

Ethnohistory Field School Report 2022

The 1922 Testimony of Dennis S. Peters

Indigenous Rights, Title, and an Enduring Legacy

Michaela Sapielak

University of the Fraser Valley

The Ethnohistory Field School is a collaboration of the Stó:lō Research and Resource Management Centre, Stó:lō Nation & Stó:lō Tribal Council, and the History Departments of the University of Victoria and University of the Fraser Valley.



The fight for recognition of Indigenous rights and title in British Columbia has endured in the decades since the province's formation in the nineteenth century. In *S'ólh Téméxw*, the Stó:lō community has a long history of participating in these efforts by supporting and initiating claims, and bringing them to the attention of government officials and the general public. In January of 1922, one such claim was articulated by Dennis Siamīya Peters on behalf of his local band, and more broadly, the Stó:lō community. Peters' testimony speaks to several significant issues of Indigenous rights and title within the specific context of the local community. The passage and constraints of time as well as access to government resources has meant that there remains much to be learned about the topic; however, this paper will hopefully provide some helpful context to the critical issues addressed in the 1922 petition and explore its enduring impacts. This research has demonstrated that Dennis S. Peters' testimony was not only a reflection of contemporary issues of Indigenous rights and title, but remains an important legacy for the Stó:lō community today.

Dennis S. Peters' testimony was given to James A. Teit, secretary of the Allied Indian Tribes of British Columbia, in January of 1922. In it, Peters outlines a number of issues important to the Hope band at the beginning of the twentieth century, and which reflect Indigenous rights and title more broadly. The written account of Peters' testimony begins with the most pressing issue for Indigenous people at the time: the land question. In his testimony (see appendix) Peters recalls the Hope Band's reserves, and their limited size in comparison to what was promised by Governor James Douglas. The lack of compensation for this land, as well as the continued proposals by the government to remove land from the reserves are also highlighted. British Columbia's reversionary rights are explicitly denied, specifically Bill 13, and Indigenous title to all reserve lands was emphasized. From this point, Peters articulates a number of important requests and rights of the Indigenous people. One-hundred-sixty acres of land per capita for

members, government assistance in clearing land, no taxation, equal pay, financial compensation for legal pursuits, the Crown's financial promise for the sale of reserve lands, a day school for the local children, and significantly, denied all interest in citizenship, something put into question with the introduction of Bill 14. Peters' testimony also strongly supported the exclusive rights of Indigenous people to fish and hunt on the land.

To understand the issues Peters emphasized in his testimony, the 1916 Report of the Royal Commission on Indian Affairs for the Province of British Columbia, otherwise known as the McKenna-McBride Commission, is of critical importance. Initiated by both the federal and provincial governments, this commission sought to resolve the question of reserve lands in British Columbia. Although this was a question of reserve allocation on the part of the two governments, for the various Indigenous communities throughout the province, of equal or more importance were the missing acknowledgements of Indigenous rights and title. When the report was released in 1916, it recommended the addition 87,291 acres of reserve land be added to existing reserves, but significantly, also proposed the removal of 47,058 acres, valued between \$1.2 and \$1.5 million dollars at the time.¹ Not only did the various Indigenous communities not support these reserve adjustments, but there was frustration about the dismissal of the many other issues raised during the Commission's visits around the province.

While the report of the McKenna-McBride Commission exacerbated tensions between the provincial government and the Indigenous communities of British Columbia, movements to organize and protest were already forming before its release. Groups such as the Indian Rights Association and Interior Tribes of British Columbia had formed earlier in the century to work

¹ Paul Tennant, *Aboriginal Peoples and Politics: The Indian Land Question in British Columbia, 1849-1989* (Vancouver: UBC Press, 1990; ProQuest Ebook Central, n.d.), 98.

towards land rights; however, following the Royal Commissioners' visits throughout the province, an even larger coalition was formed. In June 1916, shortly before the release of the McKenna-McBride report, a conference of most of the Indigenous communities of British Columbia took place in Vancouver. Organized by Peter Kelly, a member of the Haida and Methodist minister, and Andrew Paull, a Squamish activist,² this meeting was the place that The Allied Indian Tribes of British Columbia was formed. The group joined together with the desire to bring the question of British Columbia Indigenous rights and title to the Judicial Committee of the British Privy Council. At this time, an executive committee was established, as well as select positions for the administration of the organization. Arthur E. O'Meara, a lawyer and Anglican minister became the official legal council for the Allied Tribes, and James A. Teit was made secretary. Both individuals played an important role in putting forth Indigenous claims to the federal and provincial governments.

In the years leading to the 1922 testimony of Dennis S. Peters, the Allied Indian Tribes of British Columbia met a number of times to act and respond to the efforts of the provincial and federal governments to settle the Royal Commission. In Spences Bridge in June of 1919, the first official general meeting of the Allied Tribes convened in response to the provincial government's *Indian Affairs Settlement Act*, passed in March of the same year. In this legislation, the provincial government gave themselves the authority to proceed with negotiating the proposed settlements of the Royal Commission with either the Dominion or the Indigenous bands of the province.³ Premier John Oliver, understanding that this went against the federal *Indian Act*, requested a statement of

² Hamar Foster, "Letting Go the Bone: The Idea of Indian Title in British Columbia, 1849-1927," in *Essays in the History of Canadian Law: Crime and Criminal Justice, Vol. VI*, Hamar Foster and John McLaren, eds. (Toronto: University of Toronto Press and the Osgoode Society for Legal History, 1995) 28.

³ Tennant, *Aboriginal Peoples and Politics*, 98-99.

support from the Allied Tribes regarding the Royal Commission. At their June 1919 meeting, the Allied Tribes articulated their objections, which included the fact that the province's obligations towards Indigenous communities had not been outlined when they joined Confederation; that there were more reserve lands cut than added by the Commission, and those added were not sufficient; that reserve lands were not kept for the bands; that money from the sale of reserves was not paid to, or held in trust for, the band which had lost the land; that one-hundred sixty acres per capita was not the minimum land allotment; that there was not enough recognition or protection of hunting, fishing, or resource rights; and that there was not adequate compensation for the reductions to the reserves.⁴ Despite this statement, the province proceeded, and was supported by the Dominion, which in 1920 passed Bill 13, *An Act to provide for the Settlement of Differences between the Governments of the Dominion of Canada and the Province of British Columbia respecting Indian Lands and certain other Indian Affairs in the said Province*. This act permitted the adjustment of reserve boundaries without the consent of the bands the land was taken from, prompting a delegation of the Allied Tribes, including Secretary James Teit, to travel to Ottawa to dispute the legislation.⁵

Working with the Allied Indian Tribes of British Columbia was not the first time James Teit contributed to the fight for Indigenous rights and title. Born in Lerwick, Shetland in 1864, Teit travelled to British Columbia in 1884 to work at his uncle John Murray's store in Spences Bridge. This position made him known to both the local settler community, as well as the Nlaka'pamux people of the area, a relationship which made famous ethnographer Franz Boas take notice of Teit, who began preparing reports which were then widely published by Boas. Teit lived

⁴ Darcy Anne Mitchell, "The Allied Indian Tribes of British Columbia: A Study in Pressure Group Behaviour" (MA thesis, University of British Columbia, 1973), 45-47.

⁵ Mitchell, "The Allied Indian Tribes of British Columbia," 49.

and worked in this capacity for years, but 1908 marked his first appearance in Indigenous politics, when he helped draft, and witnessed a petition on behalf of four Nlaka'pamux chiefs and sixteen others protesting the local Indian agent Archibald Irwin, along with expressing a number of other concerns.⁶ Going forward, Teit provided services in a similar capacity as secretary-treasurer of the Interior Tribes of British Columbia, helped with the Indian Rights Association, and as mentioned, in 1916, was named the secretary of the Allied Indian Tribes of British Columbia. These pursuits were not limited to provincial efforts, and on a number of occasions he wrote petitions to be sent to the federal government, as well as travelled to Ottawa to lobby against harmful legislation. The exact location of Teit's meeting with Dennis S. Peters and the other Stó:lō leaders in 1922 is not known; however, Teit died less than a year later in October of a pelvic abscess, misdiagnosed as cancer.⁷

Little is known about Dennis S. Peters' life beyond his support for Indigenous rights. Born in 1872, Peters grew up to become an unofficial leader in his community of Chawathil, then known as the Hope Band. Within the community, he was a man others looked to for advice about traditional practices as well as the politics of working with the Department of Indian Affairs,⁸ but he also played an important role as representative outside of the community. He was actively involved in the Indian Rights Association, and later with the Allied Indian Tribes of British Columbia,⁹ with which he helped prepare the claims presented to the federal government in 1926. This familiarity with contemporary issues of Indigenous rights and title is very present within the

⁶ Wendy Wickwire, *At the Bridge: James Teit and an Anthropology of Belonging* (Vancouver: UBC Press, 2019), 197.

⁷ Wickwire, *At the Bridge*, 271.

⁸ Patricia Omerod, "The Dennis S. Peters House, Chawathil Reserve: Stó:lō Social Values During the Early to Mid 1900s Reflected in the House," Paper prepared for the University of British Columbia and the Stó:lō Nation, 1999, 31.

⁹ Omerod, "The Dennis S. Peters House," 32-33.

1922 testimony and speaks directly to the impacts of the government's laws on the daily lives of Indigenous people of the time.

In 1922, in the face of growing agitation by First Nations, the most pressing issue for the federal and provincial governments was finalizing the allocation of reserves and heading off any discussion on aboriginal title as evidenced by the federal passing of Bill 13. In this act, it is stated that “For the purpose of adjusting, readjusting or confirming the reductions or cutoffs from reserves in accordance with the recommendations of the Royal Commission, the Governor in Council may order such reductions or cutoffs to be effected without surrenders of the same by the Indians, notwithstanding any provisions of the *Indian Act* to the contrary, and may carry on such further negotiations and enter into such further agreements with the Government of the Province of British Columbia as may be found necessary for a full and final adjustment of the differences between the said Governments.”¹⁰ Not only did this allow for the government to alter reserve boundaries, but it also removed the section from the Indian Act that required the approval of the Indigenous community concerned. Dennis S. Peters’ testimony directly expresses his community’s rejection of this legislation, citing it as both “unjust and contrary to the promises” made by former governors and commissioners.¹¹ Of the Hope Band’s reserves, the Royal Commission sought to take away Number 1, which sat and remains along the Fraser River, within the town of Hope. Not only was this reserve actively used as an orchard and otherwise by the local Stó:lō people, but it also held “sentimental value,” as it was in this location that “their forefathers lived from time immemorial.”¹² Tellingly, Peters asserted that consent for the removal of this land would only be

¹⁰ Bill 13, *An Act to provide for the Settlement of Differences between the Governments of the Dominion of Canada and the Province of British Columbia respecting Indian Lands and certain other Indian Affairs in the said Province*. 4th sess., 13th parliament, 1920. https://parl.canadiana.ca/view/oop.bills_SOCHOC_1304_1/168.

¹¹ Keith Thor Carlson ed. *A Stó:lō Coast Salish Historical Atlas* (Vancouver: Douglas & McIntyre, 2001), 187.

¹² Carlson ed. *A Stó:lō Coast Salish Historical Atlas*, 186.

given when the subjects of reserves, fishing, and hunting rights were “adjusted fairly and settled by negotiation.”¹³ Not only was he emphasizing important rights to the Stó:lō people, but he was also making them central to all arguments that the government presented. For Peters and the individuals he represented, Bill 13 was a threat to these traditional practices and spaces, but it also prevented the Indigenous people from establishing themselves more fully into the settler economy with farming. The visible clearing and use of land was prized by colonial administrators, and as Peters notes about the feelings of some band members, not only was this work incredibly difficult, but also possibly pointless if the government had the ability to remove this land without consent.¹⁴ While there is a specific note in the petition about Bill 13, it is clear that it had many far-reaching impacts on the Indigenous community, and therefore plays an enormous role in the other elements of Peters’ 1922 testimony as well.

The pressure generated by Bill 13 was compounded by local tensions over reserve lands. In the years leading up to Dennis S. Peters’ testimony, there was much reporting within *The Chilliwack Progress* which addressed the issue of the “Indian land question.” Although this newspaper was not from the Hope region, the articles within are reflective of the general feelings of settlers towards the Indigenous population and their reserves, and also show the impact of these opinions on other Stó:lō communities. Immediately following the return of many young men from the First World War, the question of lands for these individuals was very prominent. Many suggested the use of reserve land, as it was seemingly without purpose to the settler community. Perhaps the most vocal about this issue was Member of Parliament for the Fraser Valley, F.B. Stacey, who seemingly spent the whole of 1919 and 1920 publicly endorsing the sale of reserve

¹³ Carlson ed. *A Stó:lō Coast Salish Historical Atlas*, 186.

¹⁴ Carlson ed. *A Stó:lō Coast Salish Historical Atlas*, 186.

lands. In January of 1919, for those troops without homes, Stacey “hoped to see unoccupied lands of the rich Indian reserves made available,” as it could not be that such a “few Indians should have such vast areas uncultivated,” and the land should be expropriated for the benefit of either soldiers or settlers.¹⁵ Later that year, Stacey took a more specific approach. Targeting the bands of Chilliwack, Stacey considered it “a matter of regret” that “of the five or six thousand acres comprising the reserves” that there was perhaps “less than two thirds under cultivation or used for any productive purposes.”¹⁶ In April, Stacey emphasized the Seabird Island reserve, which sat a short distance down the Fraser River from the Hope Band. Stacey took issue with the approximately 4500 acres of “the very choicest land in the province of British Columbia,” not being open to white settlement.¹⁷ His later comments frame the land situation as “a most serious problem,” that bordered on “intolerable,” where “the citizens virtually demand that the Indian be placed, in this regard, upon the same footing as the white man,” and not be permitted to “hold thousands of acres of the finest land without any pretense whatever of its being used for purposes of production.”¹⁸ Eventually, Stacey’s efforts were rewarded. On 1 April 1920, *The Chilliwack Progress* reported that the Department of Indian Affairs had sold one-hundred sixty acres to the Soldier Settlement Board for the purpose of creating four farms.¹⁹ Though this occurred some ways away from the Dennis S. Peters, the threat was visibly present within the Stó:lō community. While Stacey may have been the most outspoken local proponent of the sale of Indigenous reserve lands, it was by no means an uncommon opinion. In February of 1921 at the Vancouver Board of Trade,

¹⁵ “Federal Member Reviews Last Session: Mr. F.B. Stacey Eulogises Canadian Troops, Pleads for Generous Treatment,” *The Chilliwack Progress*, January 23, 1919.

¹⁶ “Indians Hold Much Rich Land,” *The Chilliwack Progress*, February 12, 1920.

¹⁷ “Would Open Up Indian Reserves: Fraser Valley Lands for Returned Men, Stacey Says Plenty Available, Pay for Mail Carriers,” *The Chilliwack Progress*, April 3, 1919.

¹⁸ “Suggests Buy Indian Lands: F.B. Stacey, M.P. Congratulates the Government on Land Scheme, Scores Realty Sharks,” *The Chilliwack Progress*, July 10, 1919.

¹⁹ “Indian Reserve for Soldiers,” *The Chilliwack Progress*, April 1, 1920; “S.S.B. Acquires Sumas Reserve,” *The Chilliwack Progress*, April 1, 1920.

the United Farmers of British Columbia discussed a number of resolutions they wanted put before the provincial legislature. Among them was the request that “all the Indian reserves in the province be sold except one in each electoral district.”²⁰ Later that year, in April of 1921 at the British Columbia provincial legislature, a Report of the Agricultural Committee declared that “the problem of unoccupied or sparsely inhabited Indian Reservations surrounded by white settlement, should be speedily dealt with with a view to making such Reservation available for settlement.”²¹ While this statement was made “bearing in mind the necessity for fair and equitable dealing with the Indian natives,”²² such a goal on the parts of the white settler community demonstrates the very real threat the British Columbia’s Indigenous communities were facing. Dennis S. Peters’ testimony stands as one community’s rejection and written opposition to these advances of the colonial government and the settler community supported by its actions.

Legislation and political action by settler society against the Indigenous people of British Columbia was not limited to the land question. Another piece of legislation of equal significance in understanding the comments made by Peters in his 1922 testimony is Bill 14. Unlike Bill 13, this was an amendment to the *Indian Act* with very important implications. While Bill 14 did have sections dealing with education and penalties for intoxication, it’s most serious section states the following: “On the report of the Superintendent General that any Indian, male or female, over the age of twenty-one years is fit for enfranchisement, the Governor in Council may by order enfranchise such Indian, and from the date of such order the provisions of the *Indian Act* and any other Act or law making any distinction between the legal rights, privileges, disabilities and

²⁰ “Against Action Politically,” *The Chilliwack Progress*, March 3, 1921.

²¹ “Farmers’ Problems Before Committee: Recommendations Made to Legislature on Better Roads, Oriental Question, Indian Reserves,” *The Chilliwack Progress*, April 14, 1921.

²² “Farmers’ Problems Before Committee,” *The Chilliwack Progress*, April 14, 1921.

liabilities of Indians and those of His Majesty's other subjects, shall cease to apply to such Indian or to his or her minor unmarried children, or, in the case of a married male Indian, to the wife of such Indian, and every such Indian and child and wife shall thereafter have, possess and enjoy all the legal powers, rights and privileges of His Majesty's other subjects, and shall no longer be deemed to be Indians within the meaning of any laws relating to Indians."²³ Critically, this legislation once again did not require the consent of the band member in question who was being enfranchised. It is no wonder that Dennis S. Peters explicitly states that the Stó:lō people wanted Bill 14 "amended or killed," using the apt metaphor of "a cloud hanging over us which may at any time burst."²⁴ Such legislation made any rights Indigenous people had contingent on an Indian Agent's report. Within the 1922 testimony, Dennis S. Peters denies Indigenous demands for Canadian citizenship, and emphasizes the loyalty of the Stó:lō to the Dominion Government, stressing that they "agree and desire to remain" as such.²⁵ This declaration demonstrates that the petition was not meant to insult or cause mistrust, but rather encourage fair dealings which were being legislated against. At the time, many people in both the government and the general settler population supported the idea of enfranchisement, as it would allow the Indigenous people of Canada to take care of themselves, something which was present in southern British Columbia. F.B. Stacey, whose opinions about reserves were so publicly known, was in support of the amendment to the *Indian Act*. While an Indigenous person was both an "under-rated and misjudged man" there were "obvious defects in his mentality" and it would be necessary for "Canada to help him enjoy and realize the responsibility and privileges of Canadian citizenship."²⁶ Stacey outright

²³ Bill 14, *An Act to Amend the Indian Act*. 4th sess., 13th parliament, 1920. Bill 13. *An Act to provide for the Settlement of Differences between the Governments of the Dominion of Canada and the Province of British Columbia respecting Indian Lands and certain other Indian Affairs in the said Province*, 4th sess., 13th parliament, 1920. https://parl.canadiana.ca/view/oop.bills_SOCHOC_1304_1/171.

²⁴ Carlson ed. *A Stó:lō Coast Salish Historical Atlas*, 187.

²⁵ Carlson ed. *A Stó:lō Coast Salish Historical Atlas*, 186.

²⁶ "Stacey Supports Indian Franchise," *The Chilliwack Progress*, July 1, 1920.

disagreed with Arthur O'Meara, who as legal council for the Allied Tribes had spoken against Bill 14 in Ottawa, stating that "there was not a man who understood the situation that would agree with him [O'Meara], and that the "real friend of the Indians was the teacher and the missionary."²⁷ Such vocal and public support to compulsory enfranchisement, despite not being in the same electoral riding as the Hope Band, was a clear reflection of the opinions of the settler community at the time. It is almost assured that Dennis S. Peters would have included a statement against Bill 14 regardless of local opinion; however, the additional presence of local support likely made it a pressing and threatening issue, making it an especially important part of the 1922 testimony.

Bills 13 and 14 prompted objection from Dennis S. Peters and those he represented, but these were compounded by those issues that had been present at the time of the Royal Commission, including contention about what was promised to the Hope Band by previous governments and governors. Peters' first mention of broken promises regards the territory meant to be given to the people of Hope, referencing the visit of Governor James Douglas and the large areas he declared as their territory. Rather than demanding the return of these lands, Dennis S. Peters calls for "special compensation" or "special consideration" as the lands were dedicated to the Hope band, and then taken away.²⁸ Peters' claim draws on this historic visit by Douglas to emphasize the wrong that has been done to them, but also historical legislation, most specifically, the 1763 Royal Proclamation of King George III, to emphasize the evasive and unwilling nature of the government.²⁹ Within the proclamation, it is stated that no governor is able to allow settlement and surveying of such land without it having been "ceded to or purchased," and further forbids land to

²⁷ "Stacey Supports Indian Franchise," *The Chilliwack Progress*, July 1, 1920.

²⁸ Carlson ed. *A Stó:lō Coast Salish Historical Atlas*, 186.

²⁹ Carlson ed. *A Stó:lō Coast Salish Historical Atlas*, 187.

be sold without special permission from the crown.³⁰ On the mainland of British Columbia, no land had been officially ceded to the provincial or federal governments, yet by the 1920s, land was being taken away without consent, and both governments refused to acknowledge the question of Indigenous rights to those lands. Peters' use of the Royal Proclamation highlights this conflicting position seemingly taken by the government by emphasizing the historical basis for Indigenous claims as outlined directly in the laws of the British Government.

Another of the promises Dennis S. Peters highlights is the division of funds from the sale of reserve lands, as promised by Governor Seymour. Unlike many other Stó:lō communities, the Hope Band had secured the promise of a four-way split of revenue from the sale of reserves: one-quarter to the federal government; one-quarter to the provincial government; one-quarter to the band, either in kind or in trust; and uniquely, something which did not appear in other recollections of crown promises, one-quarter for the education of the band's children.³¹ As Jody Woods notes in her report on Crown promises with the Stó:lō people, in other places, this was split three ways, as was the case with the Scowlitz Band of Chilliwack.³² Dennis S. Peters saw the incredible value of education, and pressed for the government's support in this matter. In his 1922 testimony, Peters asks for funding for a day school for the local bands with the hopes that the children of school age could be educated without being sent to residential school at Saint Mary's Mission, where "there is often sickness among the children," who receive poor educations.³³ Peters notes that an uneducated person is both "out of luck and at a disadvantage all through life."³⁴ Significantly, in

³⁰ Royal Proclamation. October 7th, 1763, in *Canadian Indians and the Law: Selected Documents, 1663-1972*, ed. Derek G. Smith (Toronto: McClelland and Stewart, 1975; Canadian Electronic Library, n.d.), 2-3.

³¹ Carlson ed. *A Stó:lō Coast Salish Historical Atlas*, 187.

³² Jody Woods, "The Crown's Promise," Report Submitted to Stó:lō Nation Aboriginal Rights and Title Department, *Stó:lō Resource and Research Management Centre*, Accessed May 11th, 2022, 9-10.
[http://www.srrmcentre.com/pdf/Library/Woods_2001_The%20Crown%27s %20Promise.pdf](http://www.srrmcentre.com/pdf/Library/Woods_2001_The%20Crown%27s%20Promise.pdf).

³³ Carlson ed. *A Stó:lō Coast Salish Historical Atlas*, 187.

³⁴ Carlson ed. *A Stó:lō Coast Salish Historical Atlas*, 187.

his descriptions of education for the children of the local bands, Peters requests that the church have no involvement in the operation of these institutions, and the same would be said for any higher education they would request.³⁵

Dennis S. Peters undoubtedly supported the education of all, but his testimony also makes it clear that the preservation of traditional Stó:lō practices were equally important. What is significant about Dennis S. Peters' list of Indigenous rights is that they do not simply focus on the land question, but rather include fishing, and other traditional rights. This served to bring attention to the fact that the government was in fact not addressing the central arguments of the various Indigenous communities while they purported to solve the supposed land question. Peters, on behalf of the local community, claims all their former territory outside the reserves, even that held by the crown, and what was sold to the white settlers, stating that the rights of these places were never surrendered, or given up, and therefore the Aboriginal title was never lost.³⁶ This was not merely about the land, but also the “water, timber, minerals, game, [and] fish,”³⁷ all resources which previously the Stó:lō people “made a full and ample living” from. Despite all this, Peters notes that only “special rights” not “exclusive rights, were desired.”³⁸

Perhaps of most significance to Dennis S. Peters was protecting Indigenous fishing rights. Since the turn of the twentieth century, the federal government enacted increasingly restrictive legislation for the fishery, and in many cases did not recognize any difference of the Indigenous fishery. This was a serious point of contention between the Indigenous communities of British Columbia and the colonial government, as former Governor James Douglas seemingly recognized

³⁵ Carlson ed. *A Stó:lō Coast Salish Historical Atlas*, 187.

³⁶ Carlson ed. *A Stó:lō Coast Salish Historical Atlas*, 186.

³⁷ Carlson ed. *A Stó:lō Coast Salish Historical Atlas*, 186.

³⁸ Carlson ed. *A Stó:lō Coast Salish Historical Atlas*, 186.

the Indigenous fishery with the few 1850s treaties that were made, adding the statement that the Indigenous people were able to “fish as formerly.” In 1878, the federal government updated their rules for salmon fishing to forbid fishing with nets in any fresh water, restricting the widths of those nets that were permitted, and that salmon fishing could not occur between 8AM on Saturday to 12AM on Sunday, and while this was formally the law, at the time, Indigenous fishers were unofficially exempt.³⁹ A decade later, it became law that Indigenous fishers were able to fish for themselves, “but not for sale, barter or traffic, by any means other than with drift nets, or spearing.”⁴⁰ In 1894, the provincial government began requiring Indigenous people to have permits to fish for their own food, and in 1915 this was clarified to state the Indigenous people “may, at any time, with the permission of the Chief Inspector of Fisheries, catch fish to be used as food for themselves and their families, but for no other purpose.”⁴¹ These regulations deeply impacted Dennis S. Peters and other Stó:lō fishers, and it was not the first time he put himself forward to protect them. In a 1914 letter which was sent to the West Yale Review, Peters protested the fisheries restrictions implemented after the 1913 Hell’s Gate slide, and asked for both compensation to the Indigenous people, as well as a lifting of the restrictions.⁴² In the 1922 testimony, Peters demands much the same, saying that the restriction on non-tidal waters needed to be removed, exclusive right of fishing on all reserves and their foreshores granted, and that the Stó:lō had fishing rights that had “always been recognized.”⁴³ Peters declared that all “old tribal territory” needed to be available for fishing and processing the salmon, and that this should be allowed between Yale and Five Mile Creek in July, August, and September, as these were the

³⁹ Douglas C. Harris, *Landing Native Fisheries: Indian Reserves and Fishing Rights in British Columbia, 1849-1925* (Vancouver: University of British Columbia Press, 2008), 51.

⁴⁰ Harris, *Landing Native Fisheries*, 109.

⁴¹ Harris, *Landing Native Fisheries*, 111-112.

⁴² Reuben Ware as quoted by Amanda Beth Fehr, “The Relationships of Place: A Study of Changes and Continuity in Stó:ló Understandings of I:yem” (MA thesis, University of Saskatchewan, 2008), 39.

⁴³ Carlson ed. *A Stó:lō Coast Salish Historical Atlas*, 186.

places from which Stó:lō ancestors from Chilliwack and further north had fished from “time immemorial.”⁴⁴ Peters’ statement also makes sure to note that this was not just for the Hope Band, but included all Stó:lō and those from Yale as well.⁴⁵ The inclusion of the Yale Band is significant, as in future decades, there would be conflict between them and the Stó:lō over who had rights to an important fishing location, called I:yem. In 1938, to mark this place, the Stó:lō erected a memorial to publicly demonstrate the prominence of the location. In her study of this important place, Amanda Beth Fehr notes the complex “layers of meaning and identities”⁴⁶ attributed to I:yem. To Fehr, representing these varied understandings has meant that today, I:yem needs to be understood as “a transformer site, and ancient village, a busy fishing spot, the location where a monument created by the Stó:lō was publicly blessed by an Archbishop, and a place that is politically contested.”⁴⁷ Fehr notes that the I:yem Memorial was a strong declaration of Stó:lō rights to the same five mile fishery and canyon Peters mentions above, but that it also made a physical marker of Stó:lō “authority over their places” by the important words on the plaque emphasizing that I:yem was inherited from the ancestors, and its name, I:yem, rather than the Indian Reserve number.⁴⁸ From one perspective, the erection of the I:yem Memorial marks the public declaration of Stó:lō fishing rights as inherent, and present, something which was recorded sixteen years earlier in the 1922 testimony of Dennis S. Peters.

Dennis S. Peters’ testimony is a strong and powerful statement of Indigenous rights and title, and although there were some successes in asserting his claims at the time, ultimately, the government effectively put an end to these protests for almost a quarter of a century. In 1927, the

⁴⁴ Carlson ed. *A Stó:lō Coast Salish Historical Atlas*, 186.

⁴⁵ Carlson ed. *A Stó:lō Coast Salish Historical Atlas*, 186.

⁴⁶ Fehr, “The Relationships of Place”, xii.

⁴⁷ Fehr, “The Relationships of Place”, xii.

⁴⁸ Fehr, “The Relationships of Place”, 42.

federal government amended the *Indian Act* to make protesting immensely difficult. If funds were to be raised for claims, the superintendent general of Indian Affairs needed to give formal approval, and to proceed without was to risk two months in jail, and a fine of between fifty and two-hundred dollars.⁴⁹ Although this amendment was only repealed in 1951, Peters' testimony remains an inspiration for many Stó:lō people today, and its spirit informs present-day work within the community. When speaking to Naxaxalhts'i, Albert 'Sonny' McHalsie, the cultural advisor at the Stó:lō Research and Resource Management Centre as well as Dennis S. Peters' great-great grandson, he noted that in reviewing the present-day Stó:lō substantive issues list for the treaty-making process, that it was "almost like they took the list from Dennis Peters' petition."⁵⁰ In a session with the author and members of the Chawathil First Nation and their council, Councillor Monica Florence, also a descendant of Dennis S. Peters, reflected upon the ways that his words impacted her today: "everything he's stated, and what he's saying we do still try and incorporate," and that the community has grown up practicing the values embedded in the petition.⁵¹ Stó:lō elder Patricia John calls this testimony a representation of "loving strength" from the ancestors. It is not only powerful as evidence of his testimony proving historic protest, but it is the specific "traditional territories being spoken to."⁵² It is the Indigenous title being spoken to "the resources, the people, the unborn, and the fine seeds in the air that's making our forest."⁵³ These were and are words that are extremely relevant to continuing efforts by the Stó:lō, and more specifically the Chawathil First Nation, to obtain their unrecognized rights.

⁴⁹ Hamar Foster, "Letting Go the Bone,"³⁰; Tennant, *Aboriginal Peoples and Politics*, 111-112.

⁵⁰ Naxaxalhts'i, Albert 'Sonny' McHalsie, interview with author, May 25, 2022.

⁵¹ Monica Florence, group discussion with author, May 12, 2022.

⁵² Patricia John, group discussion with author, May 12, 2022.

⁵³ Patricia John, group discussion with author, May 12, 2022.

The important legacy of Dennis S. Peters' 1922 testimony cannot be overstated. His statement of Indigenous rights and title demonstrated the injustice of the legislation of the time, but also their enduring impacts. In his testimony, Peters recounts the words of Revered Dr. Tucker to the federal government, who had said, "40 years ago it would have been easy to settle this question, It is 10 times harder now, and it will be 10 times harder still in 10 years from this."⁵⁴ One-hundred years on from the production of this important document, these words continue to be true. Discussions between Indigenous communities and the government, as well as efforts to build more respectful relationships with the settler community are ongoing and crucially important. Dennis S. Peters' testimony provides a crucial glimpse into an important period of history in the province, and the rights and title that Indigenous people have always been fighting for. For so many years the Stó:lō along with all Indigenous people in the country were legally unable to fight for these important rights, and once this law was removed, the disruptions of time, and the severe impacts of residential schools made organization efforts something which took years to rebuild. The 1922 petition provides an important bridge across this gap, and has left a legacy for the Stó:lō today to embrace their inherent rights in *S'ólh Téméxw*.

⁵⁴ Carlson ed. *A Stó:lō Coast Salish Historical Atlas*, 187.

Bibliography

- Bill 13. *An Act to provide for the Settlement of Differences between the Governments of the Dominion of Canada and the Province of British Columbia respecting Indian Lands and certain other Indian Affairs in the said Province*. 4th sess., 13th parliament, 1920. https://parl.canadiana.ca/view/oop.bills_SOCHOC_1304_1/168.
- Bill 14. *An Act to Amend the Indian Act*. 4th sess., 13th parliament, 1920. Bill 13. *An Act to provide for the Settlement of Differences between the Governments of the Dominion of Canada and the Province of British Columbia respecting Indian Lands and certain other Indian Affairs in the said Province*. 4th sess., 13th parliament, 1920. https://parl.canadiana.ca/view/oop.bills_SOCHOC_1304_1/171.
- Carlson, Keith Thor, ed. *A Stó:lō Coast Salish Historical Atlas*. Vancouver: Douglas & McIntyre, 2001.
- The Chilliwack Progress, 1919-1927*. Accessed June 2022. <https://theprogress.newspapers.com/>.
- Fehr, Amanda Beth. "The Relationships of Place: A Study of Change and Continuity in Stó:lō Understandings of I:yem." MA thesis. University of Saskatchewan, 2008.
- Foster, Hamar. "Letting Go the Bone: The Idea of Indian Title in British Columbia, 1849-1927." In *Essays in the History of Canadian Law: Crime and Criminal Justice, Vol. VI*. Edited by Hamar Foster and John McLaren. Toronto: University of Toronto Press and the Osgoode Society for Legal History, 1995. 28-86.
- "Lytton Agency." Report of the Royal Commission on Indian Affairs for the Province of British Columbia. Victoria: Acme Press Ltd. 1916. https://publications.gc.ca/collections/collecti on_2016/bcp-pco/Z1-1912-6-9-eng.pdf.
- Mitchell, Darcy Anne. "The Allied Indian Tribes of British Columbia: A Study in Pressure Group Behaviour." MA thesis. University of British Columbia, 1973.
- Omerod, Patricia. "The Dennis S. Peters House, Chawathil Reserve: Stó:lō Social Values During the Early to Mid 1900s Reflected in the House." Paper prepared for the University of British Columbia and the Stó:lō Nation, 1999.
- Royal Proclamation. October 7th, 1763, in *Canadian Indians and the Law: Selected Documents, 1663-1972*, edited by Derek G. Smith, 2-4. Toronto: McClelland and Stewart, 1975; Canadian Electronic Library, n.d.
- Tennant, Paul. *Aboriginal Peoples and Politics: The Indian Land Question in British Columbia, 1849-1989*. Vancouver: UBC Press, 1990; ProQuest Ebook Central, n.d.
- Wickwire, Wendy. *At the Bridge: James Teit and an Anthropology of Belonging*. Vancouver: UBC Press, 2019.
- Woods, Jody. "The Crown's Promise." Report Submitted to Stó:lō Nation Aboriginal Rights and Title Department. *Stó:lō Resource and Research Management Centre*. Accessed May 11th, 2022. http://www.srrmcentre.com/pdf/Library/Woods_2001_The%20Crown%27s%20Promise.pdf.

1922 Testimony of Dennis S. Peters on behalf of Chief Pierre, Edward Lorenzetto, and Others

In the following pages, this document will share Dennis S. Peters' important testimony, but also add comments not included in A Stó:lō-Coast Salish Historical Atlas, to provide more background information about what is brought up in the original document. These notes will either be shown as a footnote, or indented and italicized.

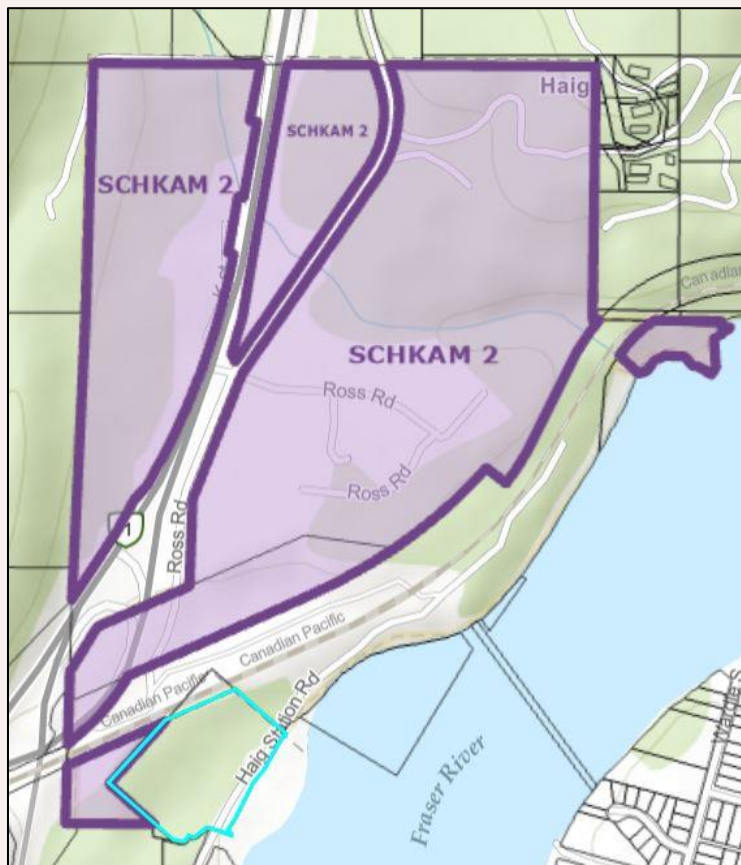
This transcription of the document comes from A Stó:lō-Coast Salish Historical Atlas, with the following description of how the testimony was created:

"On February 3rd, 1922, James Teit, and anthropologist who also worked as Secretary for the United Native brotherhood, interviewed Stó:lō Siyám Dennis S. Peters to gather census-type information for the Department of Indian Affairs. During the interview, Mr. Peters expressed his people's concerns about reserve sizes, the poverty in which many Stó:lō were living, restrictive fishing legislation, the forcible pre-emption of Native lands without treaties, and the difficulty his people were having in clearing and cultivating the lands they were allotted for farming. Mr. Teit took notes of this conversation (to follow), which he then passed on to the DIA."¹

The Indians say of the reserves: "No. 1 (Hope) Reserve is nearly all improved land (Gardens and Orchards). This is the old head quarters of the band and until lately there was a village here. The Indians shifted to Katz Landing reserves so as to be able to have farms and to fix themselves to the new foundations of living. No. 2 Schkam Reserve is rocky and sandy and therefore almost entirely non cultivable. It affords some pasture, however. No. 3 Greenwood Island Reserve was used only as a cemetery. The latter is now shifted to Katz Landing. The soil is good and the reserve of some value for gardens and pasture. No. 4 is the Katz Landing Reserve. It is all good land expecting a few acres in the west corner. Part of the reserve floods with freshets owing to the filing up of a slough. Most of the big timber was taken off the reserve during the construction of the C.P.R. The remaining timber is nearly all second growth. The Indians are increasing their acreage here all the time, and making other improvements. Over a quarter of the reserve is now cleared and improved. No 6 Reserve is just a small fishing place. All the band have houses at Katz Landing and are engaged as much as possible in mixed farming. Lot 12 adjoining reserve. [sic] No. 2 was promised to the Indians. It intrudes into the reserve. There is only about one acre of improved land on it. No one lives there and we do not know who owns it or has a claim to it.

1. Keith Thor Carlson, Ed, *A Stó:lō-Coast Salish Historical Atlas* (Vancouver; Douglas & McIntyre, 2001), 185.

The image on the following page is from the Fraser Valley Regional District Web Map, and shows the location of Lot 12, which sits beside Number 2 reserve as Dennis S. Peters notes above.



Schkam 2 Reserve with Lot 12 highlighted. FVRD Web Map. Accessed 21 June 2022.
<https://maps.fvrd.ca/portal/apps/webappviewer/index.html?id=eae55e6da5f14e11a9a5e07a78f339c5>

Before Sproat's time Gov. Douglas visited the Hope Indians [sic] and laid off reserves for them, one on each side of the Fraser. On the beach at the lower end of Hope Reserve is a tree which Douglas pointed out and said would be the same as the no. 1 post of the reserve for the Hope Indians [sic] on this (the left side) of the Fraser. From this point the line would run straight across country to the nearest part of the Coguehalla [sic] River (when there is a decided bend in the river) this was to be the southern boundary. The Indians were to have the land N. of this line between the Coquehalla & the Fraser, and the whites the land outside and S. of this line. The Indians cleared land and made gardens at different places within the area marked off by Douglas. They also had a large graveyard there. A few years afterwards the Indians were driven off these gardens by the whites who told them the land was not Indian [sic] Reserve and did not belong to them. They then learned Gov. Douglas' promise had

been broken. Later only a little flat of 10_acres (now No. 1 Reserve) was all they got out of the reserve marked off by Douglas. Bishop Durieu persuaded the Indains [sic] to shift their graveyard to Greenwood Island and they did this. The Indians never received any compensation for their gardens and improvements taken by the whites. Hope Indains [sic] accompanied Gov. Douglas down the river in a canoe. Douglas said, "I will point out to you the place which will mark the upper boundary of your reserve on the right side of the Fraser." When they came to the prominent rock or bluff on the river now called Katz Tunnel he said "This rock will be like a post to mark your upper boundary." This is where the S.E. boundary of the reserve is now. When they reached another prominent bluff a little above the mouth of Ruby Creek where there is now a C.P.R. tunnel he told them "this rock will mark your lower boundary." This place is about one mile W. of the present S.W. corner of the reserve. The lower portion of the reserve marked by Douglas is now the reserve of Skawahlook band. A large piece of land between the latter reserve and our present main reserve (No. 4) was given by the Gov. to a white man named Gray. This is all fine land and is lying idle and waste to day without any improvements and cultivation and covered with second growth timber. This is part of the land promised us by Douglas, also the flat at the back of the reserve which is now settled on by Whites. We think we should have some special compensation or at least special consideration because of these lands being set aside for us and then taken away from us. Had all the bands received the reserves promised them by Douglas, there would be no land shortage to-day any where in the Lower Fraser country. Gov. Douglas had full authority at the time he gave them reserves and he recognized the right of the Indians to retain a considerable portion of their tribal territories for their own use. Later the Gov. of BC denied this right to the Indains [sic] and broke Gov. Douglas promise by giving the Indians only small portions of land, in many cases insufficient for their present and future need."

-New reserves None

-Cut offs No. 1 reserve consisting of 10_acres improved land and orchards is recommended cut off by the Royal C.² This Indians say they will consider the surrender of this land as soon as the matters of their reserves, fishing & hunting rights are adjusted fairly and settled by negotiation between the gov's and the Indians. At present the reserve is of service to them and it also has a sentimental value as having been the headquarters of the band where their forefathers lived from time immemorial.

-Obstacles to progress in farming

² This is referring to Number 1 reserve, where Telte-Yet Campground sits. The Royal Commission on Indian Affairs for the Province of British Columbia, also known as the McKenna-McBride Commission, was set up in 1912 to try and resolve the ongoing question of Indigenous reserves in the province. The full report can be accessed here: publications.gc.ca/pub?id=9.828361&sl=0

- (1) Lack of assistance in clearing land etc.
- (2) Reversionary right of the province on the reserves (see below)
- (3) Bill 13 (see below under "Important matters requiring settlement")

-Requirements (1) Assistance in clearing land

-Applications for additional lands, assistance etc. The representatives of the band in their spoken and written statements consider they should have additional lands, is a right, and they also ask for assistance in clearing their reserves as under:

(1) "We are practically landless, as our present reserves aggregate [sic] only about 16 or 17 acres. per. cap. We think we right fully should have 160 acres. per. cap. With clear title to same"

160 acres is the same as one-quarter section, which is what settlers were being given for free under the Homestead Rights or Free Grant Lands section of the 1872 Dominion Lands Act:

Any person who is the head of a family, or has attained the age of twenty-one years, shall be entitled to be entered for one quarter section or a less quantity or unappropriated Dominion lands, for the purpose of securing a homestead right in respect thereof.³

(2) "Our reserves are very hard to clear and improve. We are very poor indeed, and have no money to invest in clearing lands. We must work for wages and fish etc. to make a living whilst we are clearing lands in our spare time to make farms which may in time keep us some of [...]. [sic]"

This is very slow work with out assistance and it takes us a long time to get improved farms of any size. It is such a hard and difficult work to get a start in farming by clearing the big trees and stumps that our young people are discouraged as they see years of hard work ahead of them before they can have a farm of even three or four acres. We therefore ask the Gov. for assistance in the clearing of all our good lands. After our lands are improved we will not require to work for wages so much. The clearing of our reserves for cultivation will increase production and be a benefit not only to ourselves but to the Province and Dominion as a whole."

-Fishing and fishing reserves and Hatcheries etc.

(1) "We want the restriction on Indians fishing salmon above tidal waters removed at once. This is an unjust and unnecessary law or restriction on the Indians."

³ CAP, XXIII. *An Act Respecting the Public Lands of the Dominion*. 5th sess., 1st parliament, 1872. https://www.canadiana.ca/view/oocihm.9_08050_5/190

(2) "We want the exclusive right of fishing on all fore shores of Indian reserves, and at fishing reserves."

(3) "We have fishing rights which have always been recognized. We must be free to fish salmon for our own use on all parts of the Fraser River within our old tribal territory where we have been wont to fish, and we must be allowed to fish and cure salmon at our fishing rocks between Yale and 5 mile creek above Yale on both sides of the river every summer during July and August and also in September if necessary. These fishing rocks are the places where from time immemorial many hundreds of Indians from Chilliwack [sic] and up river went to catch and cure their winter supplies of salmon. This was in the days when the Indians were numerous and depended mainly on salmon. Now a days only a few Indians go up to these fishing places. The Indians are much less in numbers now and depend chiefly upon farming and other work for a living they are content to take a few salmon passing by their reserves and only some old people put up winter supplies. The Fisheries Department has quite a wrong idea when they charge us with the distruction [sic] and extinction of the salmon and also that by depriving us of the few salmon we now take and still need the river will become replenished. They have deprived us of our clear right in the fish without negotiation and without compensation. However we will never consider any amount of compensation nor substitutes for the fish. We want the fish themselves. We are gradually using less and less dish so the Fishery people need not think that what we Indians take will interfere seriously with the replenishment of the river or hasten the distruction [sic] of the salmon."⁴

(4) "We would like to see all salmon hatcheries in BC abolished and we can explain why. The fishery men or whites should be smart enough to see that the hatcheries are the worst destroyers of salmon in BC."

(5) "We desire to have all the fishing rocks already referred to between Yale and 5 miles above Yale on both sides of the river reserves for our use in fishing and curing salmon. This would be for the use of all the bands of the Stalo [sic] Tribe from Chilliwack [sic] to Yale inclusive."

⁴ The regulations for fishing in BC placed a number of restrictions on the fishery, many of which had a negative impact on Indigenous people. Some of these were only being able to fish for oneself and one's family, and requiring permits for when one could fish, at what time, and how many could be caught. For more information see Douglas C. Harris' *Landing Native Fisheries: Indian Reserves and Fishing Rights in British Columbia, 1849-1925* (2008) and *Fish, Law, and Colonialism: The Legal Capture of Salmon in British Columbia* (2001), as well as Reuben M. Ware's *Five Issues, Five Battlegrounds: An Introduction to the History of Indian Fishing in British Columbia, 1850-1930* (1983). All books are available at the Stó:lō Research and Resource Management Centre at the time of this document's creation.

(6) "We ask that the fishing places and fishing reserves of the Hope band recorded for them be confirmed" (see p. 543 Report of R.C.)

In the Report of the 1916 Royal Commission, commonly called the McKenna-McBride Commission, the Hope Band's fishing spots were recorded as follows:

"Hope Tribe: Minute of Decision of August 16th, 1879, re Hope Indians: "The fishing places of these Indians in this neighborhood are as follows:

- (1) A rock on the left bank of the Fraser below the sawmill on the land which is said to be owned by the Reverend A.D. Pringle:*
- (2) A rock on the bank not far from the house of Pierre, the Chief, in the Hope Town Reserve;*
- (3) A rock on the right bank of the Fraser opposite to but about One-quarter (1/4) mile below Ay-waw-wis; and*
- (4) A rock about a mile below Hope on right bank of the Fraser: Their right of access to these places is confirmed, but in such manner as to inconvenience the owners of the lands in the least, and the Indians are not to occupy these places except for capturing and drying the fish in their accustomed way, and only in their fishing seasons."⁵*

-Hunting & Trapping "We have rights in the game and therefore in the hunting and trapping in all parts of our original Tribal territories. We must be free to hunt game for our own use and trap in all unoccupied parts of the mountains as has been our wont from time immemorial. Even in the older times not every Indian of our tribe was a hunter and trapper although most men were more or less. At the present day and for a considerable time back only about 20 to 25 per cent of our men hunt and about 10 per cent or less trap. We cannot be blamed for the scarcity [sic] of game and of fur bearing animals. Some Whites charge us with their destruction [sic]. We feel sure that lately and at the present day there must be about fifty Whitemen who hunt and trap to every one Indian [sic].

-Other important matters requiring adjustment and settlement.

(1) "We are loyal subjects of his Majesty under the protection of the Dominion Gov. and we agree and desire to remain this way."

(2) "We want complete title to our reserved lands and all therein and thereon and to all lands which may be made reserves, and complete possession of same. If any parts of these reserves or anything on them is sold it must be with our consent and the proceeds of the sales of such lands, timber, gravel etc. should all come into the hands

5. "Lytton Agency." Report of the Royal Commission on Indian Affairs for the Province of British Columbia. Victoria: Acme Press Ltd. 1916, 543. https://publications.gc.ca/collections/collecti on_2016/bcp-pco/Z1-1912-6-9-eng.pdf.

of the Indains [sic]. This includes exclusive use of all fore shores of reserve for fishing etc...”

(3) “We do not acknowledge any reversionary or other right of the Province or any one else in our reserves and we ask that the BC gov. give up this claim. This claim of the Province discourages the Indains [sic] from improving their reserves. They say “there is no use of improving them the BC Gov. claims them. They are not really ours. We have no land which is *really* our property.”

(4) “We want no taxation on our lands, and no citizenship at present.”

(5) We claim we have an interest in all parts of our old tribal lands outside the Indian reservation which the gov. holds as crown lands or has sold to the whites. This includes land, water, timber, minerals, game, fish, etc. Our rights in these lands are still good as we have never surrendered them nor in any other way given up nor lost our aboriginal title in those territories. The gov. has taken possession of these lands without negotiation or agreement with us and we are entitled to compensation of some kind for our share or title in same. This matter must be considered. We once had complete sovereignty over these lands and waters etc. and made a full and ample living from their resources. We cannot be debarred or seriously restricted from their use now without injury to ourselves unless we are sustained by some other means. We therefore ask it as a right that there be reserves for our exclusive use a sufficiency of these lands for our proper maintenance. We think 160 acres. per. capita would not be too much, but this can be a matter of negotiation and arrangement.

- We must retain some special rights (not exclusive rights) in fishing, hunting and trapping and use of unoccupied crown lands. We therefore ask that we shall always have for ourselves freedom of travelling and camping, hunting, fishing, trapping, berrying, root digging, pasturing stock, obtaining of wood, water, timber etc. for our own use without payment of any license or tax and also the use of all roads and trails free of charge. We should also have exclusive rights of fishing on all fore shores of reserves and special fishing places, exclusive rights to game and hunting on reserves, complete title to our reserved lands, assistance in clearing our land and be provided with proper education and medical attendance free of charge. Also exemption from taxation of ourselves, lands, houses, tools, stock and personal property. Most of these may be considered equivalent to our share in the country, which we retain for ourselves or it may be considered as compensation for all our tribal lands taken over by the gov.

Gov. Douglas when he set aside the reserve for the Katzi or the Port Hammond Indians said all inside the lines of the reserve would remain the real property of the Indians and all outside would become white mans land. The land taken over by the whites would be like a tree, which should blossom and bear fruit for the Indians meaning that the Indians would share in the benefit of the use of their tribal lands by

the whites. Later Gov. Seymour called a great meeting of the Stalo and other Indians at Queen's Borough (now New Westminster [sic]) There were very many Indians and whites at this meeting. He said (1) The Queen desired the two raves to live together peacefully and neither to harm the other. That they would be as brothers, the whites the elder, and the Indian the younger. (2) When Indians worked they would have the same wages as the whites for the same kind of work. (3) Money or revenue would be coming to the Gov. from the lands outside the reserves. This money or revenue would be as in four: $\frac{1}{4}$ would go to the Queen or Crown or Gov, $\frac{1}{4}$ would be used by the BC gov. for the purposes of the country development, road making etc. $\frac{1}{4}$ would go towards education and $\frac{1}{4}$ for the benefit of the Indians, assistance to them etc. The Indians in those days believed the words of those big men in authority (or chiefs of the whites) and they never thought of asking them for written agreements nor their words in writing. Both Gov. Douglas and Gov. Seymour promised assistance to the Indians and compensation for their lands taken."

(6) "We want Bill 14 amended or killed. As it stands at present it is unjust, unsafe and unfair to us and unnecessary. It keeps us in unrest like a cloud hanging over us which may at any time burst."

(7) " We want Bill 13 amended or killed. It is unjust and contrary to the promises of all the Gov's, and all the Commissioners made to us from the earliest times until now. It also acts as a drawback and discourages us from clearing and improving our lands. The Indians say "the gov's break their own laws (The Indians [sic] Act etc.) and do not keep faith with us. They now propose to take part of our lands by force or without any consent. If they do this today they may do it again to-morrow and there may be no end to this thing. They may thus take most of our reserves from us simply by passing laws."

The following two passages are taken from the records of the 13th parliament of Canada. Bill 13 essentially says that the federal government can alter reserve boundaries without permission of the bands, even though that's not permitted in the Indian Act. This is what Dennis S. Peters is mentioning above. Bill 14 permits the government to enfranchise people without their consent. They would then lose their status, and any rights which were secured by the Indian Act.

Section 3 of Bill 13: "For the purpose of adjusting, readjusting or confirming the reductions or cutoffs from reserves in accordance with the recommendations of the Royal Commission, the Governor in Council may order such reductions or cutoffs to be effected without surrenders of the same by the Indians, notwithstanding any provisions of the Indian Act to the contrary, and may carry on such further negotiations and enter into such further agreements with the

Government of the Province of British Columbia as may be found necessary for a full and final adjustment of the differences between the said Governments.”⁶

Section 3 of Bill 14: “(2) On the report of the Superintendent General that any Indian, male or female, over the age of twenty-one years is fit for enfranchisement, the Governor in Council may by order enfranchise such Indian, and from the date of such order the provisions of the Indian Act and any other Act or law making any distinction between the legal rights, privileges, disabilities and liabilities of Indians and those of His Majesty’s other subjects, shall cease to apply to such Indian or to his or her minor unmarried children, or, in the case of a married male Indian, to the wife of such Indian, and every such Indian and child and wife shall thereafter have, possess and enjoy all the legal powers, rights and privileges of His Majesty’s other subjects, and shall no longer be deemed to be Indians within the meaning of any laws relating to Indians.”⁷

(8) “We ask that all the money expended by the organized Indians in trying to get a fair settlement with the Gov. be refunded whenever a settlement is effected [sic] and also all money which may be expended until such time as a settlement of all our rights has been made. This means expenses and time of delegates at general meetings, delegates to Ottawa and money paid to lawyers and others. We want what is just and right in respect to this matter. It has not been our fault that the governments have delayed settling with us for these many years. We were forced to organize and spend money to get our rights. This would not have been necessary had the government been reasonable and fair minded and willing to fix up all our grievances fairly. We have waited for a settlement for many years but the Gov’s seem to be evasive and unwilling to [...] treat[?] with us or settle with us concerning our rights. They have not carried out the proclamation of King George III. Sir James Douglas adhered to this proclamation. He made treaties with some Indians, set aside ample lands for the Stalo tribe, and promised all matters of Indians rights would be settled by agreement between the Gov. and the Tribes. Also that the Indians would have assistance in improving their reserves. Gov. Seymour made similar promises. All those good promises have not been carried out. The Gov’s have concealed and buried them. If these matters had been settled in early days it would have been very easy for the gov’s. Now the country is much settled and matters are more complication. A few years ago Rev. Dr. Tucker said to the Ministers of the Gov. at Ottawa: “40 years ago it would have been easy to settle this question, It is 10 times harder now, and it will be 10 times harder still in 10 years from

⁶ Bill 13. *An Act to provide for the Settlement of Differences between the Governments of the Dominion of Canada and the Province of British Columbia respecting Indian Lands and certain other Indian Affairs in the said Province.* 4th sess., 13th parliament, 1920.

https://parl.canadiana.ca/view/oop.bills_SOCHOC_1304_1/168.

⁷ Bill 14. *An Act to Amend the Indian Act.* 4th sess., 13th parliament, 1920. Bill 13. *An Act to provide for the Settlement of Differences between the Governments of the Dominion of Canada and the Province of British Columbia respecting Indian Lands and certain other Indian Affairs in the said Province.* 4th sess., 13th parliament, 1920. https://parl.canadiana.ca/view/oop.bills_SOCHOC_1304_1/171.

this. There is no time to be lost in bringing this question to a final issue." It is plain the gov's are to fault for all the delay and for trying to blind fold the Indians. The Indians have always been ready. It is up to the Gov's now to proceed and bring about a settlement which will be fair and lasting. The heavy burdens of the Indians must be removed before they will be satisfied. We want no hard feelings, we want peace and we can only have peace and good feeling when all these matters are fairly settled."

The following excerpts from the Royal Proclamation concern the rights of the Indigenous people of Canada:

And whereas it is just and reasonable, and essential to our Interest, and the Security of our Colonies, that the several Nations or Tribes of Indians with whom We are connected, and who live under our Protection, should not be molested or disturbed in the Possession of such Parts of our Dominions and Territories as, not having been ceded to or purchased by Us, are reserved to them, or any of them, as their Hunting Grounds. - We do therefore, with the Advice of our Privy Council, declare it to be our Royal Will and Pleasure, that no Governor or Commander in Chief in any of our Colonies of Quebec, East Florida, or West Florida, do presume, upon any Pretence whatever, to grant Warrants of Survey, or pass any Patents for Lands beyond the Bounds of their respective Governments, as described in their Commissions; as also that no Governor or Commander in Chief in any of our other Colonies or Plantations in America do presume for the present, and until our further Pleasure be known, to grant Warrants of Survey, or pass Patents for any Lands beyond the Heads or Sources of any of the Rivers which fall into the Atlantic Ocean from the West and North West, or upon any Lands whatever, which, not having been ceded to or purchased by Us as aforesaid, are reserved to the said Indians, or any of them.

And, We do further declare it to be Our Royal Will and Pleasure, for the present as aforesaid, to reserve under our Sovereignty, Protection, and Dominion, for the use of the said Indians, all the Lands and Territories not included within the Limits of Our said Three new Governments, or within the Limits of the Territory granted to the Hudson's Bay Company, as also all the Lands and Territories lying to the Westward of the Sources of the Rivers which fall into the Sea from the West and North West as aforesaid;

And We do hereby strictly forbid, on Pain of our Displeasure, all our loving Subjects from making any Purchases or Settlements whatever, or taking Possession of any of the Lands above reserved, without our especial leave and Licence for that Purpose first obtained.

And, We do further strictly enjoin and require all Persons whatever who have either wilfully or inadvertently seated themselves upon any Lands within the Countries above described, or upon any other Lands which, not having been ceded to or purchased by Us, are still reserved to the said Indians as aforesaid, forthwith to remove themselves from such Settlements.

And Whereas great Frauds and Abuses have been committed in purchasing Lands of the Indians, to the great Prejudice of our Interests, and to the great Dissatisfaction of the said Indians; In order, therefore, to prevent such Irregularities for the future, and to the end that the Indians may be convinced of our Justice and determined Resolution to remove all reasonable Cause of Discontent. We do, with the Advice of our Privy Council strictly enjoin and require, that no private Person do presume to make any Purchase from the said Indians of any Lands reserved to the said Indians, within those parts of our Colonies where, We have thought proper to allow Settlement; but that, if at any Time any of the said Indian should be inclined to dispose of the said Lands, the same shall be Purchased only for Us, in our Name, at some public Meeting or Assembly of the said Indians, to be held for the Purpose by the Governor or Commander in Chief of our Colony respectively within which they shall lie; and in case they shall lie within the limits of any Proprietary Government, they shall be purchased only for the Use and in the name of such Proprietaries, conformable to such Directions and Instructions as We or they shall think proper to declare and enjoin, that the Trade with the said Indians shall be free and open to all our Subjects whatever, provided that every Person who may incline to Trade with the said Indians do take out a Licence for carrying on such Trade from the Governor or Commander in Chief of any of Our Colonies respectively where such Person shall reside, and also give Security to observe such Regulations as We shall at any Time think fit, by ourselves or by our Commissaries to be appointed for this Purpose, to direct and appoint for the Benefit of the said Trade:

And we do hereby authorize, enjoin, and require the Governors and Commanders in Chief of all our Colonies respectively, as well those under Our immediate Government as those under the Government and Direction of Proprietaries, to grant such Licences without Fee or Reward, taking especial Care to insert therein a Condition, that such Licence shall be void, and the Security forfeited in case the Person to whom the same is granted shall refuse or neglect to observe such Regulations as We shall think proper to prescribe as aforesaid.

And we do further expressly enjoin and require all Officers whatever, as well Military as those Employed in the Management and Direction of Indian Affairs, within the Territories reserved as aforesaid for the use of the said Indians, to seize and apprehend all Persons whatever, who standing charged with Treason, Misprisions of Treason, Murders, or other Felonies or Misdemeanors, shall fly from Justice and take Refuge in the said Territory, and to send them under a proper guard to the Colony where the Crime was committed of which they stand accused, in order to take their Trial for the same.⁸

⁸ Royal Proclamation. October 7th, 1763, in *Canadian Indians and the Law: Selected Documents, 1663-1972*, edited by Derek G. Smith (Toronto: McClelland and Stewart, 1975; Canadian Electronic Library, n.d.), 2-4.

(9) "We intend to stand with the organized Indian tribes of BC until such time as a fair settlement with the gov's of all our rights and grievances has been arrived at."

-Matters for Indian Department Education etc.

"We want a day school on our reserve at Katz Landing as soon as possible. The number of children of the Katz Landing and Skawahlook bands is 40 of which 23 are of school age. The Ohamil and Ruby Creek bands endorse this request and promise to send their children to the same school. We have asked for a day school already but for some reason it has not yet been granted. The St. Mary's Mission school is always full and there is no chance for our children to go to that school. Besides we do not care much for that school because the children attending it appear to get a poor education and for some reason there is often sickness among the children. We want to be fully educated. A person who is not well educated nowadays is out of luck and at a disadvantage all through life. School is one of the main things nowadays. We also want higher education. Two hundred years ago there was no electricity known, no automobiles, airplanes, engines of all kinds etc. Higher education brought these things. Had it not been for education these things would never have been discovered nor invented, and there would never have been the ability to invent them. We want better schools and higher education through continuation schools or in some other way to be provided by the Gov. We want the gov. to have complete control of the higher education and no churches to have any control of the same so the Indians of every denomination may go to them and there will be no friction. At the present time by gov. regulation Catholic children are made to go to Catholic schools and Protestant children to Protestant schools. We want nothing of this in day schools on the reserves not in any schools provided for higher education."

Informants and representatives.

Dennis D. Peter for Chief Pierre, Ed Lorenzetto and others.

Meeting Chilliwack [sic]

Jan/22 and statement

Feb 3rd/22