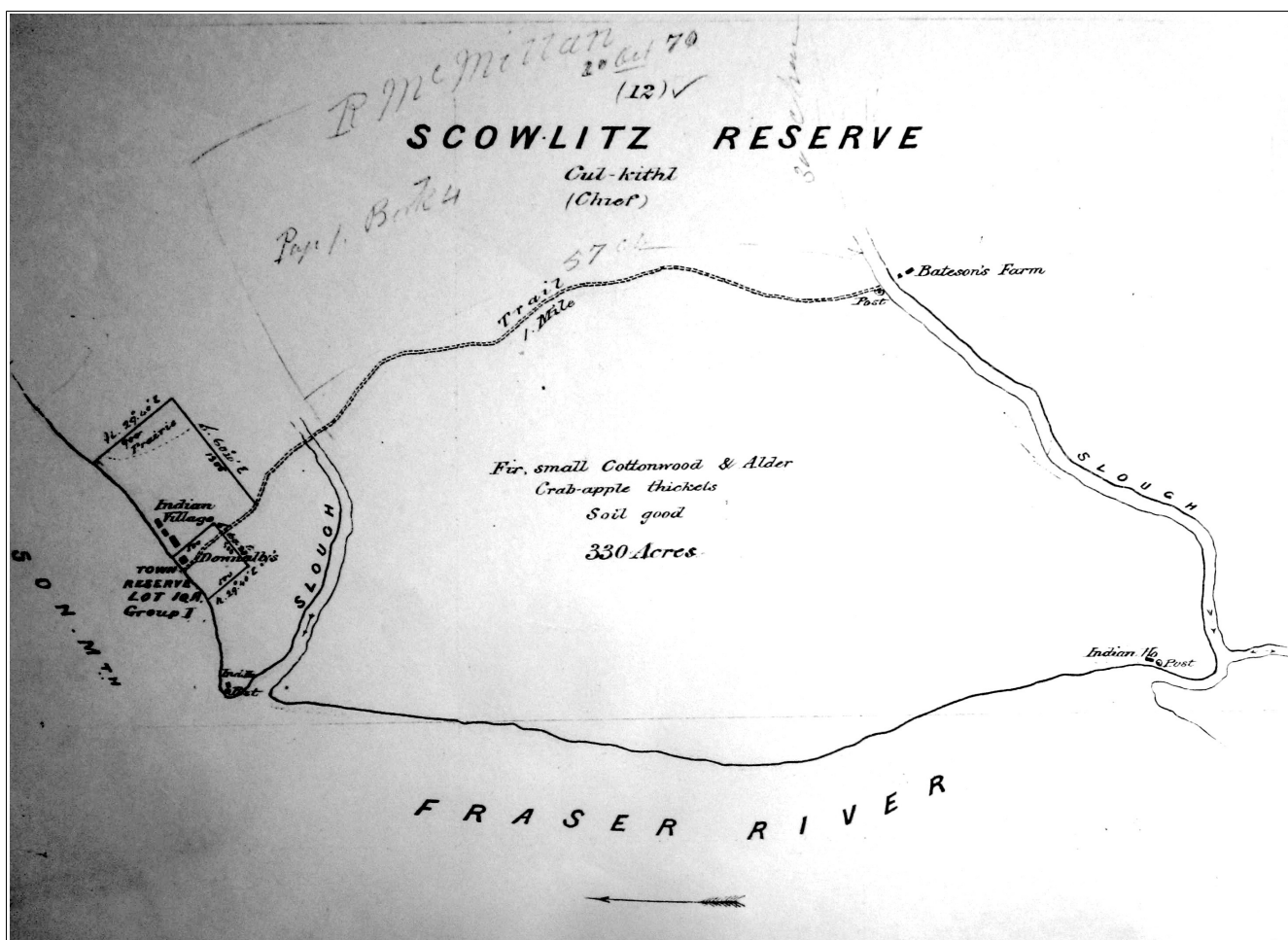


Illustration 1: 1868, First recorded reserve at Sq'ewlets. I believe this map was actually made in 1871 by Mr. Pearse and is a tracing of the original drawing made by the surveyor Mr. Launders in 1868 (See page 102-5 of PRILQ). SOURCE: This map (a photocopy) can be found in the map collection of the Stó:lō Research and Resource Management Centre.

J.B. Launders' Description of the Sq'ewlets survey: "No. 12, Scow-litz. Commences about 12 chains above the village near Harrison Mouth, running through wet prairie, magnetic N. 29° 40' E. 9 chains; then S. 60° 20' E. 13 chains to post on trail, which runs North-Easterly from Donnelly's house: the boundary thence follows the trail to Bateson's house on Slough, which it follows to Fraser River, down which to Harrison Mouth, and around past Donnelly's house to starting post; there is a small reserve laid out of 2 and 1/4 acres for building purposes. Soil excellent where dry; timber, poor fir, small cottonwood and alder. Indians Satisfied." PRILQ, 56.

As Pearse and Ball made their decisions about Sq'ewlets's boundaries at least John Donnelly's brother was present; John himself, who had had built buildings immediately beside Sq'ewlets people's homes, and had previously quarrelled with Sq'ewlets about land, was absent. Pearse and Ball were

planning to exclude a small square of land right beside the Sq'ewlets settlement from being part of their reserve land. These 2.25 acres had been previously designated a potential town site by Governor Douglas and so were considered a "town reserve." John Donnelly's brother asked Mr. Pearse to include John's buildings in the town reserve, so they would not become part of the Sq'ewlets reserve. Pearse agreed, but he did not include some land that John apparently considered as his by pre-emption—this was the land he had previously come into conflict with Sq'ewlets about. Sq'ewlets insisted he could not pre-empt that land as it was part of their settlement. He later unsuccessfully tried to be compensated for his loss of it to Sq'ewlets.¹⁸

The town reserve was a 2.25 acre square carved out of the reserve right beside the site of the Sq'ewlets village and marked 'Lot 10-A.' According to Daphne Sleigh, these 2.25 acres that look to be right where the Williams and Hall houses currently are, had been designated a settler town-site during the 1858 Gold Rush. Miners were passing by Sq'ewlets in great numbers on the Harrison-Lillooet route to the upper Fraser; early on in the rush someone set up a 'crude hotel' right beside Sq'ewlets homes. In the fall of 1859 Governor James Douglas visited the site and proclaimed that it would become a town; some of the men of his party "carved the name 'Carnarvon' in rough lettering on to the front of one of the Indian huts."¹⁹ The expected town never really developed, but as a result the area was excluded from the Sq'ewlets reserve despite being in the middle of it. Sleigh comments that it played a 'significant part in the history of Harrison Mills;'²⁰ it was a prized piece of property for the surrounding settlers since most believed that it would develop into a town eventually (the Donnelly brothers who

18 1872, June 21st, Land and Works Department to Mr. C.P. Donnelly Care of John Donnelly, GR-0868, British Columbia Department of Lands and Works, Box 1, Chief Commissioner correspondence inward, Folder 4, file 219 to 257, on Microfilm at the B.C. Archives (BCA).

19 Ibid., 68; the source she cites for this is the *New Westminster Times*, Dec. 10, 1859, I have not checked that source so I do not know if it relates anything else interesting about Sq'ewlets or any interaction between Governor Douglas and Sq'ewlets people.

20 Ibid., 69.

owned the lot for some time planned that it would become “Donnellyville.”) Until about 1892 it was indeed the commercial centre, to the extent that it could be called that, for the settler families surrounding Sq'ewlets reserve. It had a series of hotels on it, which were most successful while the railway was being built and in the decade after. It had a post office for a while. That the centre of Sq'ewlets life and the centre of the settler community were side-by-side meant that there was considerable social and to some extent business interaction between the two communities that Sleigh refers to.²¹ In the 1890s a new mill to the west of Lot 10-A moved the settler community westward and the lot was largely abandoned by whites.²² In 1945 William Watkins built a small sawmill on the lot and operated it until 1958, when he shut it down due to competition from Vancouver. Clifford Hall remembers Bill Watkins and his mill; he told me it was where 'Sharon's house is,' and he always wondered why her family claimed that site.²³ Daphne Sleigh tells us that “Bill Watkins leased the property from its Indian owner, Minnie Peters.”²⁴ I did not check with Cliff, but perhaps Sharon is a descendent of Minnie Peters. In 1967 Lot 10-A officially became part of Scowlitz IR 1.²⁵

...they sectioned us off to reserves...And your families, one part of your family was on this reserve and the other part of your family was on that reserve...and that is a real negative when you think that we were all one group of people at one time and we all worked together and we all moved together in the same direction at the same time.

-Violet Pennier, Sq'ewlets Elder, 2013.

21 Ibid., 68-86.

22 Ibid., 87.

23 Clifford Hall and Betty Charlie, Interview with the author, May 28th 2013, recording held by the Stó:lō Research and Resource Management Centre.

24 Ibid., 115; her source: 'William F. Watkins: Taped interview with Carol Law, Kilby General Store Museum, 1981.'

25 I have not researched to see if there is any story as to why it becomes part of Sq'ewlets at this time. Daphne Sleigh simply says “The Crown took title to Lot 10A on September 8, 1966, and assigned it to the Scowlitz Indian band on December 14, 1967,” Ibid., 122; her source is 'Scowlitz Reserve General Register, File 20, Coqualeetza Archives.'

It is difficult to determine just how satisfied Sq'ewlets people of this time were with their 1868 reserve. It is entirely possible that they were. I have not found any surviving records of complaints coming from Sq'ewlets; however, the fact that the reserve was enlarged a little over a decade later suggests that, if so, they were not content for long. Even if they may have been satisfied with their own reserve, they were not happy with the Xwelítem government's Indian Land policy in general. In 1874, a new chief of Sq'ewlets, Chief Scült-lā-ment, also known as Captain John went to Hope to meet with 109 other chiefs to discuss their dissatisfaction with the way white settlement of British Columbia was proceeding.²⁶ In 1871 B.C. had joined Confederation and became a province of Canada. This is the beginning of the third period of reserve policies, (although Joseph Trutch's ideas and attitudes that had defined the second period continued to dominate.) When B.C. joined the Dominion, responsibility for the creation of reserves and for relations with First Nations in general was transferred from the B.C. Government to the Federal Government. This began a long struggle between the province and the Dominion (the Federal Government) over how big reserves should be. The province throughout maintained the attitude that Joseph Trutch held: reserves should be as small as possible, generally 10 acres per family. The Federal Government, in principle at least, was committed to a policy more like what James Douglas had planned, and tried to insist on making bigger reserves and expanding ones that were too small; it arrived at its own general formula based on practice in the rest of Canada that said reserves should generally contain 80 acres per family. But, as historical geographer Cole Harris has argued, the Federal Government consistently lost its arguments with the province, and this was in a large part due to a lack of effort; while in theory the Federal Government had responsibilities to defend the interests of indigenous people in the province (and Federal officials were not as directly influenced by the self-interest of British Columbia's settler society as Provincial officials), in practice it's attitudes

26 Sleigh, 19; Sleigh spells Captain John's name as Scutlaamento, I am using the spelling that Peter O'Reilly (or his surveyor) used in 1881; see RG10, Vol. 3580, File 799, items 100-103, found online at Library and Archives Canada, as well as on microfilm at BCA.

and loyalties were not much different from the province's.²⁷

In an effort to insert their own voices into this debate between the two governments, Chief Scūlt-lā-ment and the 109 chiefs at Hope together wrote a petition and made a delegation to I. W. Powell the Superintendent of Indian Affairs. They were clearly paying close attention to the debate and appealed to the federal government stating, 'we are fully aware that the Government of Canada has always taken good care of the Indians, and treated them liberally...and we have been at a loss to understand the views of the Local Government of British Columbia, in curtailing our land so much as to leave, in many instances, but few acres of land per family.' They tried to bolster the federal government's argument with veiled threats of insurrection; "We consider that 80 acres per family is absolutely necessary for our support, and for the future welfare of our children. We declare that 20 or 30 acres of land per family will not give satisfaction, but will create ill feelings, irritation amongst our people, and we cannot say what will be the consequence." They emphasized points and arguments that they knew fit the world-views of their audience (this is not to say they were not also genuine points), assuring the governments that they had "a bright hope to enter into the path of civilization" and pointing out that larger reserves were necessary if they were to become successful farmers. One complaint, that indigenous people had only "thickly timbered land" while white men got all the good prairie land, was particularly applicable to the original Sq'éwlets reserve, and was the basis upon which O'Reilly expanded Sq'éwlets seven years later. In an interpretation that fits with what Sq'éwlets Elders told me about the impact of reserves, historian Keith Carlson has emphasized that this petition was not only about the size of reserves but also about the way that reserves divided families, tied people to a single place and hindered the inter-tribal networks of movement and relationships that were still so central to the Stó:lō. The chiefs wrote that their "hearts ha[d] been wounded" not only by the arbitrary way the local government had located their reserves but also the arbitrary way they had "divid[ed]"

27 *Native Space*, 161-167 and 262.

them. Carlson suggest they did not emphasize this point because they were aware that “the supposed non-settled nature of Native existence w[as] being used to justify the denial of Aboriginal title to land and resources,” and concludes that “it was restricted mobility that subsequently made the question of reserve size so important.”²⁸

During this period of argument between B.C. and Canada, responsibility for reserves was placed in the hands of the “Indian Reserve Commission,”²⁹ which existed in one form or another from 1875 until 1910.³⁰ The second set of changes to Sq'ewlets' recorded reserve boundaries were made during this period by Reserve Commissioner Peter O'Reilly in 1881. In a couple ways the story of these changes is almost a repetition of the story in 1868. In 1881 Peter O'Reilly seems to have considerably enlarged Sq'ewlets' reserve lands. However, like Pearse and Ball may have done to a Sq'ewlets McColl reserve, O'Reilly's expansion may have been reducing, and more importantly was certainly changing reserve boundaries arranged with Reserve Commissioner Gilbert Sproat two years before. In addition there was once again a slighted settler, this time James Whitechurch was much angrier than Donnelly had apparently been, and unlike Donnelly did not stick around, despite assuring the Governor General that he would only leave his land in the form of a corpse.³¹

The Reserve Commission was meant to be a compromise solution to the federal-provincial disputes and at first had commissioners appointed from both governments. However, Cole Harris points out that this in itself was already a victory for the Province and further, that since the Province insisted that it could disallow any reserves that the Commission created, the Provincial Department of Land and

28 Keith Thor Carlson, *The Power of Place, the Problem of Time*, (Toronto: University of Toronto Press, 2010) 178.

29 The commission was first called the 'Joint Indian Reserve Commission' because it had commissioners appointed by both the Province and the Dominion.

30 *Native Space*, 228; and Reuben Ware 'The Lands we Lost: a history of cut-off lands and land losses from Indian Reserves in British Columbia' (Union of British Columbia Indian Chiefs, 1974.)

31 1881, June 4th, James Whitechurch to the Governor General of Canada, RG10, Vol. 3580, File 799, found online at Library and Archives Canada, as well as on microfilm at BCA.

Works continued to play a role in reserve creation, as it had before confederation. Harris argues that for the most part the Commission continued a reserve policy that was along the lines of the Province's wishes, and kept reserves small. This was certainly the case for the work and attitude of Reserve Commissioner Peter O'Reilly. Historian Reuben Ware comments that O'Reilly “worked closely with the Province and seems to have allotted only what the Province was willing to give.”³² Cole Harris says that “[h]e believed in getting things done, on time, to schedule, in due and proper form” and that “O'Reilly's short, crisp, and largely unargumentative letters must have seemed an enormous relief both in Ottawa and Victoria,” but, Harris argues, “such order had its costs, the main one being that O'Reilly was never really in touch with Native people. He had his agenda, listened a little, made his decisions and rushed on.”³³

I think that those lines that you drew made a great impact on the reserves. They drew the lines a long time ago but the generations coming behind, like the younger people that are running the Bands now—the Tribes—learn to rely on those lines that are drawn.
- John Williams, Sq'ewlets Elder, 2013

32 Reuben Ware 'The Lands we Lost: a history of cut-off lands and land losses from Indian Reserves in British Columbia' (Union of British Columbia Indian Chiefs, 1974) 9.

33 *Native Space*, 172.

Sq'ewlets was the very first reserve that O'Reilly visited out of the more than 600 reserves he allocated during his eighteen year career as Reserve Commissioner. Once again the Harrison River seems to have been a priority in the minds of government officials, suggesting they were aware of some discontent coming from Sq'ewlets or Sts'ailes or surrounding settlers; O'Reilly notes the Harrison as one of several places he was instructed to visit first and he proceeded there “at once.” He found 38

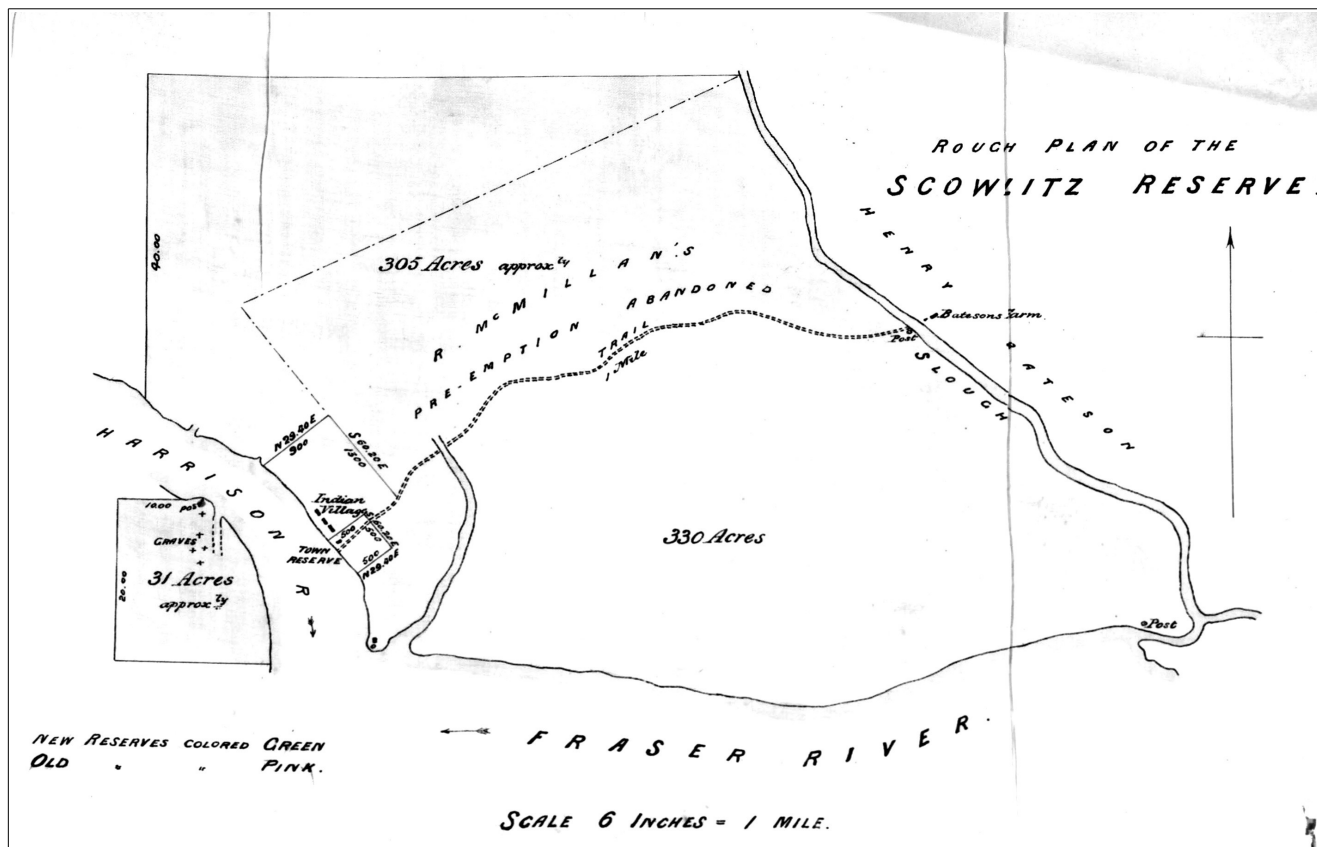


Illustration 2: 1881: Rough Plan of Scowlitz I.R. 1 and I.R. 2 as allotted by O'Reilly. SOURCE: Reappears often throughout records for instance: GR 0933, DIA, Records of Joint Reserve Commission, Vol. 1275, Letterbook 1881-1884, NAC no. C 13900, BAC reel no. B01391.

people living there and reported that he “had no difficulty allotting to that tribe, with the full concurrence of Captain John and his people, a plot of land sufficient for all their purposes.” O'Reilly almost doubled the 1868 reserve, expanding it northward on the other side of the trail between

Donnelly's house and Bateson's Farm (See Illustration 2).³⁴ What had changed between 1868 and 1881? How was Scült-lā-ment able to persuade O'Reilly that Sq'ewlets should have more land? O'Reilly only notes that the McMillan pre-emption to the north of the trail had been abandoned, and that Sq'ewlets wanted some hay land for their "small but increasing" number of cattle. Without comment O'Reilly also added the 'graveyard' across the Harrison, now known as Williams I.R. 2.³⁵

O'Reilly's report suggests that Captain John and the rest of "his people" were satisfied with these additions. Cole Harris notes that O'Reilly reported that the Indians were well satisfied almost wherever he went.³⁶ It is a measure of just how out of touch O'Reilly was with the indigenous people whose territories he hurried through, that less than a year after he reported Scült-lā-ment well satisfied, Indian Agent McTiernan was reporting to the BC Indian Superintendent Dr. Powell, that "[t]he Indians at Harrison mouth" had by this point "on several occasions" come to him complaining about their reserve boundaries. They were so upset that Chief Captain John and "a man named Phillip" had been preparing to make the trip to all the way to Victoria to speak to Dr. Powell in person about it until McTiernan persuaded them to wait until he had written to Powell.

Sq'ewlets peoples' specific problem at this time according to McTiernan was that they did not have enough timber on their reserve for fencing or firewood. However, he also notes that the Sq'ewlets people would have been happy "if their reserve was left as Mr. Sproat laid it out" and that Sq'ewlets people were frustrated because "Mr. O'Reilly [had] changed the lines."³⁷ Gilbert M. Sproat was the

34 1881, May 14th, Letter written by O'Reilly from Yale to Superintendent General of Indian Affairs, Joint Indian Reserve Commission, Federal Collection, Minutes of Decision, Vol. 8, files 270-277, accessible online at Union of British Columbia Indian Chiefs resources: <http://jirc.ubcic.bc.ca/>.

35 RG10, Vol. 3580, File 799, items 100-103, found online at Library and Archives Canada, as well as on microfilm at BCA.

36 *Native Space*, 172.

37 1882, January 27th, P. McTiernan to Powell, Files of the (Joint) Indian Reserve Commission, Federal Collection, Vol. 7, files 60 and 60a, accessible online at Union of British Columbia Indian Chiefs resources: <http://jirc.ubcic.bc.ca/>.

Indian Reserve Commissioner immediately preceding O'Reilly. Cole Harris emphasizes that Sproat was an exception to the rule; he was a settler who had his opinions transformed by listening to indigenous people. Over the course of his time as Reserve Commissioner he came to believe strongly that larger reserves were necessary for First Nations and attempted to use his position to create larger reserves. While, like Governor Douglas, Sproat continued to believe that indigenous people should and would assimilate to the new capitalist economy and European culture, he became convinced that during what he (again like Douglas,) thought of as a transition period they should have “sizable reserves, secure fisheries, and...forest tenures” and that “land allocations should be as sensitive as possible to traditional Native land uses and, with due attention to the requirements of settlers, to Native wishes.” Cole Harris argues that Sproat attempted accomplish these things when he surveyed reserves. In contrast to O'Reilly, Sproat saw his task as a slow and careful process that involved a lot of listening, since “the resolution of competing interests” between settlers and Natives would rely on forging local compromises.³⁸ Unfortunately for Native interests in the province, in 1880 Sproat resigned because he felt the provincial government would not allow him to do his job as he felt it should be done.³⁹

Not long before he resigned, in June of 1879, Sproat had made his camp in Chilliwack as he worked on reserve allocations in the area. Chief Scũlt-lā-ment as well Chief Bob of Sts'ailes were so determined to have their old reserves adjusted (in the case of Sq'ėwlets this was the 1868 reserve made by Pearse and Ball) they made their way to visit him. After their meeting, Sproat reported that “[t]he plan of the Reserve Commission was to have taken these reserves in hand along with the adjustment of the Douglas-Lillooet Indians' lands, when that route should be followed, but the [Harrison River] Indians came to my camp and gave their names for Census and asked me to examine their reserves along with the New Westminster District Indians' reserves. This I was willing to do.” Scũlt-lā-ment

38 *Native Space*, 161.

39 *Ibid.*, 164.

took Sproat to Sq'ewlets and told him that as Sproat could see "his peoples' place [was] sunk in water." He wanted some dry land, specifically some "at the back of the reserve" near the foot of the mountain (Mount Woodside). He also specified that Sq'ewlets wanted their graveyard across the Harrison included in their reserve, as well as "the point there" for fishing. Finally, they wanted an island in the Fraser "about 1 and 1/2 miles above Harrison Landing." At least one reason they wanted this island included in their reserve land was specifically for the Cedar trees on it; Sproat does not say 'timber' or 'firewood' but specifically notes that Sq'ewlets wanted it "for cedar."⁴⁰

These were the reserve boundaries that Sq'ewlets wanted and that Sproat evidently intended they should have. He, like O'Reilly later would, came across resistance only from James Whitechurch, but he dismissed the aspiring settler's claims, as O'Reilly also did. Sproat did not meet Whitechurch himself and referred to him as the man "the Indians call Jim." Sq'ewlets people told him that this man Jim, who they understood was a "runaway sailor from Burrard Inlet" was planning to settle on land they planned to use, though it was outside the 1868 reserve boundaries. Sproat left Jim a note warning him not to settle. However, because the area was flooded Sproat could not make the rough survey necessary to record the new boundaries, and as a result these boundaries never became officially recognized. He lamented, "I retire from office without having been able to revisit the place" but he hoped that his successor would, and recorded for that purpose what Scũlt-lā-ment and Chief Bob had said to him, as well as including the various settler claims he had compiled.⁴¹

Sq'ewlets as well as the local Indian Agent McTiernan believe that these boundaries Sproat had agreed to were the new reserve boundaries. However, when O'Reilly came to Sq'ewlets two years later,

40 Undated, but based on placing in journal presumed to be written July 3rd 1879 (but based on reference to imminent retirement could have been written later), and referring to June of 1879, 'Harrison River Indians,' Fieldnote by Sproat, Files of the (Joint) Indian Reserve Commission, Federal Collection, Vol. 5 book 1, files 35-40. Accessible online at Union of British Columbia Indian Chiefs resources: <http://jirc.ubcic.bc.ca/>.

41 Ibid.

it seems he was completely unaware of Sproat's intentions, or he chose to disregard them. His response to Powell regarding Scült-lā-ment's complaints in 1882 was simply that, contrary to what McTiernan believed, “[t]his reserve was not dealt with by W. Sproat.”⁴² We can only speculate what hurried misunderstanding or purposeful misrepresentation had allowed O'Reilly to report in 1881 that the reserve boundaries he allotted had the “full concurrence” of “Captain John and his people,” given that Scült-lā-ment evidently remained committed to boundaries Sproat had agreed to, and these were not the boundaries O'Reilly allotted.⁴³ O'Reilly expanded Sq'éwlets, but not near the foot of Mount Woodside as Scült-lā-ment told Sproat his people desired. He added their graveyard as Scült-lā-ment had asked of Sproat, but it is not clear that he included a point near there for fishing; and he did not include the island in the Fraser, nor any timber land whatsoever, let alone land specifically containing cedar trees.

But O'Reilly was now the man in charge of reserves and Sproat was not. His brusque reply to Powell seems to have put an end to the matter; his boundaries remained the boundaries that Sq'éwlets would have to abide by. But it also seems that at least at one point in his career O'Reilly was made to listen by an Indian. In his reply to Powell, O'Reilly had been quite decided regarding the issue of there being enough timber on the Sq'éwlets reserve; he wrote that it was his opinion that “the Indians of Harrison River possess on their reserve an abundant supply of wood for fencing and other purposes” and added somewhat haughtily that this “must be evident to every one who pass Harrison Mouth, where the banks of the Fraser are covered with Cottonwood.”⁴⁴ A little over two years later, Scült-lā-ment was still not ready to accept O'Reilly's decision. In May of 1884 O'Reilly was 'en route' to

42 1882, Feb. 6th, Letter from O'Reilly to Indian Superintendent Powell, GR 0933, DIA, Records of Joint Reserve Commission, Vol. 1275, Letterbook 1881-1884, NAC no. C 13900, BAC reel no. B01391.

43 1881, May 14th, Letter written by O'Reilly from Yale to Superintendent General of Indian Affairs, Joint Indian Reserve Commission, Federal Collection, Minutes of Decision, Vol. 8, files 270-277, accessible online at Union of British Columbia Indian Chiefs resources: <http://jirc.ubcic.bc.ca/>.

44 1882, Feb. 6th, Letter from O'Reilly to Indian Superintendent Powell, GR 0933, DIA, Records of Joint Reserve Commission, Vol. 1275, Letterbook 1881-1884, NAC no. C 13900, BAC reel no. B01391.

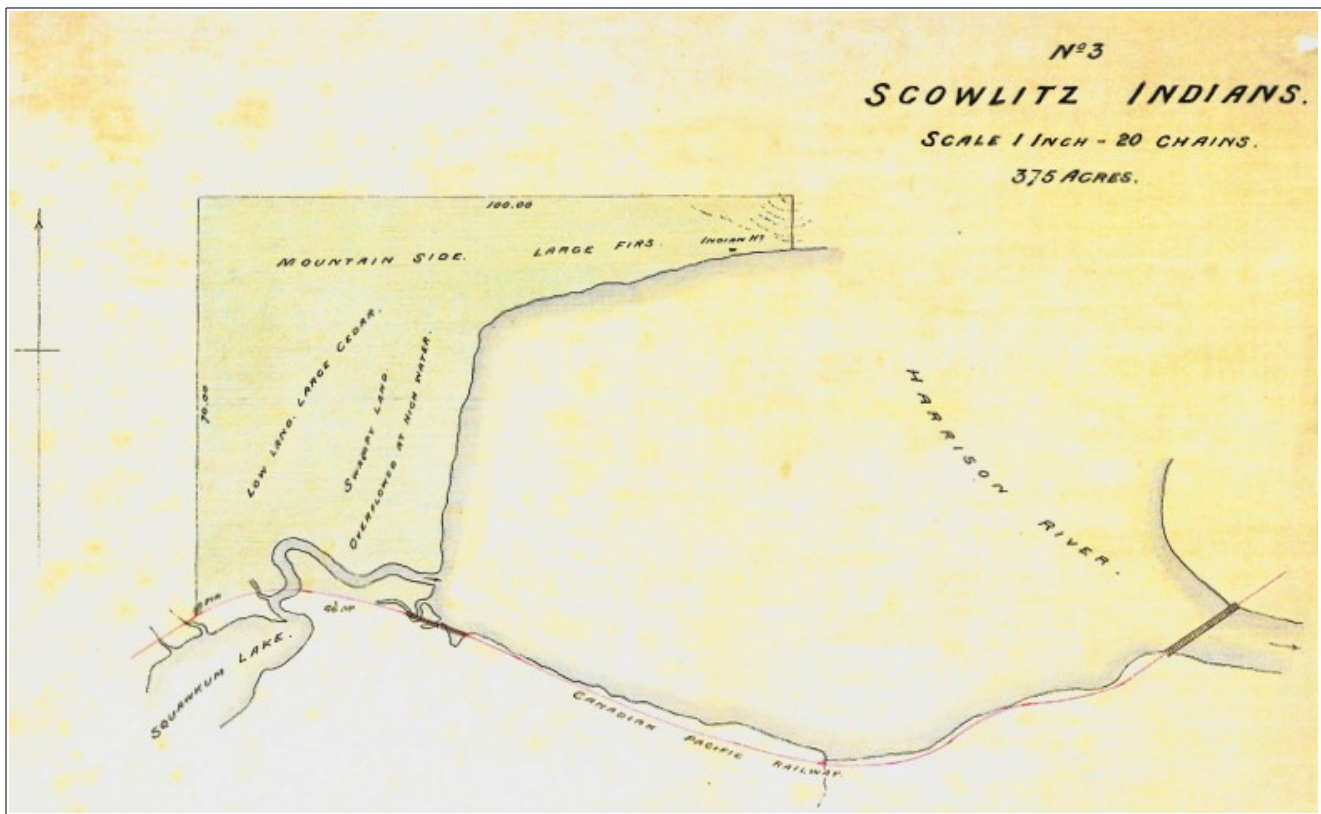


Illustration 3: 1884 Squawkum Creek I.R. 3 created. SOURCE: 1884, June 7th, O'Reilly to Superintendent General of Indian Affairs, files of the (Joint) Indian Reserve Commission, Federal Collection, Vol. 10, Files 70-80, accessible online at Union of British Columbia Indian Chiefs resources: <http://jirc.ubcic.bc.ca/>.

Douglas, and Scült-lā-ment intercepted him. Whatever conversation they had resulted in a complete reversal of O'Reilly's opinion. He wrote in June to the Superintendent General of Indian Affairs and reported that since he “considered that the land previously reserved for them contained an insufficient supply of wood” he had acquiesced to Scült-lā-ment's request and made a third reserve for Sq'ewlets. That reserve of 375 acres, increased by a third Sq'ewlets' total reserved land (although again, some of these acres were often flooded and others consisted of mountainside), and became Squawkum Creek I.R. 3, where the majority of Sq'ewlets people have made their home since the early 1970s. It is not clear why O'Reilly did not allot the island in the Fraser previously desired by Scült-lā-ment, and instead allotted this land on Harrison bay. Perhaps this represented a compromise, or perhaps Sq'ewlets had

decided that this land was in fact preferable. In either case, like the island, this land included a place where many large cedar trees grew (see Illustration 3).

The addition of Squawkum Creek to Sq'ewlets was the final expansion of Sq'ewlets reserve boundaries, and I believe that apart from inclusion of Lot 10-A as reserve land in 1967 (I think mostly a formality by that point,) every change to reserve boundaries since then has been a reduction.⁴⁵

I have been able to find another glimpse into what Sq'ewlets people may have been thinking about their reserve; it was a full 29 years after Scült-lā-ment confronted O'Reilly. In 1912 the province and the dominion agreed to create a royal commission into Indian affairs in B.C. This was yet another attempt to resolve their differences regarding the creation of reserves. It is more commonly known as the McKenna-McBride commission after the Premier of B.C. at the time, Richard McBride, and the federal government's representative, James A. J. McKenna. It was empowered to make changes to reserves, and between 1913 and 1916 it travelled around B.C. hearing testimony from Bands, Indian Agents, Business groups, and other groups.

By this time (I have not found anything indicating precisely when) Joe Hall had replaced Scült-lā-ment as chief of Sq'ewlets, and in 1913 he testified in front of the Commissioners. His answers to the Commissioners' questions, with careful interpretation, give interesting glimpses into his thinking and life at Sq'ewlets at the time, and I have appended a transcript of his questioning. In Chief Joe Hall's responses to the Commissioners' questions, it seems that if a dyke was built to stop the yearly flooding he would be content with the reserve as it was. He did not make any requests for other land as some Bands had in their testimonies.⁴⁶ He also made an opening statement to the Commissioners that was not

45 There have certainly been no significant additions, but my research has not been extensive beyond the early twentieth century, so there may have been other small increases like Lot 10-A that I do not know about.

46 1913 September 4th, Royal Commission on Indian Affairs for the Province of B.C., Meeting with Scowlitz Tribe of Indians at New Westminster, accessed from 'Testimonies' in *Our Homes Are Bleeding: Digital Collection*, Union of British Columbia Indian Chiefs (<http://ubcic.bc.ca/Resources/ourhomesare/Testimonies2/index.html>)

transcribed in the documentation of the hearings, but a hand written copy remains, also appended. In his opening statement Chief Joe Hall demanded that aboriginal title be recognized and that the verbal promises of the colonial governments that white settlement would benefit indigenous people be honoured. Chief Joe Hall did not focus on specifics about Sq'ewlets reserve lands, but like Scült-lā-ment before him and the 109 chiefs at Hope, and like many other chiefs who testified in front of the Commission (including Chief Leon from Sts'ailes), he chose to insist that his people's voice should be included in the debate between the provincial and federal governments. He began "We the members of the Scowlitz band of Indians, as loyal subjects of his Majesty King George V" and proceeded to welcome the commissioners to their reserves, since he knew that they would "carefully take our grievance [sic] and bring it to justice and integrity according to the laws of God" and therefore their "work must be done perfect." He continued:

Gentlemen of the Royal Commission I want to ask a favor [sic] and allow me a few minutes to speak without interruption.

First of all God created us Indians in this country in good many different tribes, and so are the white people created in their own country and other places. And when they came along here we treated them like brothers and this is where we show that we are the original owners of this country, which is now called the Province of British Columbia and therefore we claim our aboriginal title.

2nd Sir James Douglas, the first governor, made a verbal promise to us Indians in his first surveying the land. He said for which land I have surveyed it belongs to the Indian only. That no white men shall intrude your land. And for all the out side lands Her Majesty Queen Victoria will take and sell to the white people and which is taken away from the Indians will be like a fruit tree and from this said fruit Her Majesty Queen Victoria will give it to the Indians for their lasting support.

3rd The second governor Seymour also made a verbal promise in his speech that Her Majesty Queen Victoria will divide the revenue in three parts: One third to the Indians for their benefit; One third to the Crown; One third to the public for road works etc.

Now for these last good many years standing we are expecting to receive those good promises by Her Majesty Queen Victoria. But we have not heard anything of it yet. For the latest governments of the Province has concealed and buried it and worked all kinds of skeems [sic] to keep it hidden.

4th We claim that the Provincial Government has no right to claim a reversionary interest in our present reserves. That no others but the Indians has a clear claim to the Indian Reserves.

5th We ask for a permanent and secure title for our present reserves.

6th And for which lands have already been taken away and occupied by the white people we ask the Dominion Government to return this said land to us Indians.

We also ask that our former Fishing and Hunting may be unrestricted by the white mens law.”⁴⁷

The Commissioners responded to Chief Joe Hall's statement as they did to the many other Chiefs who asserted their claim to aboriginal title. They told the chiefs that the commission was not going to consider the question of title, that the Federal Government and the Courts were going to deal with this and that it would be dealt with fairly. After making this response, they proceeded to the questioning they were interested in.⁴⁸

...in the early nineteen hundreds the Sts'ailes people, the fishermen anyway, they used to come down—my grandpa was the Chief then—then they'd ask, the fishermen up there, they'd ask my grandpa if they could go fishing in our territory out the Fraser river. He used to always say 'well, go ahead' but if somebody [from Sq'ewlets] wanted to go out fishing, they'd have to respect the Sq'ewlets Fisherman because that was our fishing territory.

-Clifford Hall, Sq'ewlets Elder and Chief Joe Hall's grandson, 2013

We're really hospitable people.

-Allen Williams, Sq'ewlets Elder, 2013.

Six years later, in 1919 Chief Joe Hall surrendered the entire half of Scowlitz IR 1 north of the railway tracks to the Department of Indian Affairs in order for it to be settled on by returning veterans from WWI. This has been the biggest reduction in Sq'ewlets reserve lands to date.⁴⁹ Joe Hall passed on stories about this sale to his grandchildren. They are Elders now themselves and told me how Joe Hall told it to them. Clifford Hall told me that the Government came to see his grandfather. They wanted farmland for a young soldier, so they asked Joe Hall if they could buy land off of Sq'ewlets for the

47 Evidence given to the McKenna-McBride Commission, RG 10, Vol. 11021, File 520C, New Westminster Agency, Exhibit B48, accessible at BCA on microfilm.

48 1913 September 4th, Royal Commission on Indian Affairs for the Province of B.C., Meeting with Scowlitz Tribe of Indians at New Westminster, accessed from 'Testimonies' in *Our Homes Are Bleeding: Digital Collection*, Union of British Columbia Indian Chiefs (<http://ubcic.bc.ca/Resources/ourhomesare/Testimonies2/index.html>); Cole Harris in *Making Native Space*, and Paul Tennant in *Aboriginal People and Politics*, as well as Robert Galois in 'The Indian Rights Association, Native Protest Activity and the 'Land Question' in British Columbia, 1903-16' *Native Studies Review* 8, 2a (1992), all discuss the indigenous response to the McKenna-McBride Commission that can give context to Chief Joe Hall's testimony.

veteran. Joe Hall agreed and sold all the land on Scowlitz IR 1 north of the C.P.R. tracks to be farmland for soldiers.⁵⁰ Allen Williams (not Joe Hall's grandson) continues the story; only one returned WWI soldier actually took advantage of Sq'ewlets's generosity, but when government officials saw that no one was taking the land they put it up for sale. As a result local farmers bought it instead. According to Allen this pushed the land further out of Sq'ewlets' hands than it had been meant to go.⁵¹ Violet Pennier, Joe Hall's grand-daughter-in-law, told me that “when they gave [the land] it was supposed to be just for soldiers, but the Department of Indian Affairs got a hold of it.”⁵² The result, as John Williams, Allen's older brother, lamented was that “the only land we had left after that was on this side of the tracks.”⁵³ This was not how the deal had been supposed to go, Clifford told me: “I always felt like they claimed that it was for the war veterans to farm on, and well, they had their chance now they should give it back – for the same price.”⁵⁴ Violet Pennier told me this was Joe Hall's attitude as well; he asked “if they didn't use it for the veterans why wasn't it still ours? Why was it sold and the title gone? It wasn't leased, it was given. It was specifically for the soldiers.” But, despite it being for soldiers, “[DIA] just sold it. And he didn't know how to fight them to bring the land back.” This was Allen Williams'

49 Since the final expansion of Sq'ewlets in 1884 the amount of reserve land has been reduced in various ways. I have not researched these extensively and instead have focused on one single major reduction of Scowlitz IR 1 after the First World War. I think a list of all the various surrenders, rights of way, and other reductions of Scowlitz, Squawkum, and Williams, can likely be arrived at by searching the Indian Land Registry online. For a general discussion of lands lost from reserves in B.C. see Reuben Ware's 1974 report for the Union of British Columbia Indian Chiefs. It can be found on their website and is titled, 'The Lands we Lost: a history of cut-off lands and land losses from Indian Reserves in British Columbia.' Two major changes to the Sq'ewlets reserves that I regret not having been able to research further are the construction of the Railway and the Lougheed highway.

50 Interview: Orion Keresztesi with Betty Charlie and Clifford Hall, May 28th 2013, Scowlitz I.R. 1, recording and transcript held at the SRRMC library.

51 Interview: Orion Keresztesi and Rhea Lonsdale with Allen Williams and John Williams, May 28th 2013, Squawkum Creek I.R. 3, recording and transcript held at the SRRMC library.

52 Interview: Orion Keresztesi with Violet Pennier, May 29th 2013, Sq'ewlets Band Office, recording and transcript held at the SRRMC library.

53 Allen Williams and John Williams, May 2013.

54 Betty Charlie and Clifford Hall, May 2013.

conclusion to the story as well; “There wasn't much they could really do. You know, [what] the government wanted, they took.”⁵⁵

This does not mean that Joe Hall or other members of Sq'ewlets threw up their hands in defeat. As I discovered in the documentary evidence that I explore below, Joe Hall continued to petition DIA to ensure that the band received full payment for the sale, something that DIA had to be repeatedly reminded to do. And as Violet told me, the struggle was passed on “from him, [to] Leonard Hall, Johnny Phillips, Richard Willoughby and then to my husband John to try and get the information to get some of that land back or to get other land in place of it.”⁵⁶

James G. Duncan was a farmer with extensive land bordering on Sq'ewlets. According to local historian Daphne Sleigh, he was something of a leader amongst the farmers in the area, he spent five years on the Kent Municipal Council, and his older brother did the same before him.⁵⁷ He seems to have played an important role in initiating the sale. His relationship with Chief Joe Hall was apparently respectful. I do not know if there is any Sq'ewlets oral history regarding Duncan that might contradict or corroborate this, but DIA correspondence notes that “his relations with the Indians are of a very friendly nature and he is regarded by them as a good neighbour.”⁵⁸ Sq'ewlets had been willing in 1919 to sell him a piece of their reserve so his property would have road access,⁵⁹ and in 1921 Duncan described Chief Joe Hall as intelligent.⁶⁰ In addition to the piece sold to him by Sq'ewlets, Duncan already owned the large Lot 481 formerly belonging to Henry Bateson, as well as two smaller lots

55 Allen Williams and John Williams, May 2013.

56 Violet Pennier, May 2013.

57 Sleigh, 83; Sleigh gives some details on James Duncan and his older brothers.

58 1919, July 30, Recommendation of Council to accept Surrender of land applied for by Mr. James Duncan, RG 10 Vol. 4089, File 521,240.

59 Ibid.

60 1921, July, Diary of Surveyor C. B. Simonds, Ibid.

bordering it.⁶¹ After the successful sale of some of the reserve to him by Chief Joe Hall, either he became very interested in the possibility that much more of the reserve could be put up for sale, or Chief Joe Hall became interested in that possibility, or both.

The next person I found record of being interested in Sq'ewlets land being sold was a real estate agent and broker in Vancouver named George A. Jacobs. He wrote repeatedly to his friend Herbert S. Clements, a member of Parliament for the Comox-Alberni riding (on Vancouver Island, nowhere near Sq'ewlets,) regarding the possibility of selling parts of Sq'ewlets.⁶² He did so on behalf of his friend James Duncan.⁶³

The first record I found that is apparently the work of Chief Joe Hall also mentions Duncan. This is a typed petition to the Department of Indian Affairs in Ottawa signed by Chief Joe Hall, George Billy, Billy James, and George Joseph. In it they ask the DIA to allow them to sell the portion of their reserve north of the tracks. This is a bit of a surprising petition considering the sentiments Chief Joe Hall expressed just 6 years before about reserve lands in front of the McKenna-McBride commission, as well as the stories about the sale he later told his grandchildren. The petition mentions nothing about returned soldiers; instead it tells the DIA that the band had been reduced to only 4 families and that nearly everyone left on the reserve was elderly and they wanted to sell the land in order to provide for their old age.⁶⁴ However, the petition was not initially elaborating all the details, since it becomes

61 1922 'Plan Shewing Proposed Position of Dyke,' GR 1550, DIA Central Registry Files, RG 10, Vol. 6730, File 153A-10-1A, BCA Reel no. B5671.

62 Unfortunately I have not looked to see if Clements' correspondence is available and if we might be able to find Jacobs' letters regarding selling Scowlitz there.

63 1919, Oct. 29th, H.S. Clements to Duncan C. Scott Superintendent of Indian Affairs, RG 10, Vol. 4089, File 521,240; available online at Library and Archives Canada, MIKAN no. 2060504.

64 I wasn't able to find DIA estimates of the Sq'ewlets population in 1919 or the immediate years after. In 1917 they estimated that 31 people lived at Sq'ewlets, barely a change from the 32 people they estimated lived there in 1913 (this is a discrepancy from Joe Hall's 1913 testimony that reports that 29 adults and 25 children lived at Sq'ewlets making up 4 families.)

quickly clear in the subsequent records that the Sq'ewlets's concept from the beginning had to do with returned soldiers. The petition also tells the DIA that, "we mentioned to our friend and neighbour James Duncan of Harrison Mills in whom we have confidence that we wanted to sell this land to provide for our old age. He has gone to the trouble to find a purchaser for it at the figure we asked [\$12,000]."⁶⁵

Whatever we make at this point of the petition, what is striking about the Department of Indian Affairs correspondence is the enthusiasm with which settler farmers from near Sq'ewlets and government officials got together to facilitate the sale. The person to deliver the petition to Peter Byrne the DIA Indian Agent for the district was Duncan's friend the real estate agent Mr. Jacobs.⁶⁶ This suggests Duncan himself delivered it to Mr. Jacobs. Mr. Jacobs not only took it to Mr. Byrne but also sent a copy to his friend in the House of Commons, Herbert Clements. Mr. Clements sent it on immediately to the head of the DIA with an error riddled note commenting, "I certainly would like to see any of these reserves sold and and (sic) got under cultivation."⁶⁷ Indian Agent Byrne's message along with the original typed petition arrived at the DIA offices in Ottawa quite a few days after Clements had already contacted the office in favour of the sale. Byrne's message added that Mr. Jacobs had informed him that the intention was that the reserve should be divided up and sold to returned soldiers. He also did not hesitate to recommend that the surrender be accepted even though he had not yet spoken to Sq'ewlets about the matter. He did not seem to think it necessary to double-check that this is what they wished. He also did not endorse any other part of the plan, commenting only that once the surrender was accepted "the Department can deal with it as they feel disposed."⁶⁸

65 Undated petition to Deputy Superintendent General, Ottawa, signed by Chief Joe Hall, George Billy, Billy James, and George Joseph, RG 10, Vol. 4089, File 521,240; available online at Library and Archives Canada, MIKAN no. 2060504.

66 1919, Nov. 5th, Peter Byrne to Assistant Deputy of Indian Affairs (J.D. McLean), Ottawa, RG 10, Vol. 4089, File 521,240; available online at Library and Archives Canada, MIKAN no. 2060504.

67 1919, Oct. 29th, H.S. Clements to Duncan C. Scott Superintendent of Indian Affairs, Ibid.

68 1919, Nov. 5th, Peter Byrne to Ass't Deputy and Secretary DIA, Ottawa, Ibid.

Allen:...I was looking at a lot of the old papers. You know there was about 6 or 8 men and they were able to control everything on the reserves in them days. So they all, all their signatures – you look at all the papers all the signatures are the same on them.

Orion: Like 6 or 8 Scowlitz men?

Allen: Yeah, yeah.

Orion: Maybe chief Joe Hall?

Allen: Yeah he was one of them, our grandfathers.

[...]

John:...they controlled a lot of things that went down I guess. They governed. I heard stories that he worked with, even on the criminal side, if somebody had to be tried, there were 6 or 8 that took care of that.

Orion: So what kind of things did they do with that power that they had?

John: I don't know...

Orion: Do you think they're responsible in any ways for the way Scowlitz is now?

John: I don't think so.

Allen: The government.

John: I think DIA is more responsible for the way that we are now. The control they had over us, and still got over us. We had to do things this way or that way, or their way or no way.

John and Allen Williams, Sq'éwlets Elders, 2013

This enthusiasm that persists throughout the rest of the correspondence (another M.P. writes to make sure the sale is going through; many settlers make inquiries regarding the sale long before notice is ever publicly given; DIA officials never hesitate or question proceeding with the sale, etc.) was in keeping with public and government attitudes in the first two decades of the twentieth-century. During this time there was a renewed settler-public interest in land 'locked-up' in reserves, which general opinion believed was going to waste. Historian Sarah Carter, as well as researchers Kahn-Tineta Miller, George Lerchs, and Robert G. Moore, links the increased pressure on reserve lands to settler land-rush

in the Canadian prairies induced by a wheat-boom in the 1910s. Immigrants poured primarily into the prairie provinces but also into B.C.⁶⁹ This reinforced the Laurier Government's inclination to reduce reserves and resulted in policy changes in the DIA, such that in 1908 Deputy-Superintendent General Pedly could write that while in the past “the department firmly opposed any attempt to induce [Indians] to divest themselves of any part of their reserves. Conditions, however, have changed and it is now recognized that where Indians are holding tracts of farming or timber lands beyond their possible requirements and by doing so doing seriously impeding the growth of settlement,” a sale should be sought. It became the department’s attitude that proceeds from selling reserve lands could be used to improve Indians' living conditions and property. As a result they concluded, “it is in the best interests of all concerned to encourage such sales.”⁷⁰

It is striking how perfectly the wording of the Sq'ewlets petition invokes this very reasoning to argue for the sale. If 'they' was replaced by 'we' throughout it would read like a DIA policy document: “We recognize the fact that...we have too much land, more than we can properly attend to, so it is left idle, uncultivated and is rapidly being overgrown with mixed weeds retarding the development of the valley, whereas if it were improved not only ourselves but the whole valley would reap the benefit.”⁷¹ The person who composed the petition clearly had a very good idea of the kinds of things the DIA wanted to hear. Officials who read the petition must have felt it was almost too good to be true.

As a rule, the DIA had had trouble convincing indigenous people to sell reserve lands. As a

69 Treaties and Historical Research Centre, P.R.E. Group, Indian and Northern Affairs, *The Historical Development of the Indian Act*, 1978, Chapter 7; and Sarah Carter '“An Infamous Proposal.” Prairie Indian Reserve Land and Soldier Settlement after World War I” *Manitoba History*, no. 37, Spring/Summer, 1999.

70 *Historical Development of the Indian Act*, 108; Sarah Carter comments that recently it has been found that many of the surrenders obtained at this time 'were obtained under questionable circumstances, and that deals breached the Crown's fiduciary (protective) duty to shield First Nations from exploitative or unwise transactions. The federal government should have taken steps to prevent, rather than encourage land surrenders.” ‘An Infamous Proposal.’

71 Undated petition to Deputy Superintendent General, Ottawa, signed by Chief Joe Hall, George Billy, Billy James, and George Joseph, RG 10, Vol. 4089, File 521,240; available online at Library and Archives Canada, MIKAN no. 2060504.

result in 1906 they had changed their policies so that more cash would go directly to band members if they agreed to sell. The DIA policy had been that only 10% of the revenue would be distributed amongst band members, the rest would be held by the department and spent as it saw fit for their benefit. In the hopes of encouraging more bands to sell reserve land they changed this cap to 50%.⁷² As a result when Sq'ewlets sold 24.77 acres to James Duncan for \$823.20 at the beginning of 1919 they received \$411 and the DIA received \$412.20 whereas if the sale had occurred 15 years earlier Sq'ewlets would only have received \$82. The \$411 were distributed to the heads of family of the band.⁷³

The association of soldier settlement and First Nations reserve land at this time was not isolated to Sq'ewlets. After WWI there was considerable public discussion of how the country would deal with the thousands of men returning from the war. Public sentiment expressed in the press regarded these men as heroes and feared that they might end up destitute and wandering the streets; everything possible should be done for the returning soldiers. This was a discussion that Sq'ewlets people likely would have heard and participated in, and considering the number of indigenous soldiers who went over-seas it was likely a sentiment many of them would have understood.⁷⁴ A government priority became helping veterans find affordable land to settle on; by 1919 public attention had turned to First Nations reserves as an ideal place to find land to sell to returned soldiers. That year the new Soldier Settlement Act was passed that contained clauses that helped the Soldier Settlement Board (SSB) seek and secure reserve lands to be bought on behalf of soldiers. The sale of Sq'ewlets did not ultimately involve the SSB, but elsewhere they often worked closely with the DIA. The general public, First

72 *Historical Development of the Indian Act*, 104.

73 There appear to be 7 family heads suggesting another discrepancy with the 1919 petition. I'm not sure what formula was used to determine how much each family received; the pay list can be viewed RG 10, Vol. 4089, File 521,240; available online at Library and Archives Canada, MIKAN no. 2060504.

74 I am sorry to say have not done any research to see if, or how many, Sq'ewlets people participated in WWI. In my interview with Betty Charlie she discusses the impact participating in WWII had on Sq'ewlets men.

Nations, as well as the DIA would at this time have had the possibility of reserve land being sold to veterans often on their minds.⁷⁵

Clifford Hall's telling of the history suggests that there was a single soldier that Joe Hall was interested in giving land to. Similarly, the petition refers to James Duncan as having found a single buyer interested in the land—based on subsequent documents I presume this buyer to have been a soldier. By July of 1920 this single soldier had turned into two; that month G. W. Carmichael and D. J. McLeod, of Armstrong, B.C. applied to the DIA as returned soldiers to purchase part of Sq'ewlets. Three months later Sq'ewlets people had returned to their homes—they had been away engaged in “various occupations,”—and Indian Agent Peter Byrne met them.⁷⁶ He had the surrender documents prepared and filled out.⁷⁷ All he had to do was obtain consent from Chief Joe Hall, George Billy, Billy James, George Joseph, Moses Dick, and Pat Alexander. He did so, and reported “All the male members of this Band were present at the meeting and voted in favour of Surrender.”⁷⁸ One thing to note here is that the description of the surrender excluded “20.5 acres more or less” reserved for roads; the strange result is that Sq'ewlets' contemporary boundaries technically include the width and length of Mills Rd., School Rd., and Kennedy Rd., (see Illustration 6).⁷⁹ Two months later a third interested buyer contacted the department regarding reserve land. It was the Kent Municipal School Board, of

75 'An Infamous Proposal,' page numbers unmarked; at the very same time as Agent Byrne was involved in the Sq'ewlets surrender he was also involved in negotiating a similar surrender at nearby Sumas First Nation. While at Sumas the DIA negotiated a surrender on behalf of the Soldier Settlement Board, for some reason at Scowlitz they decided not to involve the SSB despite giving preference to soldiers during the sale of the land, see Commissioners Daniel J. Bellegarde and Carole T. Corcoran, 'Sumas Indian Band Inquiry: 1919 Surrender of Indian Reserve No. 7' Indian Claims Commission Reports, August 1998, accessed: http://publications.gc.ca/collections/collection_2012/gtrpc-rsctc/RC12-1-1998-8-eng.pdf on Sept. 18 2013.

76 1920, Oct. 29th, Byrne to Duncan C. Scott, RG 10, Vol. 4089, File 521,240; available online at Library and Archives Canada, MIKAN no. 2060504.

77 1920, July 30th, Duncan C. Scott to Peter Byrne, Ibid.

78 1920, Oct. 28th, Surrender Vote List, Ibid.

79 1920, Nov. 15th, 'Report of the Committee of the Privy Council,' Ibid.

which James Duncan was a member;⁸⁰ they were looking for a new school site and would like to buy two acres. Around the same time Indian Agent Byrne “made careful enquiries” into the value of the land and priced it as \$100 per cleared acre and \$55 per uncleared acre, meaning that he calculated that all the land taken together should bring in \$23,970. Three months after that, in December of 1921, J.D. McLean wrote from his DIA office in Ottawa to W. E. Ditchburn, the Chief Inspector of Indian Agencies in Victoria. McLean reported all these circumstances to Ditchburn and asked for his opinion on the sale.⁸¹

From this point forward Ditchburn had responsibility for the sale. It is at this moment with the surrender obtained from Sq'ewlets, the land priced, and Ditchburn in charge that I would say, to use Violet Pennier's language, the DIA took a hold of the situation; while the School Board would have its preferred school site surveyed directly into the subdivision (picked out by James Duncan who was present with the surveyor)⁸² the two original soldiers, Carmichael and McLeod, never ended up with any Sq'ewlets land. It was Ditchburn's opinion that “it would be inadvisable to allow this splendid piece of land to fall into the hands of two men.” Instead, “the Department should subdivide the area...and sell it by public auction.” This he felt “would be both in the interest of the public and the Indians.”⁸³ His plan was followed through and the land after some delays became the property entirely of Farmers who were already Sq'ewlets neighbours or farmed nearby.

Throughout the process that followed the DIA's receipt of the Sq'ewlets Petition, there is very little documentation that suggests there was any communication with Sq'ewlets. It seems likely that

80 Undated, Page 2 of 'Report on Subdivision of Harrison Mills Indian Reserve no. 1 (Scowlitz)' by S. B. Simonds, RG 10, Vol. 4089, File 521,240; available online at Library and Archives Canada, MIKAN no. 2060504.

81 1921, March 2nd, J.D. McLean to Ditchburn, Ibid.

82 Undated, Page 2 of 'Report on Subdivision of Harrison Mills Indian Reserve no. 1 (Scowlitz)' by S. B. Simonds, Ibid.

83 1921, May 11th, Ditchburn to J.D. McLean, Ibid.

after signing the petition at the end of October 1919 Chief Joe Hall did not hear another word regarding the matter until an entire year later at the end of October 1920 when Peter Byrne came to Sq'ewlets to obtain the surrender. It is possible that Chief Joe Hall had forgotten about the whole idea, or thought the DIA had. At the end of August 1920 almost a year after signing the petition, Joe Hall seems to have tired of waiting for DIA communication. Sq'ewlets leased the cleared land north of the tracks to a farmer, Hokum Singh. It was to have been a 4 year lease. Singh had agreed to pay Sq'ewlets \$600 per year, and he had paid \$300 in advance. Singh was a “Hindoo” who had entered into the lease “without securing any advice on the matter other than the assurance of the Indians that they had the right to lease the same.”⁸⁴ What this suggests to me is that Chief Joe Hall, as his testimony in 1913 suggests, believed Sq'ewlets had a right to its reserve land that was wholly its own and did not involve DIA administration. It suggests that the only reason he made appeals to the DIA to accept surrenders, was because most potential buyers knew and abided the law that they were not to enter into transactions directly with a Band; therefore if Sq'ewlets was going to be able to share its land or earn some revenue from it, they would have to go through DIA procedures. At the first opportunity, when an interested farmer came along who was not inhibited by worries about the DIA, Sq'ewlets made a deal directly with him. The fact that the deal they made on their own, without DIA involvement, was a lease and not a sale might suggest that this is what Chief Joe Hall was interested in doing with the land north of the tracks. This might be reading a bit far into the lease, since I have no records to indicate that Chief Joe Hall did not try to sell the land to Singh first, and that it was Singh who preferred a lease, perhaps because the terms were cheaper.

What the lease certainly suggests is that the DIA was not in much communication with Joe Hall regarding selling the land or otherwise until two months after the deal was struck with Singh. It was then that Byrne arrived to request the surrender of the very land that Singh had just agreed to lease for

84 1921, April 27th, Bird, Macdonald & Company to the DIA, Ottawa, Ibid.

four years. Byrne makes no mention of Singh in his report on the surrender. There is no DIA communication about Singh until the next year when they receive a letter from a law firm requesting information on behalf of Singh. The firm notes that Singh had put a great deal of labour into the land and had sowed a crop there.⁸⁵ This makes me wonder how substantive Byrne's meeting with Joe Hall was. Did they go and look at the land they were discussing? Was there no evidence of Singh or the work he may have begun by that point? Why did Joe Hall not mention Singh to Byrne? He may have been concealing the lease knowing the DIA would disallow it. But why would he do that if, as the petition suggests, his preference was for sale and not a lease? Again, it is difficult to say, since it is possible that after making the deal, Singh left and only returned in the spring, and that, although it does not fit with how his grandchildren remember him, Chief Joe Hall was content to keep the farmer's \$300 advance, and not warn him until he had put 'a great deal of labour' into the land, that his Band and the DIA were planning to sell the land.

The next communication between the DIA and Sq'ewlets is a telegram apparently from Chief Joe Hall directly to Duncan C. Scott in Ottawa on March 11th 1921. It reads "WISH PERMISSION TO CUT DEAD TIMBER FOR PULP WOOD ON NORTH SIDE CANADIAN PACIFIC RAILWAY SCOWLITZ RESERVE NOONE (sic) LAND THAT WE SURRENDERED INDIANS OUT OF WORK AND STARVING KINDLY REPLY BY WIRE." I am not sure how to interpret this. Were people at Sq'ewlets starving or was this rhetoric to try and ensure that DIA would grant them a permit to sell some of their wood? In terms of clues regarding what Joe Hall was thinking about the surrender this does not offer much. First Nations people at this point always had to receive a permit from the DIA before cutting timber on their reserve. So perhaps this was the main permission Joe Hall was seeking, and he added the fact that it was on the surrendered land simply as a description, so that DIA would know where he was talking about. However, it could be that he asked special permission because he

85 Ibid.

now understood the land they surrendered to be out of their hands. In response to the telegram DIA wired Peter Byrne telling him to “investigate immediately by communicating with chief at Harrison Mills” and if necessary issue permits to cut on the un-surrendered portion of the reserve, 'subject to dues.'⁸⁶ There are no further records on the matter.

The DIA Correspondence following the surrender and Ditchburn taking charge continues to suggest very little communication between DIA and Sq'ewlets about the potential sale and considerable communication amongst Xwelitem farmers about it. The news that the high quality Sq'ewlets farmland might be for sale was evidently circulating amongst farmers. Ditchburn was influenced in his opinion that the land should be put up for public auction by the several applications he had already received regarding the land before the DIA in Ottawa even asked him about it.⁸⁷ Applications continued to be made throughout 1921 and the first half of 1922.⁸⁸ There was a brief and seemingly unresolved argument between the DIA and the Province regarding the Province's reversionary interest in the reserve, which did not delay the sale.⁸⁹ In July of 1922, the Member of Parliament for the Fraser Valley, Elgin A. Munro, wrote to Duncan C. Scott at the DIA about the sale; he told him that he was “very glad that the Department is going to sell [the land] as the community is very much handicapped by its being tied up and am writing to ask you to expedite matters in connection with the sale as the people there are very anxious to undertake a dyking scheme.”⁹⁰ Ditchburn, who had been delaying the sale because the land market was depressed and it was the Department's responsibility to seek the best price for the land, acquiesced to hold the sale sooner since the delay was interfering with the farmers' dyking project. The

86 March 11th, and March 12, Telegrams, Ibid.

87 1921, May 11th, and May 12th, Ditchburn to J.D. McLean, Ibid.

88 Ibid.; and 'Scowlitz Reserve Land Sales,' GR 1550, DIA Central Registry Files, RG 10, Vol. 6730, File 153A-10-1A, Available at BCA reel no. B5671.

89 'Scowlitz Reserve Land Sales,' GR 1550, DIA Central Registry Files, RG 10, Vol. 6730, File 153A-10-1A, Available at BCA reel no. B5671.

auction would be in New Westminster, because Ditchburn felt that a lot of interest in the land had been expressed by New Westminster residents. However, after the auction was finally held on August 22nd, Ditchburn glumly reported that it had been a "dismal failure." Despite all the interest that had been shown in the land and the advertisements that had been placed in all the major newspapers, only five people showed up to the auction. Only two lots were sold. One to Harold Cartmell and one to Malcom Matheson; both were returned soldiers⁹¹ and both were established members of the Harrison Mills settler community.⁹² However, the lot Matheson bought, 'Lot P,' bordered directly on James Duncans' property and it was James Duncan who had provided Matheson with the financial backing necessary to bid on the lot. Johnny Williams and Clifford Hall told me that they believed the Kilby family found veterans and paid them to buy lots so that they could purchase them later. I haven't found clear evidence of that,⁹³ but it seems likely that a similar deal was struck between Matheson and Duncan. Matheson paid for Lot P with a cheque signed and given him by Duncan. But apparently Duncan got cold feet, because before the DIA processed the cheque, Duncan stopped payment on it.⁹⁴ Matheson

90 1922, July 12, E. A. Munro to Duncan C. Scott, G 10, Vol. 4089, File 521,240; available online at Library and Archives Canada, MIKAN no. 2060504; Incidentally James Duncan was also instrumental in organizing this Dyking scheme, see: 1922, March 7th, James Duncan to E.A. Munro, Ibid; Considering how anxious Duncan was to have a dyke built it is interesting that the Scowlitz petition comments without any particular relevance to the rest of the petition that the land they were seeking to sell 'should be dyked.' This suggests to me that it was Duncan who wrote the petition on behalf of Joe Hall. But again it is difficult to be conclusive since Joe Hall also thought the land should be dyked, as he said in his testimony to the McKenna-McBride Commission.

91 'Scowlitz Reserve Land Sales,' GR 1550, DIA Central Registry Files, RG 10, Vol. 6730, File 153A-10-1A, Available at BCA reel no. B5671.

92 Sleight, 23, 106.

93 Since several of the veterans who wrote to the DIA regarding the land did not show up at the auction, and do not seem to have expressed further interest in the land it is possible that the Kilbys or other Harrison Mills families found veterans and encouraged them to make applications for the land to the DIA in order to encourage the sale. For a specific Kilby example see, 1921, May 12th, Ditchburn to J.D. McLean, RG 10, Vol. 4089, File 521,240; available online at Library and Archives Canada, MIKAN no. 2060504.

94 'Scowlitz Reserve Land Sales,' GR 1550, DIA Central Registry Files, RG 10, Vol. 6730, File 153A-10-1A, Available at BCA reel no. B5671.

Cartmell is the single soldier that Allen Williams referred to as having purchased land.

The DIA was surprised by the failure of the auction. But Member of Parliament Elgin Munro was soon in touch complaining about what the terms of the sale had been and blaming these for its failure. Munro had been in touch with the DIA on previous occasions at the behest of the Harrison Mills farmers. It is likely that it was at their request that he wrote now. This makes it tempting to think that the Harrison farmers boycotted the public auction. Many of the same Harrison Mills residents who had expressed interest in buying land before the auction did indeed end up purchasing the land but through private purchase from the DIA and on much more favourable terms than they would have gotten at the auction. Their applications to make purchases were very orderly; no two people applied to purchase the same lot. This suggests that there was not very much competition for the lots amongst the Harrison Mills farmers, so they easily could have arranged amongst themselves who would purchase each lot. They had an opportunity do this planning during and after the survey work by C.B. Simonds in July of 1921. Simonds stayed at James Duncan's house while he completed his work. Duncan at least, if not others, accompanied him and consulted him during some of his work.⁹⁵ After Simonds completed the survey, letters from prospective buyers to the DIA began referencing specific lots even though the Department had not yet made the plans public, which, Ditchburn surmised, meant Simonds had made the plans he drew available to at least some Harrison Mills residents.⁹⁶ In such a scenario in which no one feared losing a lot to a competitor there would be little incentive to go to a public auction; likely they hoped they could get much better terms from the DIA after a failed auction, as indeed occurred. I imagine that after the auction, the Harrison farmers contacted Munro with the terms they as

95 Undated, Page 2 of 'Report on Subdivision of Harrison Mills Indian Reserve no. 1 (Scowlitz)' by S. B. Simonds, RG 10, Vol. 4089, File 521,240; available online at Library and Archives Canada, MIKAN no. 2060504.

96 1921, Sept. 19th, Ditchburn to DIA Ottawa, page 2, Ibid.

a group determined were reasonable; these were the terms that Munro then recommended to the DIA.⁹⁷ Ditchburn was receptive to the terms Munro suggested, especially since he had “lately received some correspondence from likely purchasers who would agree to these terms”⁹⁸ (again, I imagine these would be the same Harrison Mills farmers who would have contacted Munro with those very terms). Ditchburn, disregarding the original two soldiers from Armstrong and Chief Joe Hall's apparent intentions, and uninterested in the several returned soldiers that had inquired about the land before the auction but evaporated afterward, concluded that “[i]n view of the fact that returned soldiers have taken so little interest in this property I would suggest that the sale be not strictly confined to returned soldiers in the future.”⁹⁹ And so on favourable terms, Sq'ewlets's former reserve land was bought up and occupied by their neighbours over the course of the next decade.¹⁰⁰

During this process of considerable communication amongst Xwelítems about Sq'ewlets land, there is little record of communication between the DIA and Sq'ewlets, and it is hard to find traces of what Sq'ewlets people were thinking about what was going on. However, what traces do exist are intriguing.¹⁰¹ In July of 1921, Chief Joe Hall, along with Oloff Wilson, worked alongside the surveyor Simonds and helped him map the prospective subdivision of the surrendered land. James Duncan told Simonds that he should hire these two since they were intelligent and had prior experience surveying. As a result Chief Joe Hall spent several weeks with Simonds, and with Duncan when he joined them.

97 1922, Oct. 23, Mackenzie to Ditchburn, 'Scowlitz Reserve Land Sales,' GR 1550, DIA Central Registry Files, RG 10, Vol. 6730, File 153A-10-1A, Available at BCA reel no. B5671.

98 1923, March 6th, Ditchburn to DIA Ottawa, Ibid.

99 Ibid.

100 Ibid.

101 A major research gap in this regard is finding records of Chief Joe Hall's relationship with the Queen. Both Violet Penner and Clifford Hall mentioned this relationship in their interviews with me. Violet believed that the Sq'ewlets sale may have been a major complaint of Joe Hall's at the time. See May 2013 interviews by Orion Keresztesi, held at the SRRMC library.

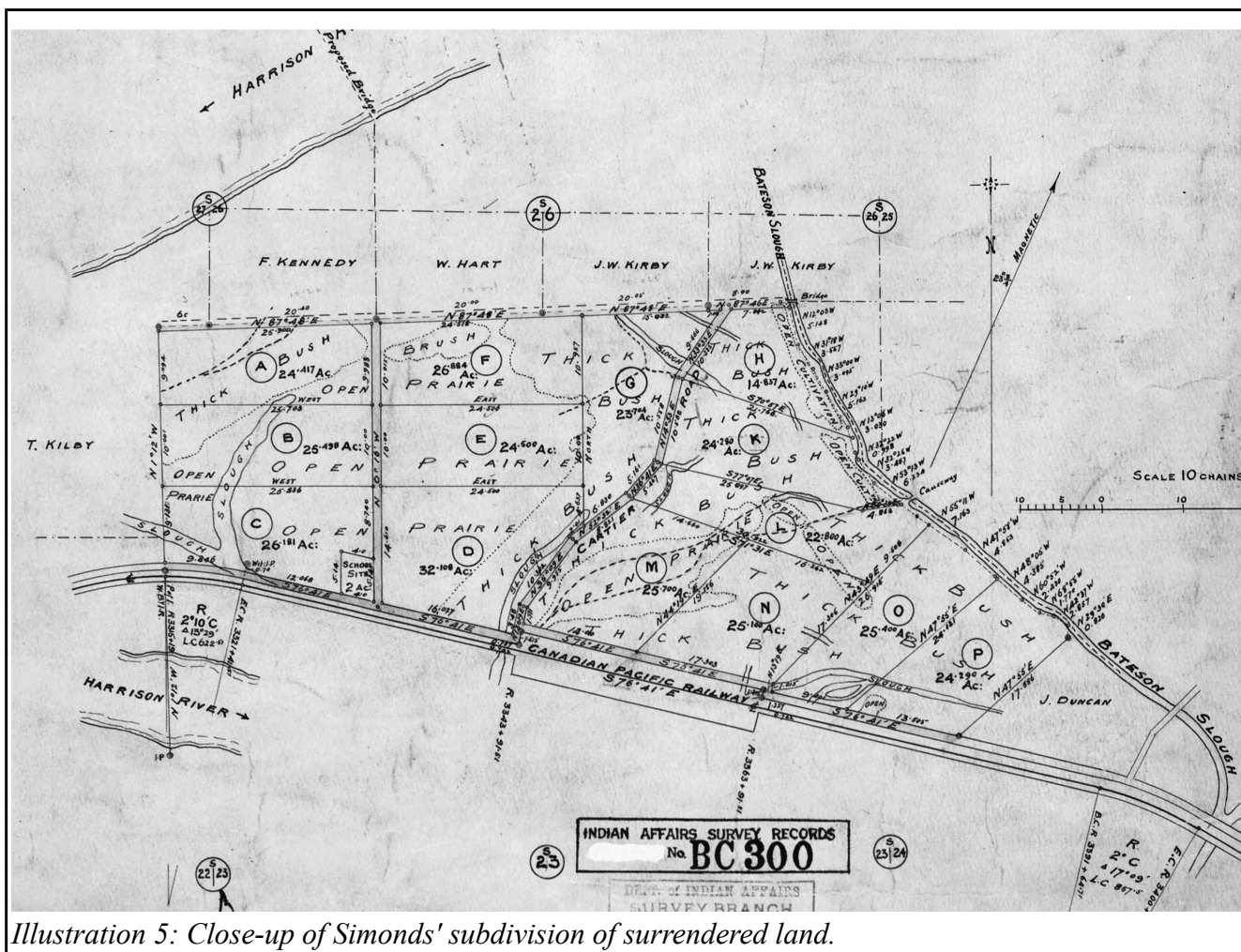


Illustration 5: Close-up of Simonds' subdivision of surrendered land.

He would have been right there whenever his neighbours came along and discussed buying different lots, as I have suggested may have happened during the surveying or afterward. Surely, there must have been considerable communication between Chief Joe Hall, his neighbours, and Simonds during this time. But what about?

Eight months after Joe Hall worked with the surveyor, Sq'ewlets hired a lawyer. The sale had not yet occurred, and there is no evidence of communication between DIA officials and Sq'ewlets in those 8 months. Sq'ewlets's lawyer did not seem to be writing to try and undo the surrender, or stop any prospective land sale, as the oral history would make one expect. Rather, Sq'ewlets seems to have hired Norman Lidster of New Westminster, to do the opposite; he was writing to inquire why the process was

delayed. He describes an arrangement for the "*purchase*" (emphasis added) of Sq'ewlets property, and says "after the matter had progressed so far as everything being done by my clients, with the exception of receiving the money, matters seemed to have come to a full stop."¹⁰² So from this it seems that Chief Joe Hall was, after-all, definitely interested in the full sale of the property to returned soldiers, or at least we can add his lawyer to the list of neighbours and DIA officials who understood that to be his intention. So we likely should conclude that Joe Hall must have come to regret the sale after the fact, (likely after the land was not sold to the returned soldiers he intended it to be sold to, as the oral history suggests) but had indeed initiated it in the first place. However, the lawyer's letter still reveals either a profound disconnect between what Sq'ewlets understood they had initiated and what the DIA was doing, or some serious miscommunication between himself and his clients. First of all Lidster's letter on behalf of Sq'ewlets was not even to the DIA; it was to the Soldier's Settlement Board of Canada (SSB). According to Lidster, Sq'ewlets said they had had some dealings with the SSB around October of 1920. This is right around the same time as when Byrne visited Sq'ewlets and obtained the surrender. Lidster told the SSB that Sq'ewlets had told him they had direct dealings with the SSB through "a Mr. Brown, who was then with you in the Vancouver Office." The SSB in Ottawa replied that they had no record of such dealings, and thought it unlikely.¹⁰³

This suggests three possibilities. Either, Sq'ewlets dealt with both the SSB and Byrne around that time, but the SSB made no record of it, or Sq'ewlets dealt only with Byrne but believed him to be obtaining the surrender on behalf of the SSB. Either of these cases would indicate that neither the Indian Agent Byrne, nor the surveyor Simonds, nor any other DIA official had made any serious effort

102 1922, May 19th, Norman Lidster to the Superintendent Soldiers' Settlement Board of Canada, Scowlitz Reserve Land Sales, GR 1550, DIA Central Registry Files, RG 10, Vol. 6730, File 153A-10-1A, Available at BCA reel no. B5671.

103 Ibid.; and May 26th, 1922, Response to Lidster, Ibid; the man that Sq'ewlets dealt with was likely Captain F. C. Brown of the SSB, who was involved in negotiating the surrender of Sumas Reserve no. 7 for sale to returned soldiers: 'Sumas Reserve is Open to Soldiers,' *Abbotsford Post*, March 26, 1920, Front Page, accessed online via University of British Columbia Historical Newspapers Collection: <http://historicalnewspapers.library.ubc.ca/info/collection/abpost>.

to communicate, let alone consult with Sq'ewlets, regarding the DIA's intentions. Byrne had said himself the department should focus on obtaining the surrender and worry about what to do with the land afterward, so it was already unlikely that he would have discussed many details at the time of the surrender beyond assuring Sq'ewlets that it was in response to their petition, and that the surrender would be to their benefit. On the other hand, it is quite possible that Lidster misinterpreted his clients, and when they said the land was intended for soldiers, it was he who assumed they had been dealing with the SSB. If that is the case then it would seem there wasn't a very high level of communication between the lawyer and Sq'ewlets. This would suggest that Lidster is not, after all, a very reliable source for what Chief Joe Hall's concerns were. Lidster, then, could also easily have misinterpreted Sq'ewlets' expressed desire to *give* land to Soldiers for settlement as a wish to have the SSB *purchase* some of their reserve, which, contemporary Sq'ewlets elders suggest, was not a leap warranted by Joe Hall's intentions. In any of these cases it seems that Sq'ewlets expected some revenue from whatever transaction they had initiated, and that, in keeping with the oral history, a fundamental part of the way they described the transaction was that it was for returned soldiers.

Lidster's letter was passed on by the SSB to the DIA and the DIA responded to him telling him of the planned public auction. Lidster's response seems surprised and he asked "I am desirous of ascertaining how the surrender by the Indians came about." J.D. McLean responded briefly to him, telling him, "the Indians of the Reserve petitioned the Department in this regard."¹⁰⁴ There are no further letters from Lidster on file. Did Lister's surprise reflect Sq'ewlets's attitude toward the surrender, despite apparent previous acknowledgements of surrender? Or simply reflect how little he was communicating with his client? Did Lidster give Chief Joe Hall any legal advice at this point? All subsequent communications from Sq'ewlets on file are all from Joe Hall himself and all of similar nature. They are simple requests that the money due to the band from the land sale be paid out. This

104 1922, July 31st and Aug. 11th, exchange between Lidster and McLean, Ibid.

could indicate that Joe Hall was content with the sale, or that he was resigned to it. The first one on file is from January 1928, a year after the records show a first payment of \$912 was distributed to Sq'ewlets from the DIA apparently without prompting. The second one comes a year after the first, this time adding that Sq'ewlets was getting tired of reminding the DIA that payments were due and would like at once and finally 50% of what would be the total revenue from the land sale rather than just an instalment of 50% of the money the DIA had received so far from the purchasers. They also asked that they receive payment for the improvements they had made along Cartier Road north of the tracks.¹⁰⁵ Finally, it seems that relations with James Duncan remained positive; in 1929 it seems that Sq'ewlets once again agreed to sell a parcel of their reserve to him, this time a piece to the south of the tracks in the eastern corner of the reserve that bordered on his property. Duncan sent a letter, and Sq'ewlets a petition to Ottawa outlining the deal. I have not done further research to see if there is record of the transaction going through.

105 Various dates, Letters from the Principle men of Scowlitz to the Ministry of Indian Affairs, Ottawa, Ibid; I have not done the necessary record tracking and arithmetic to arrive at an estimate of the total funds Sq'ewlets received from the Land Sale and whether it amounted to 50% of what purchasers paid the DIA. The oral history suggests that the Band felt cheated by the sale in terms of the money they received. Several Elders suggested that land had been sold for just \$1 an acre. I haven't found evidence of this in particular. Although when some of the initial purchasers of plots could not continue making payments to the DIA, deals were struck in which other more well-off farmers took over the initial purchaser's debts and made the final payments on the property. The initial purchaser lost their property and the money they'd already put into it, but escaped the DIA's escalating threats. The take-over purchaser got new property quite cheaply (whatever the initial purchaser still owed the DIA.) In order to make these transactions the take-over purchaser had to pay the initial purchaser \$1 in order to purchase their claim off of them. This was called a 'quit-claim.' For instance the Pretty's took over James Cartmell's purchase, GR 1550, DIA Central Registry Files, RG 10, Vol. 6730, File 153A-10-12, Available at BCA reel no. B5671.

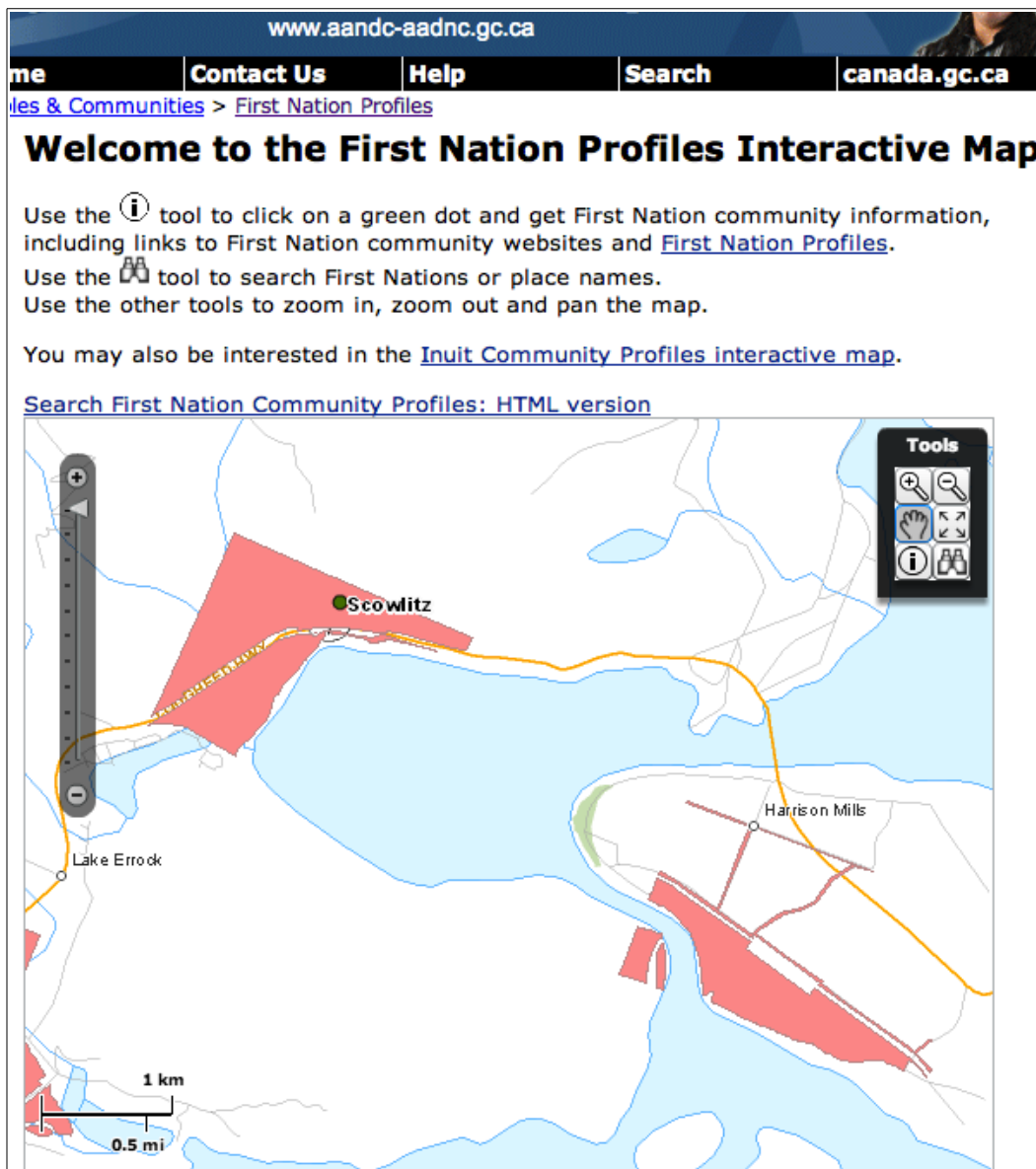


Illustration 6: Screen-capture of AANDC website map of contemporary Sq'ewlets reserve boundaries.

When considering the Xwelítem written records, it is difficult to interpret places where they seem to contradict the oral histories' interpretations of events. To a degree, regardless of how likely the various interpretations I have offered at each juncture may be, it would be much easier to judge their merits if DIA policies had been different. Since I have been relying on DIA archives to fill in details in the oral history, it is the DIA's policies and attitudes, which informed its employees' beliefs about what

was important and what wasn't that determines what records were created and kept. If DIA had been more concerned with what First Nations wanted, then I would have found much more of Joe Hall's voice in the archives and would have been able to answer more of the interpretive dilemmas I have posed. If consultation with First Nations leaders had been DIA policy, I would have found in their archives detailed reports from Byrne on how meetings with Joe Hall went; I would have found records of debates between officials within the department weighing what they imagined were the pros and cons of the Sq'ewlets sale. Then I would have found further reports from Byrne, detailing how he communicated these pros and cons to the Sq'ewlets leadership, and then describing in detail Chief Joe Hall's thoughts on the matter. I may have discovered discussions amongst the DIA's higher officials about how reliable Indian Agent Byrne was, or whether there were many people in Sq'ewlets who did not agree with their Chief. But I found none of this; instead I found evidence of two very slim official interactions – a single petition signed by Joe Hall but not necessarily written by him, and a single meeting by Byrne with Sq'ewlets in which he apparently obtained their consent for surrender. There was no follow up on these to ensure that everyone was on the same page. Rather, the DIA seized these two cues from Sq'ewlets, encouraged by considerable lobbying by Xwelítem farmers, and taking the apparent lack of protest as an indication of further consent, carried out an irrevocable sale of a considerable portion of the best (in terms of agriculture) reserve land, that subsequent generations of Sq'ewlets leadership, as well as Chief Joe Hall himself, regretted.

I hope that I have provided an overview of what can be found in the main government archives regarding the creation and subsequent reduction of the Sq'ewlets reserve. I found suggestions of conflict between Sq'ewlets and aspiring settlers of the area in the early 1860s. I found a bit of a mystery as to why McColl did not visit Sq'ewlets in 1864, or if he did, did not record it (I imagine the answer to this mystery might be quite mundane). Regarding the first official reserve recorded at Sq'ewlets in 1868, I did not find any documents that helped me guess how much Chief Cul-kithl or other Sq'ewlets

residents had a say in the location of their reserve boundaries. I found evidence that the settlers around Sq'ewlets did have some say, but they did not get everything they asked for. I found record of a meeting between Chief Scũlt-lā-ment and Reserve Commissioner Sproat in 1879. This record indicates that Scũlt-lā-ment was intent on having certain places around Sq'ewlets made part of the reserve, and that Sproat was willing but unable to oblige him. I found record that Scũlt-lā-ment had been significantly unhappy with the lands that were added to the Sq'ewlets reserve by O'Reilly in 1881, and that in 1884 he had a conversation with O'Reilly that resulted in O'Reilly adding Squawkum Creek to the Sq'ewlets reserves. I speculate that Sq'ewlets people may have been interested in this land in part because of the cedar on it. I found that the most significant reduction of Sq'ewlets reserve lands occurred in 1920, when Chief Joe Hall surrendered the lands north of the C.P.R. tracks to the DIA. I found there was little in the archives that recorded Joe Hall's intentions and opinions regarding the sale, I suggest that this is because the DIA was not interested in them and therefore did not seek them out. Overall, I found reason to believe that there was very little communication between DIA and Sq'ewlets throughout the transaction.

There are many places where further research could be done, especially outside the RG 10 records where I focused, for instance in Newspaper archives, personal files, or the records of specific organizations like the Soldier Settlement Board in Vancouver (if those exist), and specific archives like the Kilby Historical Site Museum. More exhaustive research could still be done within the RG 10 files and colonial correspondence as well. Most importantly however, further oral history could be gathered. There are many aspects of this story that I discovered in the archives only after speaking to Allen, Johnny, Betty, Clifford and Violet. I have not given them a chance, nor other Sq'ewlets Elders, to reflect upon these findings; they would likely provide valuable insights. Also, descendants of many of the Xwelítem actors in these events still maintain a connection to Harrison Mills, for instance the descendants of James Duncan. Interviews with them might shed more light on events.

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NEW WESTMINSTER ALBERTA

Exhibit B.1. Received

To The Honourable members of the
Royal Commissioners

We the members of the Stewiety band of Indians, as loyal subjects of his Majesty King George V.

Desire to express our appreciation of your visit to our reserve. We know that your honourable gentlemen are appointed by the two governments as their representatives and as you are now sitting here before us to hear our grievances.

I suppose not for any other reason that you have come here to express in life with your names as Royal Commissioners. It is which bears us that you must have the power to justify the most sorrow in our hearts. We are very glad and thankful to you gentlemen, that you will carefully take our grievance and bring it to justice and integrity according to the laws of God and therefore your work must be done perfect.

Gentlemen of the Royal Commission I want to ask a favor and allow me a few minutes to speak without interruption.

First of all God created us Indians in this country in good many different tribes, and so are the white people created in their own country and other places. And when they came along here we treated them like brothers and this is where we show that we are the original owners of this country, which is now called the Province of British Columbia and therefore we claim our aboriginal title.

2nd Sir James Douglas, the first governor, made a verbal promise to us Indians in his first surveying the land.

He said for which land I have surveyed it belong to the Indians only, that no white men shall intrude your land. And for all the out side lands Her Majesty Queen Victoria will take and sell to the white people and which is taken away from the Indians will be like a fruit tree and from this said fruit Her Majesty Queen Victoria will give it to the Indians for their lasting support.

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GLUED TOGETHER

Indian Affairs
(B.C. Records)

RG 10, Vol. 11021
File 590C

PUBLIC ARCHIVES

Exhibit B.1.1. Received at

3rd The second governor Seymour also made a verbal promise in his speech that Her Majesty Queen Victoria will divide the revenue in three parts. One third to the Indians for their benefit. One third to the Crown. One third to the public for road works etc.

Now for these last good many years standing we are expecting to receive those good promises by Her Majesty Queen Victoria. But we have not heard anything of it yet. for the latest Government of the Province has concealed and buried it and worked all kinds of schemes to keep it hidden.

4th We claim that the Provincial Government has no right to claim a reversionary interest in our present reserves. That no other but the Indians has a clear claim to the Indian Reserves.

5th We ask for a permanent and secured title for our present reserves.

6th And for which lands have already been taken away and occupied by the white people we ask the Dominion Government to return this said land to us Indians.

We also ask that our former Fishing and Hunting may be unrestricted by the white men's Law.

GLUED TOGETHER

Indian Affairs
(B.C. Records)

RG 10, Vol. 11021
File 520C

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Appendix 2: Chief Joe Hall's Testimony to the McKenna-McBride Commission, 1913.

Source: Union of British Columbia Indian Chiefs: <http://gsdl.ubcic.bc.ca/>

ROYAL COMMISSION ON INDIAN AFFAIRS FOR THE PROVINCE OF B.C.
Meeting with Scowlitz Tribe of Indians at New Westminster
Saturday, September 4th, 1913.

Chief Joe Hall addresses the Commission as follows:

(Here reads an address)

CHAIRMAN: In regard to this question of aboriginal rights title.

The Indians have an aboriginal title having lived here before the white man came and while the white man has come and has of course established a good many industries which have given consistence to a great many of the Indians in being employed in these different industries. I may tell you that this question of aboriginal title has been unlimited to the Dominion Government and they have at least agreed that that question of aboriginal title should be submitted to the Exchequer Court - that is a court established by the Dominion Government in which the Indians will be allowed to come before the court and submit thier claims just as you have done here - not only that but the Dominion Government has said that they will protect the Indians in their claims. They will pay the costs of amy lawyers they may employ and I think it is probable that they may employ the lawyer the Indians have engaged. So that there may be no neccessity for any of the Indians paying toward the expenses..

And then, if the Exchequer Court should decide against the Indians claim, they will have the right to appeal to the Privy Council in London. I don't think you could get anything fairer than that. The Dominion Government is taking this claim of yours under consideration and I have told you before they are paying all the expenses and you, on your part, will have nothing to pay.

You will not be called upon to make authorizations to any one.

I might go further and say this that as far as we are concerned we have nothing to do with that aboriginal claim and I am simply pointing out to you how the Dominion Government intends settling this matter.

JOE HALL IS HEREUPON CALLED UPON AND SWORN.

Mr. Commissioner MacDowall: You have heard what our Chairman has said and you understand that the Dominion Government has referred the question of Indian title to the Exchequer Court with the right of appeal to the Privy Council and this address of yours will be filed and will go to the Dominion Government in due course.

Q. You know the reserve that is called Scowlitz No. 1?

A. Yes.

Q. In the Schedule it is said to contain 616 acres. is that right?

A. That is correct.

Q. And it is bounded on the south by the Fraser and on the east by the Harrison River and on the west by Batemans Strait?

A. Yes.

Q. How many families in your Band altogether?

A. Sixteen families (hands in statement of population), containing the following information, 25 children, 10 of school age, 12 men and 17 women, 2 horses, 12 head of cattle and 2 ploughs.

Q. Of this reserve there is a certain amount of it that overflows?

A. Yes.

Q. About what proportion of the reserve overflows?

A. Just about a quarter of it pretty near half.

Q. Do you think pretty nearly half?

A. Yes.

Q. How long do these floods prevail - when do they begin?

A. They commence in June and last about three weeks.

Q. So they last practically through the month of June?

A. Yes.

Q. What do you use that land for?

A. We use it for pasturage.

Q. Would it make good hay land?

A. When there is not water there is good hay in it.

Q. Are there any houses on that part that overflows?

A. There are houses fronting on the Harrison river.

Q. How many houses are there?

A. About eight and one burned down.

Q. You have sixteen families. have you not?

A. Yes.

Q. How do they manage to get into the eight houses?

A. Some have two families in one house and maybe three or more in another house.

Q. That part that overflows grows good hay and you use it for pasturage?

A. Yes.

Q. Looking at this map of yours you say nearly half the reserve is liable to flood. And the reserve contains 616 acres, and that would mean 300 acres is flooded in that way. You only have 5 horses and 12 head of cattle, surely 300 acres is not used for amount of cattle?

A. We cut hay when there is no water there.

Q. Is there any way in which that could be protected?

A. Yes, if blind sloughs were dyked it would help us alot.

Q. Supposing that were dyked, how much would it save?

A. I think it would save the whole thing.

Q. Do you have any idea how much dyking it would take?

A. No, but the place could be investigated.

Q. Do you think it would pay to have that dyked?

A. I think so.

Q. Supposing it were dyked, and the land saved, what is the ground good for?

A. It is very good land and we could grow vegetables and all kinds of grain.

Q. Could you grow good cross of grain?

A. Yes.

Q. Any vegetables?

A. Yes.

Q. If it were dyked?

A. Yes.

Q. Now, for the other part of the north end of the reserve I see on the map it is marked "timber and brush" what sort of land is there?

A. It is good land where it is marked "timber" that is where we have our land cultivated now.

Q. Can you grow good cross there?

A. Yes.

Q. Is the timber very large?

A. No, it is not very large, in some places it is easy to and some places very hard.

Q. Which part would be the good land on this map?

A. (Examining map) The part would be one third of the reserve south of the C.P.R. and it could be made good land by dyking

and the part north of the C.P.R.

the reserve and the part of it is slightly timbered and could be easily cleared and made into good agricultural land.

Q. So, which part would not be easily cleared?

A. The part at the N.W. corner that has cottonwood and crab-apple and birch on it. that would be difficult to clear but if cleared the soil would be good.

Q. What are you doing on this land?

A. We are cultivating and using it.

Q. How much have you under cultivation?

A. We have about 150 acres.

Q. How much have you under plough?

A. 50 acres.

Q. And you keep that 50 acres under plough with your 2 ploughs?

A. Yes.

Q. Whereabouts is the 50 acres?

A. (Examining map) Just north of the C.P.R. from Bateman's Creek right along to the eastern boundary of the reserve.

Q. What do you grow there?

A. Potatoes and all kinds of vegetables and some times we grow grain when we have a chance to plant it - when we think there is not going to be any high water.

Q. The high water comes underneath the C.P.R. track?

A. Yes.

Q. Where you have your houses on the Harrison River, is that high land?

A. No.

Q. Do the houses get flooded?

A. They do.

Q. Well, why don't you go on the high land?

A. The Priest came along here in the early days and he told us we had better build altogether and I want you to erect a church then you can come here every day and the priest has got us bunched on one piece of ground.

Q. Would you Indians sooner have your own plot of land?

A. Yes, we would rather have that so that each man would know

what each man has got. The way we are now today, one fellow goes to work and clears a piece of land on the high ridge and after he has got it about finished another man comes along and clears about half an acre or so and compels this man from going any further.

Q. He gets in front of him does he?

A. Yes, so that now each man has only a little garden.

Q. Then, in your opinion, the people would be better satisfied if the reserve were divided into different locations or allotments for the sixteen families living on it?

A. Yes.

Q. And you think that would be an incentive to them for individual ambition?

A. Yes.

Q. Who owns the ploughs?

A. Just certain people own the ploughs.

Q. Would you think it would be a good thing if the Government were to provide a farming instructor to teach you to make the best use of the land you have?

A. It would be alright of course, but I don't know about the other people, how they would like it.

Q. But I mean if the attempt were made all the people would give him every assistance, would they not?

A. Oh yes.

Q. Now, about the timber, could it be sold for saw logs?

A. There is nothing but cottonwood there.

Q. Then the other question is, supposing the timber were cleared off just leaving enough for firewood, and this dyke were built would the whole of the reserve be good land?

A. It would be all good land.

Q. Supposing it was divided off so that each family of the sixteen could get 40 acres each. Do you think they could make a good living off the 40 acres?

A. They could if they had the implements. So that they could grow the grain and sell it; but the way we are now we have no farming implements and we have no show at all.

CHAIRMAN: You speak of the dyke - what would be the length of the

dyke?

A. It would require about two miles of dyking.

Q. How high would the dyke have to be made?

A. I should say four or five feet and in some places it would be more.

Q. Would that dyke that you speak of fix up the Land so that the sloughs would be made alright?

A. Yes.

Q. It would not only then dyke out the river, but it would also dyke the sloughs?

A. Yes.

Q. And the two miles you think is about correct?

A. Yes.

Q. And four or five feet high and in some places higher?

A. Yes.

Q. Would that make the whole area good farming land?

A. Yes.

COMMISSIONER CARMICHAEL: In connection with that division of the reserve giving forty acres to each family, do you consider taking your Band as a whole they are with you in that view?

A. Yes, I think so,

CHAIRMAN: Would there be land enough to divide in that way?

A. Yes.

COMMISSIONER MACDOWALL: Now I want to ask you about that (examining map) yellow piece - it is marked a reserve on the Harrison River on the S.E. side of the reserve and S. of the C.P.R. What is that place?

A. That was part of the reserve - I just cannot tell you what year a white man came along and he married an Indian women and he asked the Tribe of the Scowlitz Reserve to grant him a few acres of land so he could stay there and raise a few stock and also he put up a saloon there and during the Cariboo rush the steerhorn used to run into Douglas and Harrison and after living there for a few years he died.

Q. What was his name?

A. Tim Polland.

Q. Did he get a Crown Grant?

A. The Indians thought they would lend him this piece of ground because he was married to an Indian woman but after he died his brother came along and took possession of the place there.

His brother's name is Pat Polland.

Q. What title does he hold it by- is it still part of the reserve?

A. It was then.

Q. When did his brother take possession of the place?

A. In 1882.

Q. Are you sure it was in 1882?

A. Yes

Q. So that this brother took possession of the heir of his brother: But the first man took possession of it before it was allotted as reserve so that we can do nothing with it.

Now No. 3. do you know that?

A. Yes.

Q. There are 392 acres in that?

A. Yes.

Q. How many people live there?

A. No one lives there at the present time.

Q. I noticed by the plan that apparently one third of this is mountainous and hilly country?

A. That is right.

Q. Are these mountains and hilly country good for grazing?

A. No - down in the flat it is alright.

Q. I see that right behind the first row of hills there is slough, now a slough doesn't make a good place to cut hay does it?

A. That would be the creek running off the mountain.

Q. Did you get any grazing or hay off that place?

A. (Examining map) Not up there but down below it is alright.

Q. Of the 592 acres it appears there must be 130 acres about of flat land - so you say more than half of that reserve is good?'

A. Yes, it is good.

Q. Is it badly flooded by water?

A. (Examining map) This is a high piece of land.

Q. Where there is not much that overflows?

A. No, just a little piece of the river.

Q. What do you use this land for?

A. It was granted to us as timber land.

Q. Is the lower part covered with timber?

A. Yes.

Q. What sort of timber?

A. Fir and Cedar.

Q. Is it big timber?

A. Not very big on the lower part but it is good timber.

Q. Supposing times were good and the command for timber was also good would it be worth anything?

A. Yes, it would be worth money and quite a bit of it.

Q. And if you were allowed to cut that and the money used for clearing the land would you have good cultivatable land there?

A. Yes.

Q. Do you think you could get enough money out of the timber to clear the land and make it good cultivatable land?

A. Yes.

Q. When you cut the timber off would that land be good for cultivation?

A. Yes, I think it would make good fruit land - it is better land than where we are now.

Q. Do you grow any fruit where you are now?

A. Yes, we grow quite a bit, such as apples, pears and plums.

Q. Do you sell any?

A. No because there is no market for it - we have no agent that would sell our fruit and it goes to waste. If we had an agent to sell our fruit it would be a good thing of it.

Commissioner McKenna: You mean a Commission Agent?

A. Yes.

COMMISSIONER MACDOWALL: Where is this graveyard? Can you point it out on the map?

(He points it out - it is marked No. 5 and contains 24 acres.)

Q. Is it used for anything else but a graveyard?

A. No.

Q. (Examining map) There is an island. Is that good for a graveyard?

A. That is a good piece of land and there is a man occupying it.

Q. Does he grow crops there?

A. Yes.

Q. Is it cleared?

A. He has part of it cleared and he grows crops on it.

Q. How much has he got cleared?

A. He has about two acres cleared there now.

Q. At which end?

A. At the south end.

Q. How many acres on that Island?

A. Probably about five or six acres.

Q. Is there any timber on the graveyards on the mainland?

A. Only small timber.

Q. Supposing times were normal and the mill were running how long do you think it would take to cut that timber off?

A. I think it would take about two years.

Q. And probably more?

A. Yes, and probably more.

Q. And to make that ground into fair farming land how long would it take?

A. It would take quite awhile.

Q. And you think you would need a little assistance?

A. Yes, we have horses but they are not large and we cannot do very much with the small horses - if we had a good heavy team we could do good work there.

Q. Did you ever get any assistance from the Government in that way?

A. No, nothing at all but a few tools from the Indian Department.

CHAIRMAN: Did you get any machines for ploughing out the stumps?

A. No

Commissioner Macdowall: Have you a doctor attending you there?

A. No, at the present, we have no doctor.

Q. Is there no one, Mr. Byrne, to attend them at all?

AGENT BYRNE: I think Mr. McGraffry is supposed to look after you. Does he not come to see you?

A. He comes when we send for him only. The last time he came he said he did not have to charge the Scowlitz.

NOTE: Since Mr. Elliott's suspicion by Dr. McCaffray the Indians don't know whether they have any doctor to attend their wants or not.

COMMISSIONER CARMICHAEL: When you send for Mr. McCaffray do you find that he always attends to your calls?

A. He comes right away and we have no complaints to make.

Q. How far does Dr. McCaffray live from you?

A. About nine miles.

Q. And how far is Dr. Elliott away from you?

A. About sixteen miles.

Q. How far is Dr. Henderson from you?

A. About five miles; but he has to cross the Fraser River and it is very difficult at times.

Q. Is there a station at your reserve?

A. There is a station at my reserve.

COMMISSIONER MACDOWALL: You belong to the Roman Catholic Church?

A. Yes.

Q. What attention do you have from the Priest? Does he come often?

A. Not very often because he is all alone and has a very large area to cover and, consequently, he only comes once in two months.

Q. Now, about your school, at what school do you send your children?

A. We used to send them to St. Mary's Mission school.

Q. Why don't you send them there now.

A. We have had complaints about that school and a great many other children come out sickly.

Q. What is the matter with them?

A. Sometimes consumption and we get afraid to send any more there.

Q. And you are under the impression that they get consumption from that building?

A. Yes, because the Mission school there is no partitions to the rooms and all the children sleep in one room.

Q. And you think it comes from one to the other?

A. Yes.

Q. Do you send your children to any other school?

A. No.

Q. Where do you send them now?

A. We don't send them anywhere. Two of my children are down at the Sechelt Boarding school.

Q. Are they in good health there?

A. Yes, and it is a very good school.

Q. Now, the Mission School, you are pleased with the school except that you think the building is unsanitary?

A. Yes, and another thing we had to furnish clothes at the Mission school.

Q. Don't you have to furnish clothes at the Sechelt school?

A. Yes, but at the Kokoleetza school they don't have to furnish clothes for the children.

Q. Do they clothe the children there?

A. Yes.

Q. And that is an inducement to send them to that school because the children get their clothes?

A. Yes.

Q. And you think the education is just as good there as it is at the Mission?

A. Yes.

Q. So there are only two at school out of the ten children?

A. You are right.

Q. Would you like them to go to school?

A. Yes, I would like to have them go to school.

Q. What would you propose as to the best way to make these children go to school?

A. If there was room enough at Sechelt it would be alright - the Mission school is generally crowded and there is hardly any room in it.

Q. Supposing the Mission school were enlarged?

A. If it were enlarged it would be alright.

Q. Is there not a public school at Harrison Mills?

A. Yes.

Q. Could you send your children there?

A. No, because the white people don't allow Indian children to go there. We sent two there at one time and the Council they made a kick and we had to take them away.

Q. Would you be willing to pay to be allowed to send your children to the school at Harrison Mills?

A. I don't know whether I would if I could get any where else.

Q. Is there room at the Mission school?

A. No, there are only 40, in that school and I applied twice to have children to put in but I was informed there is no room.

Q. Supposing it were enlarged would you put your children in there?

A. Yes.

COMMISSIONER CARMICHAEL: Do you seriously consider, apart from the growing of the school, that the conditions at the Mission school are so injurious that you are afraid of sending your children there for fear of getting consumption?

A. I think so - the reason why I say it is because I was in that school myself when I was a boy and with other boys and

they took consumption and died, and that is why I know the school is not safe.

COMMISSIONER MCKENNA: You think yourslef that in any school whre the children sleep in one room that is injurious to their health?

A. The other school they have doctors to come and examine the children during all the time I was at Mission I only saw a doctor once.

Q. Were you a pupil at the Mission school yourslef?

A. Yes. the Mission school would be alright if the children were examined.

Q. And I suppose it would be alright if they excluded any children who had a tendency to comsumption?

A. Yes.

<http://gsdl.ubcic.bc.ca/>

Appendix 3: Sq'ewlets Petition to Surrender lands North of the C.P.R. Tracks, 1919

Another copy exists within the same file. On it the signatures are in pen. The rest of the text is faded and harder to read.

The Department of Indian Affairs,
Ottawa, Ontario.

We the undersigned resident on the Seowlity Indian Reserve at Harrison Mills in the Province of British Columbia, do humbly pray that you in your wisdom will favorably consider our petition and allow us to sell that portion of the said Reserve, lying north of the Canadian Pacific Railway. A large portion which is low lying, overflows and which should be dyked.

The price for the said piece of land will sell for the sum of Ten Thousand Dollars (\$10,000.00) and for our improvements, we ask you to allow us to charge the purchaser the sum of Two Thousand Dollars outside of the purchase price.

We recognize the fact that as we are now reduced to only four (4) families with little or no stock we have too much land, more than we can properly attend to, so it is left idle, uncultivated and is rapidly being overgrown with mixed weeds retarding the development of the valley, whereas if it were improved not only ourselves but the whole valley would reap the benefit.

You will notice that if we dispose of that portion north of the track we will still have in this reserve approximately Three hundred (300) acres south of the track, on which is situated the Indian village. We also have another Reserve at the head of Harrison Bay with which we are doing nothing in the way of improvements.

We mentioned to our friend and neighbour James G. Duncan of Harrison Mills in whom we have confidence that we wanted to sell this land to provide for our old age. He has gone to the trouble to find a purchaser for it at the figure we asked.

As we are nearly all elderly Indians, the money gotten out of this sale will provide for our wants, and we can look forward with less anxiety to the closing days of our lives.

Praying you therefore to favorably consider our request, we remain

Yours obediently,

Office of the
Deputy Superintendent General,
Ottawa, Ontario.

Signed by: Chief Joe Hall.
George Billy.
Billy James.
George Joseph.

Indian Affairs. (RG 10, Volume 4089, file 521,246)