

INDIAN RESERVE ALLOCATION IN BRITISH COLUMBIA

INTRODUCTION

In most parts of Canada and the United States, treaties were made to extinguish aboriginal claim to the land. When white settlers entered what is now British Columbia, most of the land was peacefully taken over and no treaties were made.¹

The only compensation that most of British Columbia's Indians have received is the reserves that were set out during the two provincial and federal commissions. The first commission which was a joint federal-provincial effort disbanded (at the turn of the century) because it was thought that by that time enough reserves had already been set up. Following this the Royal Commission on Indian Affairs for the Province of British Columbia was established by the Federal Government in 1912. Its objective was to handle all of the problems between the Provincial and Federal governments with respect to the allocation of Indian reserves. They actually accomplished little but to adjust the reserve boundaries of the first commission to meet the minimum requirement of twenty acres per family.² The commission also reduced the size of several reserves where they thought there was an unnecessary excess of land and completely cancelled reserves that were deemed to be no longer of use to the Indian bands. By 1916 when the commission ended there was a total net reduction of 47,000 acres of land, all of which reverted back to the province.³

Many of the Indian groups in British Columbia, with the help of several lawyers, and other concerned citizens, organized themselves in an effort to fight the commission findings. The Allied Tribes of British Columbia in a statement to the Federal government, in 1927, completely rejected the Report of the Royal Commission, and claimed that it did not solve the major problem of compensating them for the confiscation of their lands. In a report to a senate hearing on the matter, the Allied Tribes noted that 80,000 acres of mostly poor land was exchanged at half the value of the mostly good lands that were cut off the reserves. They claimed that this was done strictly for the convenience of the White man and furthermore, half of the money raised by the sale of the cut-off land went to the province.⁴

It is clear from the comments and descriptions of the Indian bands by the various commissioners that the allotment and confirmation of the reserves depended a great deal on the amount of acculturation the band had shown towards White society. Thus the Indians who had good land and held employment in the region and who practiced farming and ranching to some degree were classified as "industrious and progressive people."⁵ They had a slightly better chance of receiving increased acreage because they had proven that they were worthy and could use the land intelligently. But some Indians were allotted poor land to begin with and were not close to areas where they might find some sort of seasonal employment as a supplement to their living, as trappers and fishermen. They were labelled as

"comfortable but inert, apathetic and non-industrious."⁶ They of course were less likely to receive any extra land to help improve themselves, at least in the eyes of the White man, because they had shown that the land would probably be wasted. Bands in this category usually had part of their reserves sold or otherwise some of the land reverted back to the province.

The Royal Commission Report dealt with all of the Indian bands and their reserves in British Columbia. This paper will concentrate primarily on several of the different types of reserves in three administrative areas as they were located at the time of the Commission.

The reserves on the coast differed slightly from those in the interior and other areas of the province and to illustrate this, the Bella Coola agency on the coast and the Kamloops and Lytton Agencies in the interior will be examined. Differences between reserves in the interior depended on the type of occupations and land usage. When the Commission report was made the administrative divisions were smaller than they are now, but because it is more convenient to use the old agency boundaries for a comparison of the Thompson and Fraser areas, they will be referred to frequently. (see maps on pp. 25 and 26)

RESERVE LOCATIONS IN THE LYTTON AGENCY

By the completion of the Commission in 1916, there were 211 reserves in the Lytton Agency, making up a total of 67,000 acres.⁷ Compared to most of the other agencies this was quite a large number but the total acreage was much less. On the average the reserves were much smaller than in the other agencies and this is hardly surprising considering the small amount of agriculturally viable land in the area. Here, primarily because of the fishing, the Indians were not as dependent on agriculture as they were in other areas. The Indian population in this Agency was approximately 2,500, giving a per capita acreage of 26. This was excluding the railway and road right of ways which use a considerable portion of the good land due to the narrowness of the valley. On the whole, the Indians had small patches of land that they cultivated for their vegetables and some had small orchards. There was very little land available for crops and almost none suitable for the grazing of herds of cattle and horses. Some smaller animals, such as pigs were also kept.

At the time, approximately three quarters of the reserves were occupied for the whole of most of the year. Of these, 60% were small tracts of land along the river that were potentially cultivable but of which only a small portion were cultivated. One such reserve, which was fairly large, belonged to the Yale Band. Stullawheets reserve number 8 was 135 acres. Half of the land could have been cultivated but only 20 acres were farmed. They grew fruit and vegetables and the reserve was valued at \$2,475.00.

Only 10% of the occupied land was good farming land and used as such. Nesikep reserve number 6 which belonged to the Lytton band, had a total area of 1,363 acres. It was good land if irrigated and about 200 acres

were under cultivation. The rest of the land could also have been cultivated if cleared. It had a population of sixteen who grew beans and other vegetables. They also grew hay and some wheat. Unlike most of the other reserves they kept several horses and some cattle. Another well used reserve was Cameron Bar number 13. It was 132 acres of which half was farmed. The ten Indians that lived on it grew beans and other vegetables as well as hay for the few horses and cattle they had.

Another 10% of these reserves were village sites and used as fishing stations. Popkum reserve number 1 was originally used as a fishing station. There was some potentially good agricultural land adjacent to it and was expanded to 381 acres. It eventually became more and more agricultural and is no longer used mainly as a fishing spot.

The rest of the reserves that were occupied were barren, rocky and useless, as far as agriculture was concerned. The land was hilly and steep and could at most sustain only a few acres under cultivation. One reserve, belonging to the Boothroyd band, named Chuckcheetso number 7 was only 44½ acres. It was generally dry and non-cultivable and had only one acre producing vegetables. The land was fairly steep and had no timber on it. In the surrounding range they kept 90 horses and approximately 100 cattle. They also depended on hunting and fishing.⁸

Approximately 20–25% of all of the reserves in the Lytton Agency were occupied for a short time of the year. These intermittently occupied reserves were usually close to or easily accessible from the occupied reserves. Of these, 60% were laid out as small fishing stations along streams and lakes as well as the Fraser River. These were mostly very small reserves of little value for any thing other than fishing. The Yale band had a series of fishing spots that were reserved for this reason. Lady Franklin's Rock, reserves numbers 18–25 were very small and completely uncultivable.⁹

Fifteen per cent of the reserves were used for cultivation on a small scale or could have made potentially good agricultural land if developed. Whyeek reserve number 4, belonging to the Kanaka Bar band, was 351 acres of hilly and brush covered land. It already had a small pasture area and if cleared to a greater extent, would have supported several more horses and cattle. Four acres of this land was under cultivation as well. It was not uncommon for reserves like this to be abandoned altogether, especially if there were no access roads to them. Another 25% of intermittently occupied reserves were partially used for farming or grazing land but were basically useless. These were usually located away from the river and on steeply sloping ground that was either rocky and barren or very heavily forested. One reserve like this, Kuthlath number 3, owned by the Yale band consisted of 362 acres of fairly poor land. It was rocky and hilly land that was almost completely open but for a small portion of non-merchantable timber. The land was generally too poor for any type of agriculture because the soil was not very fertile, and it was not feasible to irrigate the land. As with many of the reserves that were potentially good for cultivation, even though this was not, the problems involved in obtaining irrigation for the land was the major stumbling block in their development. Not only was the cost prohibitive, but the labour necessary was usually unavailable.

As a result, only a ½ acre of this reserve was under cultivation for vegetables. There were also a few horses, cattle and sheep grazing on the land.

Very few of the reserves in the Lytton agency were unoccupied for the whole year. Less than 5% were unused fishing stations or abandoned parcels of land that were no longer used. There were a few small reserves set aside because they were graveyards, such as one belonging to the Siska band. It was 6/10 of an acre in size and not located in the vicinity of any large settlement.

While the commission was reviewing the reserves in the Lytton Agency it received many applications from the different Indian bands for extensions to reserves and new areas of land. Of more than one hundred applications for more land, just over half were approved. The Lillooet band asked for a 10 acre extension to one of their reserves that was farm land already cleared and worked by them. This request was not entertained as the land was already granted to a White farmer. The Seaton Lake band made three applications of which two were allowed.¹⁰ On the whole the commission recognized that it was very difficult for the Indians in the Fraser area to support themselves by agriculture so when they could they allotted land that was good for purposes other than agriculture such as fishing stations. The Fountain band requested 5 acres for a fishing station opposite Bridge River on the Fraser and it was granted. But when they applied for 8 acres of already cleared land for farming, it was not allowed as it was "not reasonably required."¹¹ An application from the Lytton band for an extension of Boothanie reserve number 15 was received. They wanted several acres for pasturage and the land they applied for was vacant and available. The commission did not grant an enlargement because they did not think that it was reasonably required.

Most of the extensions that were allowed were small additions of farms and gardens to already existing reserves. Some extensions of pasturage were granted and on the average were 150 acres but the additions of cultivable land were usually under 50 acres.

LYTTON AGENCY
Indian Reserve Locations
(after 1916 Royal
Commission Report)

scale



reference

- Band Boundaries
- Reserve Boundaries
- Occupied
- Intermittently Occupied
- Unoccupied

25

KAMLOOPS AGENCY
Indian Reserve Locations
(after 1916 Royal
Commission Report)

scale



reference

- Band Boundaries
- Reserve Boundaries
- Occupied
- Intermittently Occupied
- Unoccupied

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RESERVE LOCATIONS IN THE KAMLOOPS AGENCY

In the Kamloops Agency only eleven applications for additional land were made.¹² They were mostly for range land and pasturage and a few were wanted for general purposes. Only two of the applications were allowed and the other nine were "not entertained." The reason for so many fewer applications was that the majority of bands in the agency seemed to have all the land they wanted, and indeed they had three times the amount of land as the bands in the Lytton Agency.

When the Royal Commission had finished in the Kamloops Agency, there were 103 reserves established. The total acreage was 171,205 giving 73 acres per capita. It is interesting to note that the population of the Kamloops Agency at the time was 2,340, slightly less than that of the Lytton Agency. The value of the total amount of reserve land in the Lytton Agency was estimated in 1916, to be almost \$1,000,000.00 as compared to the value of the Kamloops agency reserves of just under \$4,000,000.00.

Different criteria were used in the setting out of reserves for each area. In the Kamloops region such a comparatively large amount was set aside because most of the land was used for grazing. The area was much more suitable for large herds of cattle and horses and the conditions favoured the cultivation of crops. In the north and the east of the Kamloops Agency there was less than the average amount of land per capita granted because the land was more suitable to cultivation so less was needed.

Of the 103 reserves, 68 were occupied permanently or for the greater part of the year. These occupied reserves could be divided into five categories on the basis of land utilization. Thirty percent were well utilized as farming or grazing lands and were quite well developed. One reserve like this belonged to the Cooks Ferry band. Pemynoos reserve number 9 was 4,507 acres of very good agricultural land. It was then valued at \$156,000.00. The commission reported that it was farmed along modern lines as far as irrigation permitted. The population was 27 and they produced hay, cereals, fruit, potatoes and other vegetables. Some of their produce had been entered at an exposition in Chicago a few years earlier. The major drawback at that time was the lack of transportation facilities and poor access to the reserve.

Thirty-five per cent of the occupied reserves were only partially useable for agriculture with the rest being undevelopable. Zoht reserve number 4 of the Lower Nicola band was 500 acres, only part of which was or could have been used. The good portion was being cultivated and was under irrigation and the rest was rocky and useless. There was a total population of 31 on the reserve and they kept 50 horses, some cattle, and owned some agricultural machinery. A few years earlier the Zoht tribe surrendered 300 acres of very good land at the west end of Nicola Lake because it was wanted by the government for a land grant. In exchange they were given their present reserve adjoining the north boundary of the old one.¹³

Fifteen per cent of the reserves were potentially good but up until that time had not been developed at all. Most of them needed irrigation to

make them viable. The Indians in the Thompson drainage never relied as heavily on fishing as those in the Fraser region. That is why only 10% of the reserves were used primarily as fishing stations. Although they hunted and still to some degree depended on the shooting of game for food, their reserves were not usually allocated for this reason. On some of the reserves hunting was very good, but most of it was done in areas off reserve land because they just were not large enough. The Kamloops reserve number 1 was one of the few that supported game. The rest of the occupied reserves were not useful for anything. They were mostly barren rocky pieces of land that could not be cultivated other than for small garden plots.

Eight of the 16 intermittently occupied reserves were used as pasture and range land. Some hunting was done on them also. Six were set aside as fishing camps usually located on lakes at the mouths of rivers and streams. There were only two reserves that were partly cultivated and these were very close to other reserves that were occupied. All of these reserves which were occupied intermittently were occupied during the summer months. There were about 20 unoccupied reserves, half of which were used as grazing lands and some had potential for farming. The Upper Nicola bands owned Chapperton Lake reserve number 13. It was 725 acres with a total of 5 acres under cultivation. The rest of the land was only good for wild hay because of the lack of irrigation.

One quarter of the unoccupied reserves were fishing stations and very seldom used. Fishing stations reserves numbers 2 and 3 on Trapp Lake were both accessible by road and valued at \$10.00 per acre with a total of 22 acres. There was no timber on the land so it could have been used as pasture but both reserves were definitely not used as fishing stations. They were set aside as traditional fishing spots but since the reserve boundaries did not include the creeks where the fishing was done, and the owners of the land that contained the creeks would not give them permission to fish, the reserves were useless to the Indians.

Nekalliston reserve number 2 which belongs to the North Thompson band was intermittently occupied. It was 4 acres and had no timber or other products. When the railway was put through that area, half of the 4 acres were used in the right of way. The railway did not make much difference to the large reserves, but the smaller ones such as this were almost ruined. Other ways in which reserves lost their value were from natural occurrences. Barrier reserve number 3 was a five acre fishing station which was completely washed away during a flood. Later another plot of land was given to the band as a replacement.

Five of the unoccupied reserves were virtually useless pieces of land, either too rocky and mountainous or very swampy. Some of these could occasionally have been used for hunting. One reserve that was actually made useless through the efforts of White farmers in the area, was McLeans Lake reserve number 3 belonging to the Ashcroft band. The lake was dammed at one end and the water from the main stream diverted for irrigation. Most of the 1,000 acres of reserve was flooded and the rich fertile part was submerged. The agents classed this band of Indians as one of the most unfortunate bands in the Kamloops Agency, and yet they were left uncompensated for the lost land.

Many of the bands were worried about the protection of their graveyards whether on or off the main reserves. Some reserves were extended to include burial areas and in a few cases separate plots of land were especially reserved for graveyards.

In analysing the different types of reserves in these two Agencies it becomes clear that the Indians by the time of the second commission were very dependant on the White man. Much of the land that they had used for hunting and fishing had been taken away by settlers so they were encouraged and forced to depend largely on agriculture for a living. In some of the coastal agencies most of the reserves were set aside for fishing because that remained to be important in their economy even after the White man entered the area.

RESERVE LOCATIONS IN THE BELLA COOLA AGENCY

In the Bella Coola Agency, which included all of the coastal area in that region as well as the reserves extending inland to Anahim Lake, very few of the reserves were occupied permanently.¹⁴ Most of the reserves were unoccupied or occupied for a very short part of the year. The population was not as spread out as in the interior of the Province, but was concentrated in large villages.

Approximately 10% of all the reserves in this agency were strictly villages, some quite large and some small. At Bella Bella reserve number 1, there were more than 300 people living in the reserve when the commissioners arrived. The land was rocky and covered with non-merchantable timber; and other than a few small gardens for vegetables, the land was not at all suitable for cultivation. Some of the occupations these Indians had and still have today were hand logging, boat building, fishing, hunting and trapping. Some were storekeepers or lighthouse tenders and some worked in a nearby sawmill. The commissioners reported the band as being a fairly prosperous people with about 40 gasoline boats, a schooner, 2 cows, some poultry and some brass band instruments.

Sixty per cent of all the reserves were fishing stations averaging from 30 to 40 acres or smaller. Only 10% of the reserves could be used for any type of agriculture on a profitable scale. Some were also used for hand logging for local needs. A 4,385 acre reserve, Uikatcho number 1 was rocky, had gravelly soil and was reported to be relatively barren and desolate. It supported no cultivation but was able to grow a reasonable amount of hay. Altogether it supported 700 horses, one of the largest herds in the area. Another one of the few large reserves that supported agriculture was Taleomy reserve number 3 with sixteen people of the Bella Coola band. It was a total of 500 acres, 60% of which was cultivable. They produced fruit, vegetables, hay and even logged some of the timber. As well as fishing and hunting, they kept a few cattle, horses and pigs.

CONCLUSION

Agricultural land was rare and the main industry continued to be fishing on the coastal reserves. With new development, forestry has become more important in most areas on the coast and even to some extent mining. The chief value of coastal reserve land still remains with the original reasons they were set aside. To a large degree, this is no longer true in the Interior Agencies such as Kamloops and Lytton. Here, there have been many more changes in the Indian's life styles since the reserves were set out. Most of the reserves that were semi-agricultural have since been abandoned because they can no longer support a family or a larger group of people.

In areas where the land was not suitable for agriculture and the White man had not heavily settled, the location, type and amount of land allotted as reserves was dependent on the Indian's past way of life. In areas where there was good agriculture and the Indians had been sufficiently influenced by a more sedentary way of life, the majority of reserves were allotted to give a good agricultural base as a replacement where the old methods of existence were no longer used.

The final decision as to which areas would become reserves and which would not, was made by the Royal Commission who was responsible to the government. They did take into consideration requests by the Indians for more land but the consideration did not usually fall in favour of the Indian. If the commissioners thought the Indians were making good use of their reserve there was no reason to give them more land. If the Indians were not making good use of their land, it would have been wasteful to give them more or even better land. In addition White settlers who knew the techniques of modern agriculture and recognized the value of good land, were always pressing for increased acreage. It is evident that the Indians lost out whether or not the White man saw them as making poor use of their reserves.

The amount of land allocated was also dependant on the population size of the different bands, which was greatly influenced by early White settlement. This was a limiting factor since diseases had decimated the numbers of Indians in British Columbia, and less land was needed for fewer people. Much more important in the determination of reserve size and the reason for reserves in the first place was the encroachment of White settlers. Sizes and locations of reserves were limited at the expense of the Indian, to protect the interests of settlers. The original location of reserves was not influenced by the location of European communities, but their subsequent use and value was.

The whole system of reserves in British Columbia is in desperate need of review because they are not adequate for the needs of contemporary Indians in this society. The present reserves are not a fair compensation for the land that was taken from British Columbia's first inhabitants.

FOOTNOTES

¹Of 192 Indian bands in B.C. only 4 are covered by Treaty number 8, which includes approximately 700 people in the northeast corner of the province. This treaty is part of a joint treaty with the Indians of northeastern Alberta. The treaties that Douglas made between 1850–54 only included 10 bands and a relatively small proportion of the land. This means that there are still 176 bands of Indians who have had very little or no compensation for the land that was confiscated from them. Most of British Columbia's Indians have made no treaty agreements and therefore still technically have title to this unsurrendered land.

²Report of the Royal Commission on Indian Affairs for the Province of British Columbia, Vol I and II (Victoria: Acme Press, 1916) listed the acreage of each reserve, the per capita acreage of each band, whether or not the reserves were occupied, and the uses put to the land. It also estimated the value of the reserves and gave a breakdown of the population and social conditions of each band at the time of reserve allocation.

³F.E. Lavolette, The Struggle for Survival: Indian cultures and the Protestant Ethic in British Columbia (Toronto: University of Toronto Press, 1961), pp. 130–131.

⁴*Ibid.*, p. 135.

⁵Royal Commission on Indian Affairs, Vol I, pp. 234–238.

⁶*Ibid.*

⁷The information quoted throughout the text regarding the Lytton Agency is from The Royal Commission on Indian Affairs, Vol. II, 445–507. The reserves mentioned can be located on accompanying maps.

⁸Many of the reserves that were occupied at the time of the Royal Commission are unoccupied at the present time, but it is beyond the scope of this paper to compare present reserve uses with the uses at the time of allocation.

⁹The largest of these reserves was 15 acres and the smallest was 1/10 of an acre valued at \$0.50.

¹⁰The third which was a request for a small area of land that had a trapper's cabin on it and was used as a hunting base was for some obscure reason unavailable.

¹¹One member of the High Bar band, High Bar Joe, was farming 10 acres of cleared land that was subsequently allotted to a White farmer. He then applied for that particular piece of land but since it was not allowed because the White farmer already owned it, he was evicted.

¹²The information quoted throughout the text regarding the Kamloops Agency is from The Royal Commission on Indian Affairs, Vol. I, pp. 306–340. See also accompanying maps.

¹³Indian Treaties and Surrenders: Vol. III, (Ottawa, 1912), p. 265.

¹⁴The information regarding the Bella Coola Agency is from The Royal Commission on Indian Affairs, Vol. I, pp. 225–252.