

Commission to Enquire into the Condition
of the Indians of the Northwest Coast

September 1887.

2 members J. P. Planta (Province)

C. F. Cornwall (Dominion)

Alex Lindsay (Secretary)

Mrs. Morison (Metlakatlah Indian? Interpreter)

Report sent to Hugh Nelson, Lt. Gov. of B. C.

Enquiry opened October 17, 1887 at Kincolith.

*In Feb. 1887 Indians from Port Simpson and Nass
River visited Victoria asking for a treaty. (p127 HRC)*

The Indians presented their case with great dignity and eloquence, but they were met by a wall of red tape and procedure that they just couldn't understand. 2.

Example of Indian misunderstanding of full meaning of Indian Act.

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

Charles Russ gave a very eloquent speech outlining what the Indians wanted - a treaty - large reserves - payment for the land outside the reserves

Edlike to quote a little of it from the reservation record of the meeting

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

*He thought
the committee
could act
actually
They could
only inquire
gather facts
and make
no
promises.*

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

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

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

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

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

Mr. Cornwall - There are words of wisdom, spoken by the late Hon. Mr. Smithe, and reported on page 256 of the report of the conference, which you would do well to translate into the Nass language, so that you might learn them

over.

Then the Gov. Commissioner told them about the law regarding the land.

by heart. (See Appendix B.)

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

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

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

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

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

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

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

Next day, another Indian explained to them as patiently as he could

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

Mr. Cornwall - What do you mean by that?

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

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

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

*The Indians still couldn't understand that the land was no longer theirs, but now belonged to the Crown.
The next day an Indian explained to the Commissioners*

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

You saw us laughing yesterday when Neis Puck got up and spoke, because you opened the book and told us the land was the Queen's and not the Indians'. That is what we laughed at. No one ever does that, claiming property that belongs to other people. We nearly fainted when we heard that this land was claimed by the Queen. The land is like the money in our pockets, no one has a right to claim it. We all agree with what David said, that we should be paid for our land outside of what we want for ourselves.