

TSIMSHIAN TESTIMONY BEFORE THE ROYAL COMMISSION ON INDIAN AFFAIRS  
FOR THE PROVINCE OF BRITISH COLUMBIA (1913-1916)

by

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#### ABSTRACT

This thesis presents an analysis of the testimony of the Tsimshian Indians before the Royal Commission on Indian Affairs for the Province of British Columbia (1913-1916). The level of generality at which Indian concerns and points of view have been considered in the past is such that local and/or regional differences of opinion and interest have been left in obscurity. This thesis remedies, for the Tsimshian, this superficial coverage of what native people have said.


'Manifest content analysis' is employed to compartmentalize the testimony into manageable units for study. The focus of the thesis, however, is on the identification of the wide range of issues or topics which the Tsimshian considered worthy of discussion at the turn of the century. It is demonstrated that while aboriginal title and land claims were of paramount concern, those Indians addressing the Commission also had much to say about the reserve system, EuroCanadian expansion, the importance of land suitable for hunting, fishing, farming, and/or logging, and the desirability of 'White' versus traditional land ownership and economic activities.

The thesis also provides comparisons between and among the various Tsimshian interests and attitudes at the local and regional levels. It is apparent that whether or not a local group (village community) chose to assist the Commission significantly affected the results of the analysis. Hence the greatest similarities, in terms of the concerns and opinions expressed, are shown to exist between the


cooperative local groups on the one hand and the uncooperative local groups on the other. At the regional level only the testimony of the Nishga reflects generally similar interests, opinions, and attitudes toward the Commission, and although the Nishga have frequently been presented implicitly in the literature as representative of 'British Columbia Indians', it is argued here that they are not representative even of other Tsimshian.

The thesis demonstrates that Tsimshian interests were neither narrowly nor vaguely defined even as early as the turn of the century. Moreover, it is shown that, contrary to the impressions given in the existing literature, the majority cooperated with the Commission, and that though dissatisfied, were not hostile.

Examiners:

  
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#### KEY TO ABBREVIATIONS USED IN CITATIONS

- D.S.      Debates of the Senate of the Dominion of Canada. Ottawa. 1887-1920
- P.C.      Papers Connected with the Indian Land Question 1850-1875. Victoria: Queen's Printer. (orig. British Columbia Legislative Assembly. Sessional Papers, 2d. Parl., 1st sess., 1875) 1875.
- P.N.W.C.      Papers relating to the Commission Appointed to Enquire into the Condition of the Indians of the North-West Coast. Victoria: Government Printer. 1887.
- R.R.C.      Report of the Royal Commission on Indian Affairs for the Province of British Columbia. 4 volumes. Victoria: Acme Press Ltd. 1916.
- R.R.C.E.      Report of the Royal Commission on Indian Affairs for the Province of British Columbia - extended evidence (the name of the Indian Agency follows the abbreviation with the page number from that Agency's evidence). unpublished manuscript. Provincial Archives of British Columbia.
- R.S.J.      [Report of the] "Special Joint Committee of the Senate and House of Commons Appointed to Inquire into the Claims of the Allied Tribes of British Columbia, as Set Forth in Their Petition to Parliament in June 1926" Report and Evidence. Journals, 16th Parl., 1st sess., 1926-27. 1927.

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And finally, a heartfelt thank-you to my family, who tolerated my neglect and who were there when I needed encouragement.

DEDICATION

to my mother

## CHAPTER 1

### INTRODUCTION

In April of 1913 a Royal Commission was appointed:

. . . to investigate and make recommendations regarding the lands for the Indians in the province of British Columbia, and regarding such additional lands as might appear to be required for the necessary use of the Indians of the Province . . . (Report of the Royal Commission on Indian Affairs for the Province of British Columbia. 1916:14, hereinafter cited as R.R.C.).

The convening of this joint federal/provincial commission was a direct result of the McKenna-McBride Agreement of 1912, and was to facilitate a 'final settlement' of the questions of reserve acreage and reversionary interest, about which the Dominion of Canada and the Province of British Columbia had long disagreed (R.R.C. 1916:17).

To this end five Commissioners spent three years travelling extensively throughout British Columbia holding meetings with most of the Indian "bands" (local groups). By June of 1916 the Commissioners had concluded their work and presented a massive four-volume report to both governments. After much delay, the Royal Commission report was accepted. It was ratified by the Provincial government in 1923 and by the Dominion in 1924.

The findings and specific recommendations of the Commissioners are significant as they established the number, size, and location of Indian reserves throughout British Columbia. But equally important from an ethnohistorical standpoint are the largely untapped folios of evidence given by the Indians themselves at the hearings. Their

opinions on all matters connected with the work of the Commission are recorded in detail, but hitherto have neither been critically examined nor have they served as the basis for any assessment of native interests or concerns, excepting that done by the Commissioners in the course of their investigations.

#### Statement of the Problem

The majority of the authors who concern themselves with the 1913-1916 Royal Commission do so briefly and in the historical context of reserve allotment problems and/or the Indian interest in issues of 'aboriginal title'. The principal foci of their studies are the loss of reserve acreage and the subsequent growth of Indian protests in the Province. Comments regarding native attitudes toward the Commission and 'the land question' are included in their discussions, although the authors rely almost exclusively on sources other than native testimony.

It would appear that of the authors surveyed, all are familiar with the Commission's four published volumes. They are also, no doubt, acquainted with the Commissioner's summation of the responses of the Indian groups; however, only one writer states explicitly that he has used the comments of the Commissioners, concerning their reception and the amount of cooperation they received from the various "bands" (local groups), as an indication of "the attitude of the Indians to the land problem" (LaViolette 1961:128).

To establish the general atmosphere existing at the turn of the century, numerous references are made in the literature to other

documents which are also non-Indian discussions and evaluations of various Indian problems and points of view. Multiple citations of Papers Connected with the Indian Land Question 1850-1875 (hereinafter cited as P.C.) and the Department of Indian Affairs Annual Reports and correspondence demonstrate the considerable reliance on 'Whiteman's documents' to establish 'the native position' (Cail 1974:231,237,238; Cumming and Mickenberg 1972:172,174,176-83; LaViolette 1961:118,125). Furthermore, it is 'the Indian posture' which is being discussed, not the posture of any specific group of Indians.

The tendency to generalize a particular local or regional group's complaints to all British Columbia Indians is pervasive in the treatment of 'Indian documents' also. Indian petitions sent to Edward VII in 1906 and 1909, as well as the specific demands put to British Columbia Premier McBride (1910), are reported by most authors to further substantiate their claims of "Indian unrest" (Cail 1974: 231-232; Cumming and Mickenberg 1972:188-189; Drucker 1958:92; Hawthorn et al 1958:56; LaViolette 1961:127,129,133-134). Similarly, the more formal statements and claims made in the famous "Nishga Petition" (1913, 1915, 1916)<sup>1</sup> are often cited as evidence of "general discontent" (Drucker 1958:228; Duff 1964:69; Cail 1974:231-232 LaViolette 1961:127,129,133-134). Although most authors correctly identify the specific group of Indians involved in each protest, this does not appear to discourage them from making sweeping generalizations.

Immediately after the Commission's report was ratified a further commission met, as a Special Committee of the Senate and the House of

Commons, to consider the claims of the Allied Tribes of British Columbia. This petition had been drafted by A. E. O'Meara on behalf of the Indians involved, and it summarized previous actions taken by, and opinions expressed by, 'the Province's native population'. While a particular section of the document is a reflection of the Allied Tribes' opposition to the Commission of 1913-1916 and its terms of reference, it too is implicitly presented as proof of all British Columbia Indians' dissatisfaction and political activism (Cail 1974: 243; Cumming and Mickenberg 1972:189-190; Hawthorn et al 1958:56; LaViolette 1961:128-129, 131).

Therefore, any Indian protest immediately before, during, or after the time of the Commission has been used to establish what 'the Indians' were worried about or what issues they concerned themselves with. That is, any evidence excepting that given by the Indians themselves at the Commission hearings. Investigations of the natives' testimony have been at best cursory and explicit references are few. Only in one publication ---by Indians--- has actual evidence been quoted (Union of B. C. Indian Chiefs n.d.:52a,52c,52d). The choice of excerpts in this volume is obviously slanted in favour of eloquence and a particular viewpoint, namely "the unjust act of cut-offs" (ibid: 52a). Thus, aside from the paucity of actual references, there is doubtless considerable bias in the little that has been selected.

In much the same way, there has been an overall tendency to remark upon native dissatisfaction with, and hostility towards, the Commission regardless of the data source utilized. Nowhere, excepting a brief sentence in LaViolette's The Struggle for Survival (1961:129),

is mention made of the fact that the reception by some was cordial and that the cooperation of those Indians with the Commission's goals was nearly total. Cail (1974), Cumming and Mickenberg (1972), and others have chosen to highlight the refusal of 'the Indians' to accept the Commission's recommendations since issues of 'aboriginal title' were not addressed. They never state which of all of the Indian groups in British Columbia were party to this 'refusal'. In fact, Drucker is the only author who attempts to list the various "bands and tribes" which comprised or supported the "Allied Tribes' Statement of Facts and Claims" (wherein the Commission's report is deemed unacceptable), and his list is by no means extensive (1958:97).

#### Significance of the Study

The level of generality at which the Indian's points of view have been considered is such that any real local and/or regional differences of opinion have been left in obscurity. It is the goal of this thesis to remedy, in part, the superficial coverage of Indian attitudes toward, and concerns about, issues brought to the floor by the 1913-1916 governmental inquiry. More specifically, I will examine herein the positions taken by the Tsimshian Indians of the Nass and Skeena River areas on the questions of the importance and desirability of reserves, and associated issues as they defined them, through a detailed investigation of their own testimony before the British Columbia Royal Commission on Indian Affairs.

This testimony is advantageous in that it is decidedly Indian, as opposed to non-Indian. Moreover, it covers a wide range of opinions

and topics, not only land claims, and permits the determination of the specific issues that the Tsimshian were dissatisfied about. The Nishga of the Nass River valley had a leading and visible role in land claim disputes, and have frequently been presented implicitly in the literature as representative of 'British Columbia Indians'. I will attempt to determine whether or not the Nishga are representative even of other Tsimshian Indians.

Therefore, this thesis remedies, in part, the lack of attention paid to many aspects of the McKenna-McBride Commission, and specifically it remedies for the Tsimshian the total lack of attention paid to the Indian testimony. It provides the first intensive examination of Tsimshian attitudes toward Indian land and reserves and toward EuroCanadian settlement in the Nass and Skeena River areas. It establishes what the various Tsimshian groups saw as the relative importance of land for hunting, fishing, farming, and logging, and the desirability of 'White' versus traditional economic endeavours. Generally, the analysis establishes just what it was that the Tsimshian considered worthy of discussion in the early 1900's.

As the only investigation of this sort for specific local and regional groupings of the Province's native people, the study furnishes quantified information for the Tsimshian concerns and opinions at both specific and more general levels, which allows the variety of interests and points of view to surface, as opposed to only the most salient, and in this way clarifies the broad generalizations previously made.

It is hoped that this thesis may provide the stimulus for others to undertake equally specific investigations of other North Pacific

Coast and Interior 'cultures', utilizing the same primary data source, so that in the future the Tsimshian data can be compared to others'.

In order to acquaint the reader with the Indians about whom this study is concerned, a brief ethnographic sketch of the Tsimshian is given at the end of this chapter. With increased 'White' contact, various aspects of the culture changed at differing rates in differing geographic locations throughout the Tsimshian territories. No attempt is made to give a comprehensive picture of all Tsimshian 'local groups' or all aspects of their culture at the time of the Commission hearings. For an in-depth discussion of the social, political, economic, and religious lives of the Tsimshian, the reader is referred to the works of Adams (1973), Duff (1959), Garfield (1939), Garfield and Wingert (1973), or other general Northwest Coast ethnographies, as listed in the bibliography.

Chapter 2 consists of a brief history of the pre-1913 Provincial land and Indian policies. The events leading up to the appointment of the Royal Commission are also discussed, as well as the efforts necessary to have its final report adopted. Similarly, Chapter 3 gives the historical context of the Commission vis-à-vis the Indian land claim movements in the province of British Columbia.<sup>2</sup>

In Chapter 4 my methodology is set out. I have used a content coding procedure better known as 'manifest content analysis'. The methods of compartmentalizing the information into significant and manageable units for study are discussed. Through the utilization of this approach, native expressions of their own concerns are given

primary consideration.

In Chapter 5, the overall picture obtained from the coded comments is presented. The interests and attitudes of the Tsimshian as a whole are discussed. The sorts of comments found in each 'type' of testimony are also mentioned as well as the differing distributions of the coded comments in the cooperative and uncooperative Tsimshian testimony. The evidence given by the non-Indians associated with the Tsimshian is briefly summarized in the final section.

In Chapter 6 the distributions of the analyzed comments of the twenty-one local groups are set out. The differences and similarities among local groups which have come to light are discussed in terms of possible influences internal to and external to the workings of the Commission.

The regional variation among the Tsimshian is examined in Chapter 7. Using ethnolinguistic boundaries, the concerns and expressed opinions of the Nishga, Gitksan, and Coast Tsimshian are compared. Whether or not there is an internal consistency of opinion and interest within each regional grouping is discussed, and possible alternative groupings of Tsimshian local groups are suggested based on the similarities which emerge from the content analysis. By way of concluding this chapter, I determine whether or not the Nishga typify the posture of most Tsimshian towards the Royal Commission on Indian Affairs and whether or not their concerns closely mirror those of other Tsimshian.

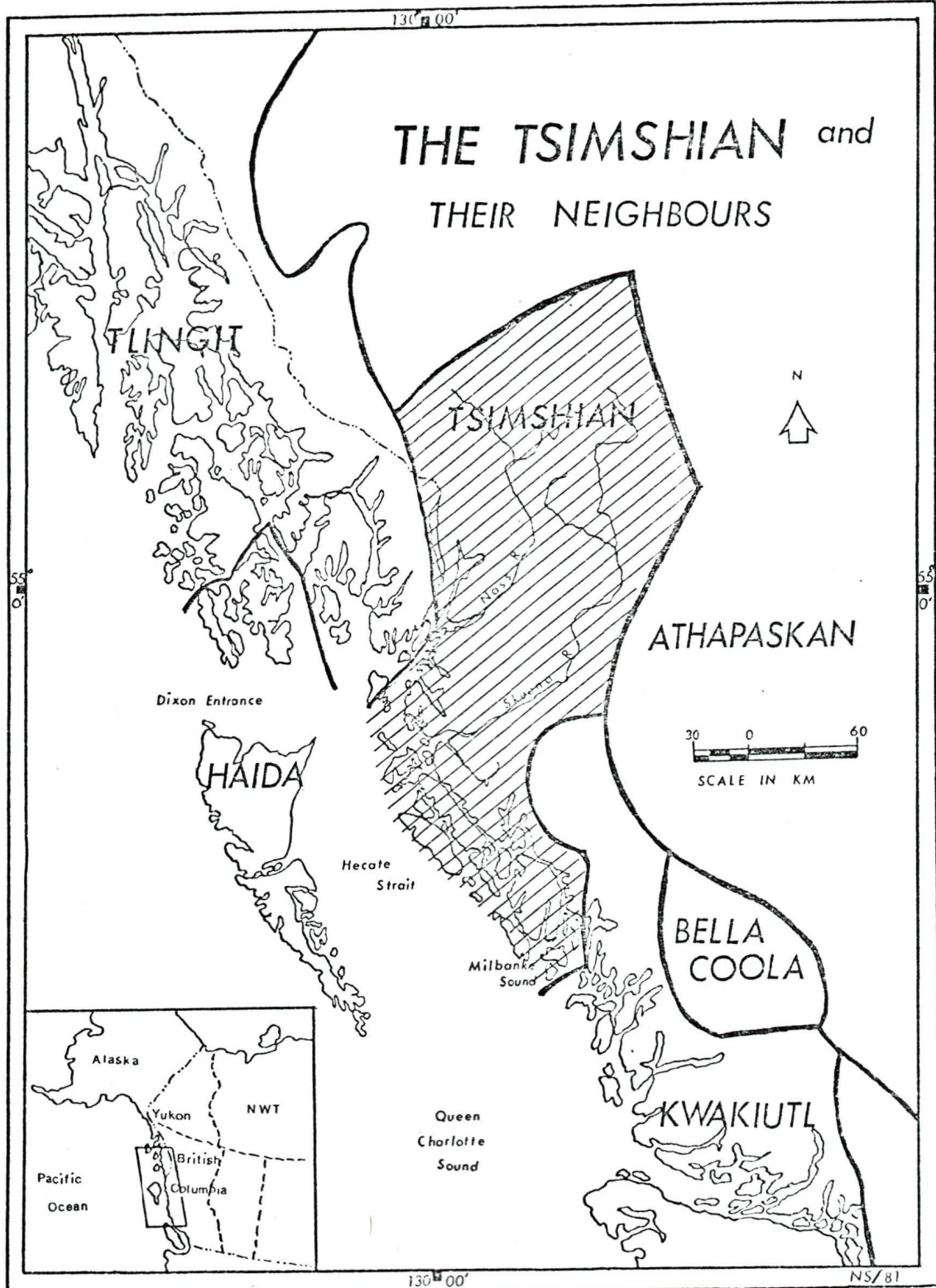
A brief summary of the thesis and of the more important findings of the analysis is given in the final chapter.

### An Ethnographic Sketch of the Tsimshian

The Tsimshian occupy the Nass and Skeena River valleys in British Columbia and that part of the coast and some of the coastal islands from the Nass estuary as far south as Milbanke Sound (see Map 1). Their neighbours to the northwest are the Tlingit, who live beyond the reaches of Portland Canal. Inland from the Tsimshian are Athapascan-speaking peoples and to the south are the Kwakiutl Indians. The Haida on Queen Charlotte and southern Prince of Wales Islands are their western neighbours.

The Tsimshian range the sea-coast, coastal islands and river basins on both sides of the Coastal mountains. They have adapted to varied ecological niches and are inland as well as sea-coast dwellers. A number of protected inlets and channels allow the exploitation of marine resources, including salmon, herring, cod, halibut, hair seals, sea lions, shellfish, and seaweed. Olachen, an oily variety of candlefish, are caught by the Tsimshian during the February to May spawning runs on the Nass River. Bear, deer, mountain goat, and other smaller animals are hunted for food and skins. Berries and other plant matter supplement the diet. Although many Tsimshian now engage in wage-labour in addition to some of the more traditional endeavours, at the time of the Commission hearings (1913-1916) non-traditional activities appear to have been more the exception than the rule for most Tsimshian.

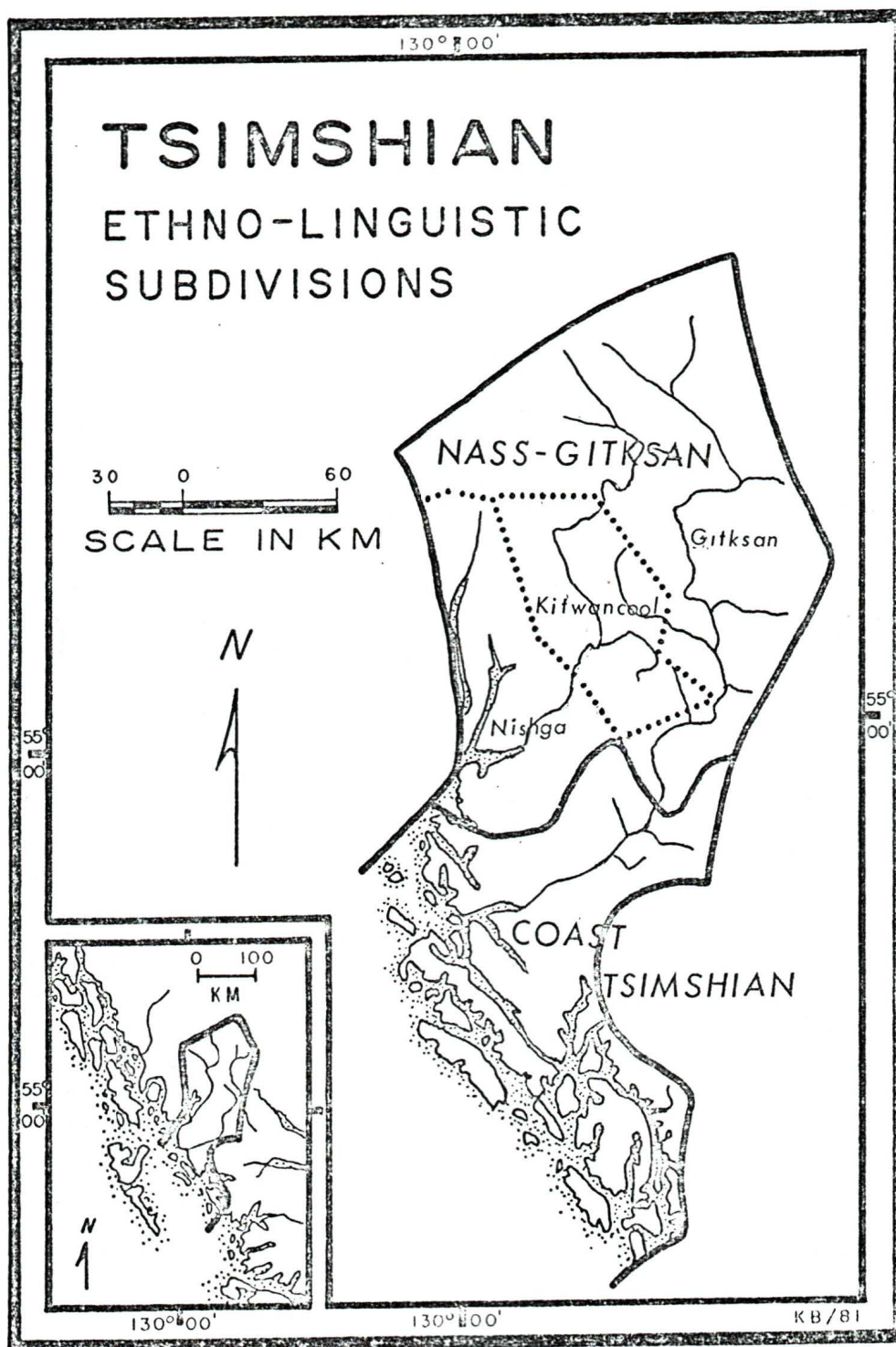
Culturally and linguistically the Tsimshian are one, and are distinct from their neighbours in both regards. In the ethnographic and ethnohistorical literature, it is common to see the Tsimshian, as



Map 1: Distribution of British Columbia Coastal ethnic groups circa 1850 (adapted from Duff 1964:14 and from British Columbia Atlas of Resources (1956), Map No. 12)

a major Northwest Coast ethnic division, divided into three subdivisions, Nishga, Gitksan, and (Coast) Tsimshian. This typology is based on Boas' classification of Tsimshian dialects (1909:287), and while it is still used, work in the last two decades by Bruce Rigsby, Lonnie Hindle, and John A. Dunn has resulted in modification and clarification of the Tsimshian linguistic boundaries. It has been established that a language barrier exists between the Coast Tsimshian on the one hand and the Nishga and Gitksan dialects on the other. Further, another dialect, Kitwancool, has been identified (Dunn 1976:62). Thus, the new, more accurate linguistic classification isolates two Tsimshian languages as opposed to Boas' one. "Nass-Gitksan" is the language of the speakers of the Kitwancool, the Gitksan, and the Nishga or Nass dialects who live on the Nass River and on the upper course of the Skeena. "Coast Tsimshian" is the indigenous language of those on the lower Skeena River and on the coast and coastal islands as far south as Milbanke Sound (see Map 2). "The Tsimshian language of the Coast is a closely related sister-language to Nass-Gitksan" and both are of Penutian stock (Hindle and Rigsby 1973:2).

There exists a possibility of a third Tsimshian language. John A. Dunn, working in Hartley Bay, B. C., has identified "a putative intelligibility barrier" which separated those at Kitasoo, and perhaps at Kitkahta, from their coastal neighbours (Dunn 1976:3). He has added "Southern Tsimshian" to the languages identified by Rigsby, Hindle, and himself. According to Dunn, "Southern Tsimshian" was by the 1880's the language of the dead ancestors of the Douglas Channel people (Kitkahta). A few of those at Klemtu (Kitasoo) continue to speak "Southern Tsimshian"



Map 2: Tsimshian languages and dialects (adapted from Duff 1959: frontispiece and from Dunn 1976:7)

but the majority have adopted "Coast Tsimshian" as their dominant Indian language (Dunn 1976:5).

Within this thesis, it is unnecessary to enter into the linguistic debate as to whether "Southern Tsimshian" is a language or a nearly extinct dialect. Only five individuals who might fall into the "Southern Tsimshian" language division addressed the Royal Commission in 1913. Such a small sample would not permit any meaningful comparisons and necessitates the combination of Coast Tsimshian and Southern Tsimshian in the analysis at any rate.

There are some cultural differences which distinguish the Nishga, Gitksan, Kitwancool, and Coast Tsimshian regional groupings, although they have much more in common with each other than with their neighbours. The Tsimshian to the south show cultural similarities with the Kwakiutl, and those above the canyon on the Skeena were more influenced by inland Athapascan cultures, with whom they traded, than were other Tsimshian (Garfield and Wingert 1973:6). Those Indians living in the northwest of the Tsimshian territories interacted and intermarried with the Tlingit.

The Kitwancool, whose traditional winter village is situated on an upper Skeena tributary of the same name, "might be said to belong more to the Nass than to the Skeena" (Duff 1959:11). Their territories extended far to the north and included much more of the Nass valley than was held by the Nishga. Their closest relatives are the people of the upper Skeena, however, and the Kitwancool are usually classified with them as Gitksan, rather than as a separate cultural and linguistic group (Adams 1973:7; Duff 1959:11; Garfield and Wingert 1973:6).

Herein, the Kitwancool are considered to be a Gitksan local group, as it is not statistically feasible to distinguish the three speakers of the Kitwancool dialect from the speakers of the Coast Tsimshian, Nishga, and Gitksan dialects.

Aboriginally all Tsimshian were divided into four matrilineal, totemic, non-localized, exogamous groups. These groups formed the largest kinship division of the Tsimshian and are usually referred to as 'phratries'. They were not phratries in the accepted sense of the term, however, since each was not a functioning unit. Each phratry was a loose federation of clans whose members were widespread. The Coast Tsimshian and Nishga phratries were commonly called Eagles, Wolves, Ravens, and Blackfish or Killer Whales. The Blackfish phratry was also referred to as the Bears, from a crest common to many of its subdivisions or clans (Garfield and Wingert 1973:19). The corresponding Gitksan phratries were the Eagles, Wolves, Frog-Ravens, and Fireweed. The Gitksan Fireweed and the Coastal and Nishga Blackfish were subdivisions of the same phratry with no common name. Most Tsimshian villages had representatives of at least two phratries, although when in-marrying spouses are considered, many had representatives from all four. The primary function of the phratry was to regulate spouse selection. An individual could not marry within his or her own phratry.

The members of each clan of a single phratry shared common origin myths, crests, names, and privileges which were the right of those related through their mothers. Ideally clan members provided mutual support and assistance but given that members were widespread, they

often did not know of one another's existence and had little in common except the fact that they could not intermarry (Garfield and Wingert 1973:20).

The individuals who functioned as a group were only those members of a closely related segment of a clan termed a matrilineage or house group. The local clan segment claimed exclusive rights to personal names, crests, myths, ceremonial prerogatives, and territories which were under the supervision and administration of the male head of the lineage. The lineage head also coordinated subsistence activities, controlled the household's wealth, and represented the house at clan meetings. When a number of matrilineages lived in a single dwelling, the house head was the head of the highest ranking lineage. If hunting, fishing and berry territories belonged to a house, all house members had equal rights to their use, regardless of lineage (Garfield 1939:174).

Each matrilineage of a local clan was ranked vis-à-vis all others of that clan. The local clan chief was the headman of the highest ranking lineage. He could draw upon the wealth of member-lineages for ceremonial feasts and was responsible for the wealth and status of the clan. Each of the four phratries was also ranked, although the sequence differed from one village to another. The village 'tribal' chief was the clan chief of the highest locally ranking phratry. At one time, there were approximately thirty Tsimshian 'tribal' chiefs and a very much larger number of lineage and house heads, who were often referred to as 'chiefs' as well (Garfield and Wingert 1973:26).

'Tribal' chiefs had more access to hereditary wealth and prestige than

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'Tribal' chiefs had more access to hereditary wealth and prestige than

did lineage headmen, but they had no power of law enforcement. All chiefs, headmen, and their heirs were high ranking, however.

All Tsimshian were born into a highly stratified social system. At the top were the chiefs and members of their lineages. Next in rank to the nobility was the bulk of the population or 'the middle class'. Members of it were by no means of the same rank, and it is perhaps misleading to call it a 'class'. These commoners were those members of a clan who were not in the direct line of inheritance. They lived in the same house as their headman, were related to him through their mothers, and contributed to, and shared in the benefits of, his wealth and prestige. At the lower end of the social scale were slaves and their children. Slaves were frequently captured in war and were the property of their owners.

The Tsimshian tended to marry within their own social 'class' in traditional times, since to marry beneath was to lose status for oneself and one's children. Ideally an individual also never married within his own phratry, so that while a husband and wife were from different phratries, clans and lineages, they tended to be from the same 'level' of Tsimshian society. The Tsimshian were avunculocal and after marriage, a woman lived in her husband's family's house, which would be the home of his mother's brother (maternal uncle). The most important relative for their children was, however, the wife's brother, from whom they inherited.

Continuous European contact undermined lineage ties and the lineage function gradually diminished. By 1910, while not completely

destroyed, the ranking system of the Tsimshian was considerably weakened and the formally clear-cut lines between 'classes' blurred, especially in those areas where missionary influence was strongest (Garfield 1939:178). The exact 'condition' of the ranking system in each village community, or local 'tribal' grouping, at the time of the Royal Commission hearings is unknown.

Over the years since the first non-Indians began to settle in the Tsimshian territories, many of the 'tribes', especially along the lower Skeena River, amalgamated at new village sites closer to EuroCanadian settlement, while others were decimated by disease and/or this migration. In the 1850's, there were twenty-five Tsimshian local tribal groupings, called "tribes" in the literature. By the time the Royal Commission was established in 1913, there were only twenty-two. Because not all had strong traditional tribal affinities (missionary villages), and some had multiple tribal ancestries, the twenty-two village communities are simply referred to as local groups in this study.

## CHAPTER 2

## HISTORICAL CONTEXT OF THE 1913-1916 ROYAL COMMISSION

## The Formative Years of Indian Policy

Prior to formal colonization, the Indians occupying what is now the province of British Columbia were left much to themselves. Their land was of little concern to the non-Indian population which was primarily engaged in trading activities. The Hudson's Bay Company, which controlled the territory, took a posture of non-interference in Indian affairs and interceded only when traders or settlers were threatened or harmed (Duff 1964:60). In the main, the Company demonstrated little interest in formulating either land or Indian policies and its impact in those regards was minimal (Cail 1974:xi; LaViolette 1961:102).

The impact of one of the Company's Chief Factors in the Province was by no means insubstantial, however. In fact, James Douglas is often credited with shaping the earliest policies regarding the administering of Indian Affairs in British Columbia (Cumming and Mickenberg 1972:172; Duff 1964:61; LaViolette 1961:102). While serving as the Hudson's Bay Company's Chief Factor (until 1859), Douglas also held the post of the Governor of the Colony of Vancouver Island (1851-1864). As such, he undertook the drafting and implementation of those policies required for expedient and organized settlement, and of necessity confronted the problem of native affairs.

Based on the tenets of the British Imperial Proclamation of 1763<sup>2</sup>, Douglas acknowledged that the Indians held proprietary rights to the lands they occupied and that title could only be extinguished through consent and/or compensation (Cail 1974:174; Cumming and Mickenberg 1972:275). To this end, Douglas negotiated fourteen treaties with the Indians living in and around Fort Rupert, Victoria, and Nanaimo, and with the exception of Treaty 8<sup>3</sup>, these remain the only treaties signed with British Columbia's Indians (Cail 1974:171). The land was purchased by Douglas from Hudson's Bay Company monies with the understanding that native village sites and enclosures were excluded and that the hunting and fishing on unoccupied lands would continue (Cumming and Mickenberg 1971:172).

Douglas' policy of extinguishing title and setting aside reserves was not, however, consistently followed by either himself or his successors (Cail 1974:175). As Governor of the mainland colony of British Columbia (1858-1864) his purchases were blocked by the lack of necessary funds with which to buy the Indian lands (Duff 1964:61). Both the Imperial and local governments supported his views in principle but no money was forthcoming from either, since each claimed that the other had financial responsibility (Fisher 1972:10). The result was that no further treaties were signed, no other titles extinguished.

Douglas did nevertheless continue to have 'generous' dealings with the Indians. Before resigning from public life (1864), he set aside numerous tracts of land for the indigenous inhabitants, especially on Vancouver Island and along the Fraser River on the

mainland (Drucker 1958:79; Duff 1964:61). In these areas colonial settlement was progressing rapidly and immediate reserve allotments were necessary to protect native interests. For the most part, the Indians established the size and boundaries of these allocations (Fisher 1977:154; LaViolette 1961:105). Title to these reserve lands remained with the Crown, "with the lands inalienable by the Indians, and [with] white settlers unable to directly purchase the land" (Cumming and Mickenberg 1972:179).

Douglas essentially followed a policy to protect Indian rights, but he believed that 'the solution to contact' was for the Indian to become 'a red-skinned European' (Fisher 1977:68). To assist in this assimilation, he granted reserves that were small, relative to the size of the ones in Eastern Canada, and rather than separate from colonial populations, they were in their midst. Ten acres per family was used as a minimum figure for the basis of allotments (Fisher 1977:165).

Following Douglas' retirement, Indian policy in British Columbia and the Colony of Vancouver Island altered considerably. This was accompanied by a shift in attitude towards the Indian. He was now "an obstruction to settlement and progress" (LaViolette 1961:107). Joseph Trutch, the Commissioner of Lands and Works responsible for Indian Affairs (1864-1871), enforced policy based on his beliefs that Indians had "no right to the land they claim", nor did they have the right to sell 'their' land to the Government or private citizens (Trutch in P.C. 1875:42). This drastic change of premises, and hence policy, effectively ignored the precedents set down by Douglas and denied

British acknowledgement of native land rights.

With the idea of speeding colonial development, Trutch took away much of the land acquired by the Indians under Douglas. Trutch's 'adjustment policy' of the 1880's led to the drastic reduction in the number of reserves in British Columbia, and also led to even smaller reserves themselves. Estimates for Trutch's cut-offs go as high as 40,000 acres, but regardless of the actual figure, it should be clear that Trutch's notion of native land requirements was considerably lower than his predecessor's and even that of the Indians themselves (Fisher 1972:17). Further, it was considerably lower than that of the Dominion and after Confederation this disagreement would prove to be a major stumbling block to the establishment of reserves in the Province.

#### Administrative Problems: Federal vs. Provincial

On July 20, 1871, British Columbia, including the former colony of Vancouver Island, became a province of the Dominion of Canada. As such, jurisdiction for Indian Affairs passed from the local Government's office to that of the Secretary of State in Ottawa. According to Clause 13 of the Terms of Union:

The charge of Indians, and the trusteeship and management of the lands reserved for their use and benefit, shall be assumed by the Dominion Government, and a policy as liberal as that hitherto pursued by the British Columbia Government shall be continued by the Dominion Government after the Union.

To carry out such policy, tracts of land of such extent as it has hitherto been the practice of the British Columbia Government to appropriate for that purpose, shall from time to time be conveyed by the Local Government to the Dominion Government in trust for the use and benefit of

the Indians on application of the Dominion's Government; and in case of disagreement between the two Governments respecting the quantity of such tracts of land to be so granted, the matter shall be referred for the decision of the Secretary of State for the Colonies. (quoted in Cumming and Mickenberg 1972:180-181)

The wording of the phrase "a policy as liberal as that hitherto pursued by the British Columbia Government shall be continued", was indeed unfortunate and its acceptance demonstrates the Dominion's total lack of knowledge regarding the Colonial Indian policy to which it fell heir. There are conflicting accounts as to who was responsible for the drafting of this clause. Shankel claims that those in British Columbia would not have suggested just this wording since they were very much aware of how un-liberal that province's policies were as compared to those in the rest of Canada (1945:91-92). The more common account, however, stresses Trutch's responsibility, given his position on Indian reserve allotments (Cail 1974:186; Fisher 1972:28).

Regardless of where one places the 'blame', Clause 13 was aptly numbered. It was unlucky for the Dominion Government as it stood as a major stumbling block for the effective federal administration of Indian Affairs in the province for many years to come, and it was unlucky for the Indians since British Columbia's previous land allocations and policies under Trutch had been sanctioned as 'liberal' and were destined to continue until such time as another agreement was reached. And such an agreement between the Dominion and the Province was a long time in the offing.

Given the conflicting conceptions of Indian policy at the time of Union, the management of Indian Affairs was bound to be beset by

problems. This situation was made all the more acute by the fact that the Federal Government allowed the administering of Indian Affairs to be conducted entirely by correspondence from Ottawa for more than a year after Confederation (Shankel 1945:169).

In November of 1872, I. W. Powell was appointed Superintendent of Indian Affairs in British Columbia and a year later he divided his responsibilities with James Lenihan (Cail 1974:191). The two made little progress and in 1874 they joined with Trutch to form an Indian Board in the hopes of resolving the increasing number of problems being encountered in this area. The Federal Government proved lax in defining the scope of powers of individual members of the Board, and plagued by internal disagreements and no Federal/Provincial cooperation, the Indian Board was abolished in 1876 (Cail 1974:191). It had been a complete failure and the organization of an Indian Department in British Columbia was no closer than it had been at the time of Union.

In 1875-1876 a three-member Joint Committee on Indian Reserves was appointed:

. . . to fix and determine for each nation separately, the number, extent, and locality of the Reserve or Reserves to be allotted to it . . . [and that] no basis of acreage be fixed - but that each nation of Indians of the same language be dealt with separately . . . [and that] in the event of any material increase or decrease hereafter of the numbers of a nation occupying a Reserve, such Reserve shall be enlarged or diminished, as the case may be . . . [and that] the extra land required for any Reserve shall be allotted from Crown lands, and any land taken off a Reserve shall revert to the Province. (quoted in R.R.C. 1916:17)

After one year this 'Reserve Commission' was reduced to a single member,

Gilbert Sproat, who remained active only until 1880 when Peter O'Reilly took up the position (Cail 1974:217). O'Reilly worked for eighteen years allotting and re-allotting reserves throughout the province.

Upon entering Confederation, British Columbia had attempted to reach an agreement with the Dominion regarding reserve size. The Province argued that the usual 80 acres per family of five, which was Federal Government policy, was excessive. It suggested that 10 acres per family was adequate. The compromise of 20 acres illustrates the Province's determination and power. But in any case, this agreement, finally reached in 1874, collapsed when the Province claimed that the figure would apply only to future reserves and not to those already in existence (Cail 1974:196; Duff 1964:67; Fisher 1972:23). Hence, the Reserve Commission (1875-1908) operated in a vacuum in regards to a frame of reference for deciding upon reserve size.

In 1894 the Commission's work was effectively stopped for a time because Federal funds for surveying were exhausted (Cail 1974:225). O'Reilly did, nonetheless, continue some of his work for the next four years, though without the benefit of surveyors. In 1898 A. W. Vowell assumed the role of commissioner in conjunction with his task of Indian Superintendent in British Columbia. Vowell's activities were confined to redefining existing reserves and making small additions (Cail 1974:227). Vowell served until 1908 when Premier McBride of British Columbia ended the Commission's allocations of Indian reserves.

The Commission, while active for more than thirty years, was responsible for laying out many of the reserves in the province (Duff 1964:68), but it did so under constant provincial criticism and in the

shadow of continuing federal/provincial disagreements. For example, the two Governments could not agree as to who was responsible for effective law enforcement on the reserves. In the three decades preceding the twentieth century several incidents occurred whereupon each Government waited for the other to act, and when one finally did, the other accused it of jurisdictional infringement (see Shankel 1945: 173-176). Indian Agents, first appointed in 1879, were ineffective because they lacked any local support. Difficulties arose over taxes and fines since the Province often administered the justice but it was not allowed any of the benefits or revenues accrued from enforcing the law on Indian reserves since these moneys went into Federal coffers to be held in trust.

Fundamentally, the administrative difficulties experienced from 1871-1908 stemmed from the dual control of Indian lands. The Province had to be consulted when lands were acquired for Indian reserves as per the terms of the 1875-1876 agreements (Reserve Commission). Moreover, the Province had to agree when title to Indian land was granted, for without its consent the Federal Government was unable to act. The Dominion Government was helpless when the Province decided to encroach on Indian lands or to dispose of them, because many of the allocations were never properly surveyed or recorded. Further, the Reserve Commission agreements gave the Province the right to cut-off 'excesses' so it was able to counter the Dominion's claims of impropriety by claiming that it was merely adjusting improper allotments.

Following in their long tradition of disagreement, the two

Governments could not resolve what was to be done about the Reserve Commission. Both sides recognized the lack of progress. The Dominion was angered by what it saw as the Province's moves to block the proper establishment of adequate reserves and the Province was becoming more and more dissatisfied with constant reserve augmentation. In 1901 the Province suggested that a new commission should be established (Shankel 1945:214). The Federal Government would have nothing to do with this since the agreement of 1875 was still in effect and any new commission would only be reviewing the work of the first before it was completed (Shankel 1945:214).

With another deadlock between them, the two Governments allowed matters to drift unresolved, as had been their habit. In 1906 the Dominion allowed the Grand Trunk Pacific and Development Company to purchase some 13,519 acres of Tsimshian Reserve near Metlakatla for \$107,650. This action incensed the Province and by 1908 it had effectively disbanded the Reserve Commission, and was focusing its attentions on 'the new crisis' (Cail 1974:230; Shankel 1945:214).

#### The Tsimshian Reserve Controversy

The Order in Council of November 10, 1875 (Reserve Commission), stated that "any land taken off a Reserve shall revert to the Province". In order that the Federal Government could conclude the sale aforementioned, the Indians had to surrender their land. This was done on August 17, 1906. But upon surrender of the land title the beneficiary interest was invested in the Province as per the 1875 agreement. Legally then, the Province could, and did, claim that the

Dominion had no right to grant or lease or effect the transfer of any part of the Tsimshian acreage to the Railroad (Cail 1974:229). The Dominion claimed otherwise, contending that only when an Indian 'tribe' became extinct did the Province hold any reversionary interest. The Province continued to disagree with the Dominion's stand on reversionary interest and it further strengthened its own case by pointing out that because of population decline it had the right to 'adjust' the Tsimshian Reserve, and that regardless of the rationale used, it, the Province, had the legal right to enter into the purchase agreement with the Railroad. The Dominion took issue with the Province's second claim too but all of its attempts to have the Province waive its reversionary interest failed (Shankel 1945:218).

Frustrated by the stalemate both Governments threatened the other with lawsuits (see Shankel 1945:218-221). Nothing definitive came out of this and in 1909, when a petition was presented to his Majesty by three Indians, representing twenty Salish and/or Interior tribes (LaViolette 1961:127), the Dominion decided to secure some kind of judicial decision for the claims of the Indians (Cail 1974:232). Ten questions were prepared by the Deputy Minister of Justice for Canada and the Attorney-General of the Province for submission to the Supreme Court of Canada. These questions concern those areas about which the Federal and Provincial Governments had long disagreed, namely, aboriginal title, reversionary interest, and less directly, reserve size. Answers to these questions would have resolved their longstanding difficulties and facilitated the effective administering of Indian Affairs in British Columbia. Both sides had to agree upon the questions

for submission for conciliatory efforts to proceed.

✓ The Province objected to the three questions concerning aboriginal title and refused to proceed unless these were removed. On May 11, ✓ 1911 the Dominion announced that once again no arrangement could be concluded, and that further, they intended to institute proceedings in the Exchequer Court of Canada, on behalf of the Indians, against 'a Provincial grantee or license' (Shankel 1945:222). Reference of the ✓ question to the Exchequer Court was complicated and in 1912 when the Liberal Laurier Government was defeated, the new Conservative Federal Government decided that another approach was desirable. It did not want to end up in court with the Government of British Columbia as the defendant.

#### The McKenna-McBride Agreement

By an Order in Council of May 24, 1912, J. A. J. McKenna was ✓ appointed to a special committee to investigate the claims advanced by the Indians of British Columbia and to negotiate a settlement with the Province concerning all questions at issue between the Dominion, the Province, and the Indians (R.R.C. 1916:10-11)..

McKenna first dealt with the issue of aboriginal title and his ✓ lengthy report was submitted to Premier McBride of British Columbia in July of 1912. The memorandum read, in part:

I understand that you will not deviate from the position which you have so clearly taken and frequently defined, i.e., that the province's title to its lands is unburdened by any Indian title, and that your government will not be ✓ a party, directly or indirectly, to a reference to the Courts of the Claim set up. You take in that the public interest, which must be regarded as paramount, would be

injuriously affected by such reference in that it would throw doubt upon the validity of titles to land in the province. As stated at our conversations, I agree with you as to the seriousness of now raising the question, and, as far as the present negotiations go, it is dropped. (quoted in Cail 1974:233)

Having removed the Indians' claims to proprietary land rights from the problems at hand between the two Governments, McKenna went on to investigate the problem of reversionary interest. Again no agreement was forthcoming since British Columbia stood firm behind the terms of the Agreements of 1875-1876. It was McKenna's decision that a Royal Commission, comprised of representatives from both the Federal and Provincial Governments, should be appointed to settle the two problems of reserve acreage and reversionary interest (Cail 1974:234). McBride concurred and on September 24, 1912, the McKenna-McBride Agreement was signed. The preamble to this agreement reads:

Whereas it is desirable to settle all differences between the Governments of the Dominion and the Province respecting Indian lands and Indian Affairs generally in the Province of British Columbia, therefore the parties above named have, subject to the approval of the Governments of the Dominion and of the Province, agreed upon the following proposals as a final adjustment of all matters relating to Indian Affairs in the Province of British Columbia: . . . (R.R.C. 1916:10).

The McKenna-McBride Commission, as it is commonly referred to, was set up quickly and put into action shortly thereafter. According to the Order in Council of March 31, 1913, Mr. E. L. Wetmore, ex-Chief Justice of Saskatchewan, was the Commission's chairman, and Messrs. N. W. White and J. A. J. McKenna represented the Dominion, while Messrs. J. P. Shaw and D. H. Macdowall were appointed on behalf of the Province. On November 27, 1912, the members had been empowered:

. . . to investigate and make recommendations regarding the lands for the Indians in the province of British Columbia, and regarding such additional lands as might appear to be required for the necessary use of the Indians of the Province . . . . (R.R.C. 1916:14)

To facilitate this 'final settlement', the two Governments agreed to share equally the costs of the Commission (R.R.C. 1916:10-11).

Moreover, British Columbia agreed to withhold from preemption or sale any lands over which it had disposing power. The Province further agreed to cede to the Dominion its claims to reversionary rights (Debates of the Senate of the Dominion of Canada 1916:523; hereinafter referred to as D.S.). In the event that any Indian lands were sold as a result of the Commission's cut-offs, the net proceeds of such sales were to be divided between the Province and the Dominion, the latter holding its half in trust for native benefit (R.R.C. 1916:10).

The path was now clear to proceed to settlement excepting that the Indians of the Province had to accept the arrangement. At least some of the native people were aware that the issue of aboriginal title would not be addressed. In an attempt to placate them, an Order in Council was passed on June 20, 1914, stating that if the Indians would abide by the decisions of the Commission as to the size and location of reserves, the question of Indian title would be submitted to the Privy Council ([Report of the] Special Joint Committee of the Senate and House of Commons Appointed to Enquire into Claims of the Allied Tribes of British Columbia 1927:55; hereinafter referred to as R.S.J.). This attempt to satisfy the Indians came after the Commission was under way, and in no way appeased native fears. They recognized the contradiction here and with the issue of aboriginal title uppermost in their minds, failed to comprehend how the Commission

could presume to settle all questions with no reference to native land rights. Hence, of the three parties involved, the Indians, the Province, and the Dominion, only the latter two had any part in drafting the agreement, and only they concurred as to the conditions therein. Those with the most to lose, had the least say.

The Royal Commission on Indian Affairs for the Province  
of British Columbia (1913-1916)

The Commissioners spent three summers travelling extensively throughout British Columbia holding meetings with all of the Indian 'bands' (local groups), engaging the services of interpreters where necessary. They advised the Indians as to the purpose of the Commission and heard views on all matters with which the natives were concerned. Other interested parties were also permitted to voice their opinions at these meetings. Each Indian Agent was interviewed privately and asked to provide pertinent demographic and economic information for his agency. Each was further encouraged to offer suggestions as to which parcels of land might be best set aside, given his knowledge of EuroCanadian settlement and the use to which the Indians put the land. The Commission's secretary, Mr. J. G. H. Bergeron, worked until the summer of 1915 when Mr. C. H. Gibbons assumed his role. Each kept up with the correspondence that accumulated in Victoria during the Commissioners' absences.

By June of 1916 the Commission had concluded its work and presented a massive four-volume general report to both the Provincial and the Federal Governments. Included therein are its findings and specific recommendations, preceded by pages of statistical calculations

concerning each of the 1103 reserves found in the province (Cail 1974: 235). Confirmations, cut-offs and additions to existing reserves were discussed and precisely defined. Some 47,058 acres, valued at \$1,522,704, were cut off from previously granted British Columbia reserves, and some 87,291 acres, valued at \$444,838, were added, the amount added being approximately one-quarter the value of the lands removed (R.R.C. 1916:19). The Tsimshian of the Nass and Skeena River areas had 88,252.27 acres of previously allotted Indian reserves confirmed, while 8,620.52 acres of new reserves were added. The new total acreage of Tsimshian allotments after the Commissioners' recommendations was approximately 97,871.89. Reductions had included more than 11,928 acres. The Commission's considerations of numerous requests for Indian land for municipal, railroad, and other uses, are found in the 104 interim reports also contained in the published volumes. All of the reports and recommendations were signed by the Commissioners. Mr. Wetmore had resigned in the spring of 1914, and Mr. White had become the Commission's chairman. Mr. M. S. Carmichael represented the Dominion in the position vacated by the latter. Their signatures on the documents and the official memoranda reflect this change of personnel.

It took considerable effort to have the final Report adopted. The Allied Tribes of British Columbia insisted that if claim to title were to be decided that the final Report ought to be withheld until then. At the same time, there was a change in the Provincial Government and the new legislators opposed their predecessors' surrender of reversionary right (Shankel 1945:233). All of this seemed to put

things back to square one, and the Dominion, still reticent to settle the disagreement in court, introduced Bill 13 (Cail 1974:237). Bill 13 empowered the Federal Government to negotiate with finality on the Indian question (D.S. 1920:951). Reversionary right would rest with the Governor in Council in Ottawa, and he was given the power to negotiate on Indian matters about which the Dominion and the Province disagreed. Section 3 of the Bill allowed for cut-offs from reserves without surrender by the Indians and further, the Bill provided for the enfranchisement of Indians (D.S. 1920:952). British Columbia likewise, drafted legislation necessary for the adoption of the Commission's final Report, though somewhat later, and adopted the revised Report in August of 1923. In July of the following year the Dominion followed suit (Shankel 1945:235).

Joint ratification of the Report of the Royal Commission on Indian Affairs for the Province of British Columbia confirmed the Dominion's right to reversionary interest unless a 'band' or 'tribe' became extinct, and added 456 new Indian reserves in British Columbia. The total acreage increased from 660,640 to 773,642 or an average per capita increase of 3.58 acres. Arrival at this mutually agreeable settlement enabled the Department of Indian Affairs to apply the same policies in British Columbia as elsewhere. And all were satisfied except the Indians!

## CHAPTER 3

## THE GROWTH OF INDIAN LAND CLAIMS

Paralleling the events described in the previous chapter, and closely identified with them, were the growing claims of 'the Indians' themselves (Shankel 1945:212). Their concerns focused primarily on the problems of aboriginal title, and reserve allotments and acreage. Their questions concerned land.

Prior to British Columbia joining the Union there was no particular issue over land title. That is not to say that the Indians had no conception of their rights or that they were not concerned about the loss of land to settlers, traders or miners. Native complaints at this time were usually directed to and dealt with by local officials, and on the whole were very specific in nature (Shankel 1945:186). An Indian would most likely have objected to a certain individual or group taking 'his' land or abusing native generosity. 'Indian conceptions' of aboriginal title, though not sharply defined and not very eloquently stated, nevertheless existed.

In the Interior of the Province at least some of the Indians felt that they were in the right when demanding rental payments from miners who were extracting gold, while others believed that the colonials who lived and farmed among them did not 'own' the land they used (see Shankel 1945:186-187). // More importantly, Indian attitudes towards land were not challenged publicly and most of the Indians in the Province probably had little idea of the discrepancy that existed between their

points of view and the Government's. In British Columbia generally, colonial settlement was such that there seemed to be room for all. With no apparent threat looming, the Indians, not yet confined to reserves, had little reason to express concern on a widespread scale.

#### Post-Confederation

With Confederation (1871), Indian claims in British Columbia appear to have begun in earnest and "from the year 1875 until the present time [Indian claims] have become more definite, growing in clearness with the passing years, and gradually developing into an organized plan, to compel both the Provincial and Dominion Governments to acknowledge aboriginal title and to give compensation for it" (R.S.J. 1927:6).

After the Federal Government assumed responsibility for native affairs in British Columbia, many of the points at issue between the Indians and the two Governments began to crystallize. The Reserve Commission's attempts to allocate systematically Indian reserves throughout the Province (1875-1908) no doubt focused native attention on many of these problems, and indeed may have created many more. From the Indians' point of view, settlers were increasingly encroaching on their lands, and some sort of protection from this loss was necessary. The Dominion Government set about allotting tracts of land to the various local groups. Soon, however, native questions began to emerge about the Government's actions.

As more and more reserves were set aside their less than adequate size and location became the concern of many. Others questioned the

right of the Dominion to take Indian land away and grant small portions thereof as reserves. Still others wanted some sort of 'proof' of their rights to these newly allotted reserves. They foresaw the day when these lands too could be in jeopardy. The Reserve Commission itself provided a forum for some of the native dissatisfaction to be heard.

The Commissioners received petitions from some of the Interior Indians in 1875 and 1876 protesting against the inadequate size of reserves and demanding that a large basis of acreage be fixed for allotments (D.S. 1877 No. 11:32). Further, at least one Shuswap 'chief' echoed these concerns and threatened violence if more land was not set aside (Shankel 1945:189). It would appear from the Commissioners' reports that the vast majority of the native queries and demands put to them concerned the same problem, reserve size. But even at this time, complaints were not all focusing on the problem of acreage.

The Commission of 1887, appointed to enquire into the conditions of the Indians on the Northwest Coast, also heard numerous Indian accounts of the unacceptable state of affairs. Many of these directly or indirectly addressed the subject of aboriginal title. A Haida individual wanted to know:

// . . . Why should we ask you to set aside land for us? //  
 The territory is ours and has been as far back as we can remember. Why do you come here and ask us what land would satisfy us? (R.S.J. 1927:52)

This concern about the right to establish reserves was voiced many times over. The Indians at Greenville and on the upper Nass River also questioned the Government's actions but apparently fought harder

to ensure their own position under the reserve system than to halt the process. They demanded a treaty covering both reserve and non-reserve lands and an annual subsidy of 160 acres (R.S.J. 1927:422,432). They wanted some sort of documentary proof of their rights to the reserves.

The Indians at Port Simpson pressed for similar acknowledgements from the Commission. All eleven of the Port Simpson 'chiefs' who addressed the Commissioners reiterated that they had given their land to no one:

It [the land] is still ours and will be ours till we sign a strong paper to give part of it to the Queen. (R.S.J. 1927:461)

Moreover, this transfer of title was to be accompanied by payment:

(. . . pay us for the things that we may have to leave behind, our fisheries, villages and improvements . . . (R.S.J. 1927:434).)

The Tsimshian who met with the 1887 Commission also impressed upon its members their firm desire and intention to live as 'Whitemen' (Papers relating to the Commission Appointed to Enquire into the Condition of the Indians of the North-West Coast. 1887:420,437; hereinafter cited as C.N.W.C.). Several spokesmen from various local groups challenged the application of an Indian Act. They felt it was an unjust barrier to native progress and demanded that the Indians be relieved of it and the Indian Agents (C.N.W.C. 1887:450). They would agree to live by 'Whiteman's' laws.

The majority of the claims put forward in the 1870's and 1880's were presented to Commissioners of one sort or another. The most noteworthy exception, however, was an appeal by a Port Simpson and area delegation. They went to Victoria in 1887 to ask not only for a treaty

but for additions to their already substantial reserves (R.S.J. 1927: 152). They claimed, as they had before the Commissioners, to possess all lands by right of inheritance and that they had never surrendered them by treaty. They had received no satisfaction from the Commissioners and unfortunately their claims fell on deaf ears in Victoria as well.)

### The Role of the Missionary

It is a frequently expressed opinion that the missionaries on the Northwest Coast hastened the development of Indian land claims. The exact number directly involved is uncertain since many of their roles would have been played out from behind the scenes. Missionaries served as the primary native educators. Their attempts to Christianize the Indians spilled over into secular matters, and doubtless in many instances, led to the Indian desire to live like a 'Whiteman'.

Missionaries also worked in the forefront, serving as go-betweens in Indian/Government disputes. According to LaViolette "many" were responsible for formalizing the native point of view (1961:115). The majority of the Commissioners active in British Columbia between 1875 and 1916 remarked upon the importance of the missionaries' work and most believed they were responsible for stirring up the Indians and directing native attention to the issue of land title. None is more famous/infamous than the Rev. William Duncan.

C. F. Cornwall, a member of the 1887 Commission sent to report on the conditions of the Indians on the Northwest Coast, charged that the beginnings of the idea that the title to all land in the Province was

vested in the Indians lay in the dispute between Duncan and Bishop Ridley, both of the Church Missionary Society (Shankel 1945:189). Clearly such is not the case, but in terms of the realization that there was a legal concept of title, Cornwall may have been correct. William Duncan was a lay missionary who established a successful community of converts at Metlakatla. Between 1862 and 1885 he was politically active on the Indians' behalf and acted as 'a consultant' for the Government. He suggested that where reserves were set aside, that each Indian 'nation' should be dealt with separately and that no basis of acreage should be fixed (LaViolette 1961:117). His advice was heeded and the terms of agreement of the Reserve Commission (1875-1876) echo Duncan's suggestions.

When Duncan was 'replaced' in 1879 by Bishop Ridley, he refused to hand over to his successor the control of the Mission store. The two acres on which it stood became the centre of a highly publicized debate between the two men. Duncan amassed Indian witnesses to prove that the native community had never ceded the land to the Society. Therefore, the land need not be turned over to the Bishop. This notion that the Indians had to transfer ownership rested on the belief that they held aboriginal rights to the land. Duncan ultimately lost his fight for the two acres and moved his loyal followers to New Metlakatla, Alaska, in 1887. His conviction that aboriginal title could be used as legal leverage in land disputes apparently remained in the minds of many of those left behind, however.

Duncan's role in the early development of Indian land claims was no doubt crucial. A cursory glance to see who were the vocal Indians

of the times reveals that most were Tsimshian living relatively close to his mission, espousing his views of native justice. Furthermore, Duncan's leaving seems to have left a void in the Indian movement. For nearly twenty years after his departure "it appeared that Indian claims were a matter of history, as far as the Indian effort was concerned" (Shankel 1945:193). Other missionaries may have been vital to the revival of the land question, drafting petitions and crystallizing local Indian dissent, but few if any match Duncan's import. In his dispute with Ridley he provided the pivotal issue around which subsequent claims would be focused.

In the period between Confederation and the dawn of the twentieth century, Indian attention was variously directed towards reserve acreage, aboriginal title and the abolition of the Indian Act. Yet native efforts were by no means widespread or unified. Given a population in the neighbourhood of 28,000 (Duff 1965:39), clearly only a very small percentage of the Indians were vocal on their own behalf. Further, there were no organizations; each Indian spoke only for himself; a unified front of any size was not yet apparent.

#### A New Century -- Another Era in Indian Claims

Early in 1906 a delegation of Cowichan Indians decided to send a deputation to England to petition the King. In July of the same year its representatives met in London with Edward VII claiming that:

1. Their land title had never been properly extinguished, as James Douglas had promised it would be.
2. Whites had settled on their lands, against Indians' wishes.
3. All appeals to the Canadian Government had been in vain.

4. They not only had no vote, they were not even consulted by the Indian Agents on matters of grave concern to themselves. (Drucker 1958:92)

The advisability of the Indians taking their claims to England has been variously remarked upon. Shankel deems their move to have been ill considered (1945:193). MacInnes and LaViolette, however, point out that the Indians then and later considered the Crown to be the only sovereign power from whom they should ask recognition of their title (LaViolette 1961:127; MacInnes 1946:15). Regardless, the distances and costs involved alone indicate considerable renewed interest and determination on the part of some of the Province's Indians.

The first group of EuroCanadians to promote the rights and claims of the Indians organized shortly after the Cowichan move. Formed in 1909, they called themselves "The Friends of the Indians". Their members were principally from the congregations of one of the churches active in missionary work along the Northwest Coast (Drucker 1958:92), and through their own petitions and financial aid they attempted to assist 'the Indians' in their fight for a settlement.

In the same year the "The Friends of the Indians" formed, a delegation of three Indians, representing twenty Salish and/or Interior tribes, went to England with another petition, similar in tone and content to the Cowichan one of three years earlier (Drucker 1958:92). The Province was in 1909 attempting to secure a decision from the Supreme Court which would deny aboriginal title (R.S.J. 1927:10). It was probably in response to this threat that these twenty tribes banded together and drafted their statement. Indian claims apparently received a much needed shot in the arm from British Columbia's court action for

immediately after 1909, the protests concerning land issues began in earnest.

✓ The Nishga Indians on the Nass raised \$500 to secure legal advice about their claims and to test their rights in a British court of law (Colonist June 25, 1909). The Land Committee hired a lawyer and invited the Port Simpson Indians to join in their fight. Bitterness existed between the Port Simpson and Metlakatla people because the latter had received all of the proceeds of the sale of reserve lands for the Prince Rupert townsite (Drucker 1958:93). The Port Simpson Indians refused to join with the Nishga Land Committee. Undaunted, the Committee continued to urge others to prohibit access to Indian lands to prospective settlers until the matter of title could be determined.

✓ Prime Minister Laurier (Liberal) toured British Columbia in 1910 and a number of Coast Salish and/or Interior groups and "The Friends of the Indians" took this opportunity to present him with requests (Drucker 1958:92). The content of the petitions was by now familiar; the single overriding issue was aboriginal title to the land. "McBride, the Conservative Premier of British Columbia, felt that the Indians had no claim to the land and denied that the Indians, excepting the vocal few, were not satisfied (D.S. 1911:1081). McBride's 'untruthfulness' was the subject of an address signed by 68 'chiefs' of 'nine tribes' that was presented to the Imperial Government in 1911 (Shankel 1945:195-196).<sup>11</sup> "The Friends of the Indians" also realized the Province's unsympathetic posture and met with members of the Federal Cabinet, urging them to institute some sort of proceedings on the Indians' behalf (D.S. 1911:37). A group of 'tribes' which met in Kamloops on

March 15, 1912, appealed for similar measures. If the Canadian Government had no influence over the Province, it should at least assist the Indians in referring the matter to England (Shankel 1945:196).

A number of groups, then, were gaining momentum in their fights for native justice. In a period of just a few short years more Indian and non-Indian support had been amassed than ever before. There was also the financial means to continue their efforts. With the Liberal Federal Government sympathetic to the Indian cause, favourable settlement did not seem far off. In 1911 however, there was a change in Federal Parliament. Sir Robert Borden became the new Conservative Prime Minister and the Dominion and the Province of British Columbia found themselves in political agreement. The efforts by Canada to bring the Province to court ceased. The following year, 1912, became particularly significant in the history of British Columbia Indian land claims. Two major events took place which affected, in opposite ways, the outcome of the land question (Drucker 1958:93). The Royal Commission on Indian Affairs for the Province of British Columbia was established, and the Nishga Petition was drafted.

#### The Nishga Petition

In August of 1912, the Land Committee of the Nishga tribe on the Nass River decided to draft independently a petition to be submitted to the Judicial Committee of the Imperial Privy Council. They were demanding clarification of native rights in matters of land title especially (for full text of this petition see Appendix A). The Nishga

"Nation" unanimously adopted the statement at a meeting at Kincolith on ✓ January 22, 1913 and further resolved to send copies of this document to the Prime Minister, the Minister of Indian Affairs, and the Minister of Justice (see page 159). In May or June of the same year it was presented to the Dominion Government with a request that it be submitted to the Privy Council.

The Nishga statement outlined the advantages to be gained from establishing aboriginal rights:

1. The Indians would be placed in a position to reserve for their own use and benefit such portion of the territory as required for their future well being.
2. It would enable them in a free and independent manner to make use of fisheries and other natural resources.
3. It would bring to an end the reserve system and substitute a system of individual ownership.
4. It would remove the danger of serious troubles between Indians and whites. (Shankel 1945:197)

✓ The petition also included an outright accusation of Provincial neglect (see page 157). The general tone of the document was nonetheless positive and conciliatory.

Duncan Campbell Scott of the Indian Department was convinced of the Indians' genuine intention to assist in a settlement and in 1914 he drafted a memorandum to the Federal Government. Scott proposed that proceedings be instituted in the Exchequer Court of Canada for a final legal decision on the land question (R.S.J. 1927 Appendix F:12-13).

This action would only proceed on the conditions that:

1. The Indians be willing to surrender title in accordance with past usage of the Crown and to accept the findings of the Royal Commission on Indian Affairs in British Columbia as a full allotment of reserve lands.

2. That the Province by granting such reserves should be regarded as having satisfied all claims.
3. If the Court should decide that the Indians have no title to the land, the policy of the Dominion should still be governed by consideration of the interests and future development of the Indians.
4. That the Government of the Province be represented by counsel and that the Indians be represented by counsel nominated by the Dominion Government. (Shankel 1945: 197-198)

✓ The proposal embodied in the 'Scott Memorandum' was never put into effect for the obvious reason that at least the Nishga found the conditions unpalatable. They had stated in their original petition ✓ that the findings of the Royal Commission could not be accepted since the Indian terms for settlement included representation on any committee appointed (see page 158).

Prior to the appearance of the 'Scott Memorandum', the Nishga received notice from London that the "whole matter" raised by their petition was under the consideration of the McKenna-McBride Commission. Accordingly they sent delegates to Victoria to present their statement to the Royal Commission on September 19, 1913. The Commissioners ✓ informed the Indians that they were not empowered to deal with the land question. The Commission was to establish reserves and its work would not affect one way or the other the title question. That issue was to be settled in the future as per the Scott proposal. The Nishga ✓ had reason to be leary of the manner in which the Federal Government wanted to effect a settlement, leaving the central question to the end, but in refusing to accept the terms of the McKenna-McBride Agreement as a basis for settling the land question, they lost the only opportunity ✓ they were offered to settle the title issue in a Canadian court.

Blame has been placed on the Nishga advisors for the tribe's stubborn refusal to permit their petition to be brought as a suit in a Canadian Federal court and for the resultant delay in settlement (Shankel 1945:199). Not until 1915 and 1916 did the Nishga Land Committee send delegations to Ottawa. Even then the Indians were still pleading to have their petition processed in a British court. With little or no affirmative response from the Dominion, the Nishga delegates returned to British Columbia and called a conference in Vancouver. There they decided once again to further their cause by enlisting the support of other tribes (Statement Issued by the Committee Appointed by the Indian Rights Association at meeting held June 20-23, 1916).

#### The Allied Tribes of British Columbia

A number of Interior Salish groups met at Spence's Bridge, British Columbia, in February of 1915 to form an organization for the support of the Nishga Petition, the cause célèbre among the Indians of the Province (Shankel 1945:201). Shortly thereafter the Council of the Allied Tribes set forth their position in a rather extensive statement of facts and claims. The recommendations of the Royal Commission of 1913-1916 would not be accepted, it said, for the following reasons:

1. All the rest of Canada has acknowledged Indian title.
2. Since no extinguishment of title has been made in British Columbia, the reservations have been made arbitrarily and are totally inadequate. The Act under consideration not only ignores Indian rights but expressly prohibits Indians from enjoying the rights of recording or preempting land, except by consent of the Lieutenant-Governor.

3. ("Sir Wilfred Laurier when Prime Minister promised without any condition whatever that the land controversy would be brought before the Judicial Committee.")
4. The Duke of Connaught as Governor-General gave positive written assurance that if the Nishga tribe should not be willing to agree to the findings of the Royal Commission, His Majesty's Privy Council would consider the Nishga petition.
5. The additional lands set apart are inferior in quality and much less in value than the lands cut off. (Shankel 1945:201-202).

The Allied Tribes' grounds of refusing to accept the Report of the Commission were stated to be that:

1. The fundamental question of tribal ownership shall be dealt with first.
2. The McKenna-McBride agreement and the report of the Commissioners ignore not only the land rights but also the power conferred by Article 3 upon the Secretary for the Colonies.
3. The additional reserve lands are inadequate.
4. The Commission failed to adjust inequalities between tribes.
5. It is unfair that half the proceeds of the lands cut off should go to the Province. They should go to a trust fund for the Indians. (Shankel 1945:202)

Among the seventeen proposals put forth by this organization of Indians (Shankel 1945:208) were that:

10. the ownership of all the reserves should belong to the tribe.
11. A system of individual title should be inaugurated.

Obviously the sophistication of land claims had increased immensely since 1875. Furthermore most contingencies were provided for. A clear plan of action had been thought out for a time when reserves would be abolished.

✓The Allied Tribes were active in the Province as a powerful and vocal inter-tribal organization until 1927. Led by two outstanding and educated Indian leaders, Peter Kelly (Haida) and Andrew Paull (Squamish), funds were raised to further enlist Indian support and to send a petition to Ottawa in 1923. The Allied Tribes, and the Nishga ✓ who never formally joined with them, continued to press for hearings. The hearings were still to be before the Imperial Privy Council, according to the Indians' wishes.

#### The Settlement of 1927

✓In 1926 the Dominion Government established a Special Joint Committee whose members were from the Senate and the House of Commons. This Joint Committee was authorized to examine British Columbia's ✓ Indian claims. Hearings were held in Ottawa on March 30 and 31, and on April 4, 5, and 6, 1927. Kelly and Paull and some of the Interior Indians addressed the Committee on behalf of the Province's native people.

✓The principal finding of the 1927 Committee went against native peoples. It was decided that the Indians had "not established any claims to the lands of British Columbia". The Committee members also ✓ recommended that the question of Indian title should henceforth be regarded as closed. They suggested that \$100,000 be paid to British ✓ Columbia's Indians in lieu of treaty payments and that the Indian Act should be amended so that it would be illegal to solicit funds for the ✓ purpose of pursuing aboriginal title claims (R.S.J. 1927:31-38).

The report of the Joint Committee was approved by the Dominion

and accepted in 1927; the Federal Government had successfully settled the land issue out of court. The Allied Tribes begrudgingly dropped the title question and disbanded. The Nishga too let the matter ride ✓ for decades, but the subject never died.

## CHAPTER 4

## METHODOLOGY

## Content Analysis

Content analysis for the present purpose is essentially a research technique whereby "communication content is transformed, through the objective and systematic application of categorization rules, into data that can be summarized and compared" (Paisley, quoted in Holsti 1969:3). As such it does not constitute "a total mode of social inquiry standing alone, independent of other kinds of research operations" (Markoff et al 1975:6). It is simply an efficient data coding procedure based upon the compartmentalization of information into significant and manageable units for study. Content analysis, then, is perhaps a misnomer and would be better thought of as CONTENT CODING or TEXTUAL CODING as suggested by Markoff, Shapiro, and Weitman (1975:6). I have chosen to use the conventional terminology herein to avoid confusion, however.

Salisbury, Elberg, and Schneider (1974) aptly demonstrate the utility of this methodological approach in their monograph entitled Development? Attitudes to Development Among the Native People of the Mackenzie District, and it is after their model that my own is fashioned. Salisbury and his colleagues attempt to discern the attitudes of native people towards the development of the Mackenzie District of northern Quebec through a statistical analysis of the content of the Native Press, a bi-weekly native newspaper. No attempt

is made by them or by myself to codify the latent content of communications. That is, no attempt is made to infer what any speaker 'really meant' by his statements, a form of speculation which has been justly criticized (see Markoff et al 1975 for a review of the criticisms). Rather, the statements are taken at face value, only the manifest content being examined and coded.

The implementation of this investigative procedure permits the establishment of some very basic information regarding the Royal Commission hearings, i.e., how many spoke, who they were, and what local groups were represented. Further and more importantly, it yields a structured description of Tsimshian attitudes and interest, in quantitative terms, which allows the variety of their concerns and opinions to surface, as opposed to only the most salient.

#### The "Testimony"

The Royal Commission on Indian Affairs for the Province of British Columbia (1913-1916) recorded the proceedings of each of the meetings they held with the Indians of that province. This record is usually referred to as 'the extended evidence' of the Commission, and originally it is said to have consisted of 5,655 folios of typewritten evidence and 253 exhibits (R.R.C. 1916:19). According to the published report of the Commission, one typescript copy of this 'evidence' was to have been delivered to both the Dominion and the Provincial governments. These 'original' copies, assuming they still exist, have not recently been made available to researchers who must now rely on one of the several microfilm copies in existence. Microfilm copies are held by

the Public Archives of Canada (P.A.C.), the University of British Columbia, the Provincial Archives of British Columbia (P.A.B.C.), and the Union of British Columbia Indian Chiefs.

The microfilms contain the record of testimony given at the formal hearings held for the fifteen British Columbia Indian Agencies, as well as the notes taken by the Commission during its private meetings with each of the Indian Agents. Only the 'evidence' of the Cowichan Indian Agency is complete, however, as it contains copies of exhibits and reports received by the Commission in the course of its investigations, in addition to the record of testimony. It is not known whether or not the exhibits for the other Agencies were contained with the original records of testimony. The location of most has not been established to date, and in all probability they have been lost or destroyed.

The testimony of twenty-one Tsimshian local groups can be found in the 'evidence' of the Nass, Babine, and Bella Coola Indian Agencies. One local group, Killutsal or Lakelse, was not represented at the Commission hearings and, thus, there is no testimony for it. The testimony of the other twenty-one groups consists of all of the oral statements and declarations made by the Tsimshian to the Commissioners. Although numerous references are made to maps and other exhibits that were submitted, most apparently have gone the way of the majority of the exhibits received by the Commission.

For someone working in Victoria, the Tsimshian testimony is available in two forms at the P.A.B.C. It holds the typescript microfilm copy previously mentioned, and an amended typescript copy of the same prepared from the various provincial microfilms by a 1978

Youth Employment Programme group. The latter, though easier to work with, has by their own admission questionable transcription quality, and thus was not used except in a supplemental manner. The microfilm copy of the testimony is unfortunately in far from ideal condition. It is faded, with innumerable typing and spelling errors. It has been copied incompletely such that the left-hand portions of many pages are blurred.

Because the Tsimshian did not fall under the jurisdiction of one Indian Agency, their testimony was recorded by several different clerks employed by the Royal Commission. Furthermore, the services of various translators were utilized by the Commissioners as they went from village to village talking with the numerous local groups. The capabilities of the clerks and translators are unknown and, hence, we are given no assurances as to the consistent accuracy of transcription within the Tsimshian testimony as a whole.

Nonetheless, the testimony stands as perhaps the best sample of Tsimshian views at the turn of the century. Unlike many historical documents it is not a summary written after the fact. The testimony is a detailed record of 'events' as they occurred. It covers a wide range of opinions and topics, and not just the 'native dissatisfaction' and land claims which tend to be remarked upon in the literature. The testimony has the advantage of being decidedly Indian, as opposed to non-Indian, and its examination allows us to give primary consideration to the native viewpoint. A content analysis of the Tsimshian testimony is one way in which we can attempt to take seriously what native people have said.

### Selection of Material for Analysis

In 1913 the Commission held meetings with the Kitasoo on August 26th, with the Kitkahta on September 3rd, and with the Kitkatla on September 4th. The remaining eighteen Tsimshian local groups which addressed the Commission did so in 1915 between April 15th and October 9th (for exact dates see Appendix B). All of the native testimony given at these meetings is considered relevant to this investigation. That is, all of the comments, questions, and suggestions made by the Tsimshian are examined through content analysis.

Though from a technical point of view any interested party was permitted to address the Commission, in the case of the Tsimshian meetings only four non-Indians appealed to this board of inquiry, and they did so on the Indians' behalf. They were three ministers and a representative of a fourth. Their testimony is germane to this investigation, as is that given by the three Indian Agents, their Agency Inspector, and two government surveyors. In the discussions of the aggregate results of the analysis, the EuroCanadian testimony is considered separately, at the end of Chapter 5, however.

### Techniques of Analysis

There is no one standard procedure for content analysis. Depending upon the constraints and limitations of the research situation, each analyst must formulate a 'programme' which best meets his or her goals, while at the same time striving to have a methodology that is systematic, objective, and quantitative. It must be systematic in two senses: (1) all of the relevant text must be processed, not only those

parts that appear interesting, and (2) the same coding criteria must be used throughout (Markoff et al 1975:5-6). It must also be objective, that is, as free from personal feelings, opinions, and prejudices as possible, to ensure the reliability of the measurements. This being the case, care is taken in the explanation of the procedures followed, so that they are replicable.

Because all of the Tsimshian testimony has been deemed relevant to this investigation, it was necessary only to isolate where in the Commission's extended evidence that it could be found. Based on Wilson Duff's (1964:18-20) list of Tsimshian 'bands or tribes' (local groups), their testimony was located in the Nass, Babine, and Bella Coola Indian Agencies' evidence. Identification of the Tsimshian testimony is relatively easy, but it should be noted that the Babine and Bella Coola evidence also contain Carrier, Bella Coola, and Kwakiutl testimony.

Having isolated the Tsimshian testimony it was then broken down into UNITS. Generally, the unit of analysis is each individual's testimony but data sheets were prepared for every Tsimshian address first, and then those of a single individual were combined. A total of 128 data sheets were filled out although only 105 Tsimshian addressed the Commission. (Their names are listed in Appendix C according to local group membership.) Ten data sheets were for the EuroCanadians and thirteen of the Indians made double addresses which were initially coded separately. The data sheets were used to code the various topics about which the speakers were concerned and the nature of the interests voiced. At the top of each sheet was recorded all of the identifying information available for the specific individual, i.e., name, rank,

place of residence, occupation, religious affiliation, local group membership, etc. Because all of the 'Tsimshian testimony' was not Indian, space was provided at the top of each data sheet to indicate whether the speaker was Indian or EuroCanadian. (Appendix D is an example of the data sheets used.)

It should be mentioned here that the hearings were conducted in such a way that 'the chief's speaker', or someone who had been selected by the Indians of each local group to speak on their behalf, would make an opening statement after the Commission had advised those present as to its scope and powers. Following this, any member of the local group could address the Commission, bringing up any issues that he felt were germane to the proceedings. After all had spoken who wished to do so, the Commissioners would question one or two individuals from each local group, with the hopes of enhancing their abilities to make decisions and recommendations. The Commissioners asked for population estimates, locations of 'homes', fishing stations, hunting grounds, timber stands, and the like. They also enquired as to the Indian assessment of current church, school, and medical facilities, and as to what uses the local group intended to put certain plots of land if they were set aside or confirmed as reserves. In this latter part of each group's testimony more attitudes or points of view became more apparent if the Indians cooperated in answering the questions put to them. The majority echoed or expanded upon the volunteered concerns.

In any case, it should be clear that there are at least three different 'types' of native testimony, depending upon the situation in which the speaker found himself. Some were speaking as representatives

of their local groups. Others spoke only on their own behalf. Still others were replying to questions and/or issues put to them. The data sheets were coded for each speaker according to the topics discussed, but notation was made of the circumstances in which the testimony was given. Notation was also made of whether the individuals of whom the Commissioners asked questions were cooperative or uncooperative, since, as mentioned previously, only the uncooperative stance of 'the Indians' is usually discussed in the literature.

After a close examination of the Tsimshian testimony, thirteen topics were chosen as the major foci of this analysis. These range from the very general, such as aboriginal title and the desirability of reserves themselves, to the very specific desires of particular fishing stations or parcels of land for hunting and farming. Note that aboriginal title is based upon "those property rights which inure to native peoples by virtue of their occupation upon certain lands from time immemorial" (Cumming and Mickenberg 1972:3 fn 3).

Initially, the desirability of timber land and the desirability of logging land were coded as two separate topics. This was done to separate those Tsimshian who simply wanted forested land set aside from those who intended to engage in the non-traditional activity of logging. In the end, the two topics, as I considered them to be, were listed together since it is frequently difficult to determine the use, if there was one, to which the local group members intended to put timbered land. Those who said that they intended to engage in logging, as opposed to those who intended to lease logging lands, had their data sheets coded as 'pro' non-traditional economic activities for Indians.

Education was also originally included as a topic but was later disqualified. It appeared to be discussed primarily in the question periods and as a subject of interest was non-Indian in origin. That is, the Commission members, not the Indians, usually brought the topic up. Furthermore, comments about education, electricity, roads, churches, and the like would have comprised far less than one percent of the total, and as such, can hardly be considered as significant Tsimshian concerns at the time of the Commission hearings.

It should be mentioned here that two topics are not mutually exclusive, based on the accepted EuroCanadian definition of each. Comments were coded for both 'individual land ownership' and 'communal land ownership', although one would presume that if an individual was 'pro' one that he was also against the other. Such may not have been the case for the Tsimshian at the turn of the century, however. While the majority of the topics were discussed in terms of 'I am against \_\_\_\_\_ and I want \_\_\_\_\_', the speakers who were in favour of a certain type of land ownership seldom had anything negative to say about 'the opposite'. Rather than assuming that the Tsimshian did not conceptualize another sort of ownership, perhaps a compromise between the two, I chose to keep the two topics separate for coding purposes, although they are frequently discussed in the text as 'opposites' of a single topic, 'land ownership'.

Within a unit --- that is, scored on the same sheets --- more than one topic is usually discussed. Every topic brought up by an individual was recorded, since it is assumed that concern is evidenced merely by mentioning an issue. If the individual then went on to

express a solid opinion, then this too was noted and recorded. Thus, if an individual asked "what are reserves for?" note was made of this interest in 'the reserve system' by checking the appropriate space. If he then went on to agree or disagree with the stated purpose, then this too was recorded. In this way, concerns reflected both directly, as statements of want, worry, or disagreement, and indirectly by mere questioning, are accommodated in the analysis of the testimony. The percentage of times a topic is remarked upon, as compared to the percentage of times all other subjects were mentioned, is used to measure the degree of interest in that issue. Similarly, the percentage of times a particular view on each topic is recorded measures the relative degree of support for that viewpoint.

Initially, it was thought that simply checking off the appropriate topics of interest would suffice to arrive at a clear picture of what Tsimshian individuals or local or dialect groups were concerned with. After one complete analysis, however, it became apparent that no allowance had been made for the measurement of the 'intensity' of any particular individual's interests. In other words, no distinction had been made between someone who simply felt that Indian reserves were unacceptable and the individual who went on at great length to support a similar point of view. To remedy this oversight, it was decided that the length of oration would also be considered. A scale based upon the length of discussion was devised such that one or two sentences of average length about a particular topic were coded with one check mark. A longer discussion of three to six sentences received two checks on the data sheets and for a

discussion of seven sentences or more three checks were made. In this way, moderate, high, and intense interest can be determined at the individual level and, through combination, at the local and regional group level as well. Therefore, comparisons herein are based on both relative frequency and intensity of interest in the various topics.

As an aside, it might be mentioned here that the number of sentences as opposed to the number of typewritten lines had to be used as an indicator of intensity of interest because the microfilm copy that was used, and presumably the original, were not typed in a particularly standard manner. Some pages have no margins to speak of, while others appear to have substantial ones. Furthermore, the typing appears somewhat haphazard in that some lines are typed completely whereas others go across only half way and the sentence continues on the next line. Hence, the number of lines would have proved a rather inaccurate measure of intensity of interest.

#### The Sample

Although a sample size of 105 individuals is somewhat smaller than would be ideal, the evidence of the Royal Commission on Indian Affairs is the only survey of Tsimshian interests and opinions which exists for the early 1900's. That the Commission had a narrowly defined purpose, to establish Indian reserves, does not appear to have precluded discussions of other subjects. 'Land' was the primary issue, however, and most Tsimshian addresses focused on it. Other topics were brought up by the Commissioners in the question periods, as previously mentioned, but the Tsimshian as a whole did not appear

overly interested in the majority of the 'Commission's topics'. Given that the Commission spent twenty-one days in hearings with the Tsimshian Indians, it may be assumed that the inquiry was relatively thorough and not a 'fly by night' affair. The diligence with which the testimony was recorded and the number of months spent in Victoria considering the Indian evidence and other land applications seem to support the credibility of the Commission's work.

Furthermore, all but one of the twenty-two Tsimshian local groups are represented in this sample. The Killutsal (Lakelse) local group which was not represented became 'extinct' shortly after the Commission hearings (D.I.A. Annual Report 1917), and it is doubtful, given the broad geographical distribution of the Tsimshian comments within their traditional territories, that significant regional interests and/or viewpoints are not included. It is relatively safe to assume, then, that the kinds of concerns evident from the 341 coded comments of this study may be generalized to reflect those of the larger Tsimshian population circa 1910.

While the numbers of representatives or the percentage of the group population which spoke at the meetings with the Commissioners would normally be one gauge of the amount of concern demonstrated, it is not a particularly accurate measure in this instance for two reasons. First, the local groups which chose not to assist the Commission frequently had fewer representatives than did the cooperative ones, through no fault of their own. (This is expanded upon in Chapter 6.) The uncooperative groups' lower representation may have been due, in part, to the actions of the Commissioners. They would interrupt the

proceedings when it appeared that land claims were to be the focus of too many native addresses, remind the Indians that the problem was not one that they could solve, and ask if the local group members had anything further to say about other concerns. If not, the meeting was adjourned with any of those who also intended to discuss aboriginal rights unheard from. Therefore, the uncooperative local groups may be under-represented in this sample, and to say that one local or regional group was more interested in the hearings than others were, based upon the number of individuals or the percentage of the local group population which represented it, would be erroneous. (Appendix E does, however, present the Tsimshian local groups according to the number of representatives and the percentage of local population which addressed the Commission).

Second, three of the Coastal Tsimshian local groups had hearings with the Royal Commission nearly two full years before any of the others since they alone fell under the jurisdiction of the Bella Coola Indian Agency (see Appendix B). Two full years would have given the others a considerable edge in preparation time. Moreover, a larger percentage of the population was probably aware of the hearings, as word gradually spread to the more isolated communities. In terms of the regional groupings, the Nishga and those Coastal Tsimshian from Port Simpson and Metlakatla, met with the Commission more than five months after the Gitksan local groups did, and the former would again have had the advantage in organization and preparation time.

Clearly then, the number of representatives for each local or regional group of Tsimshian, or the percentage of the local population

which spoke to the Commissioners, is not an accurate gauge of interest or concern since time and other variables which would directly affect these measurements cannot be controlled for.

## CHAPTER 5

## AGGREGATE RESULTS

Prior to examining the variations in Tsimshian concerns and attitudes, and their possible relationships to factors external to the workings of the Commission, I will present the overall picture one obtains from the 341 coded comments contained in the 105 units of Indian testimony. The unit of analysis is each individual's testimony. Although thirteen individuals made double addresses, the testimony of each person is compiled and coded here as one unit. Table 1 presents these data in summary form. The table does not take into account the 'intensity of individual interest' which will be discussed presently.

An examination of the distribution of the Tsimshian comments according to the topics discussed reveals the Indian interest in the various subjects. The degree of interest in any particular topic is most simply measured by the number of times it is discussed in relation to the total number of comments for all topics. Similarly, the relative support for specific viewpoints on each topic has been determined by comparing the number of comments of one opinion to the number of comments expressing other opinions on the topic.

In the third section of this chapter, the distribution of Tsimshian comments according to the 'type' of testimony in which each was given is discussed, while in the fourth they are re-examined vis-à-vis the cooperative and uncooperative Indians. In the concluding section the EuroCanadian comments contained in the Tsimshian evidence are briefly summarized.

TABLE 1: DISTRIBUTION OF TSIMSHIAN COMMENTS BY TOPIC AND BY POINT OF VIEW EXPRESSED \*

TOPIC	COMMENTS		POINT OF VIEW (per topic)		
	Number of com- ments	% of Total com- ments	% for	% against	% with no explicit opinion
1. aboriginal title	59	17.3	88.1	3.4	8.5
2. the reserve system	42	12.3	26.2	69.0	4.8
3. non-Indian territorial expansion	39	11.4	0.0	100.0	0.0
4. desirability of traditional fishing stations	30	8.9	90.0	0.0	10.0
5. desirability of traditional hunting territories	28	8.2	89.3	0.0	10.7
6. new reserves and/or additions to existing reserves	26	7.6	96.2	3.8	0.0
7. desirability of farm land	26	7.6	88.5	0.0	11.5
8. non-traditional economic activities for Indians	24	7.0	100.0	0.0	0.0
9. desirability of timber and/or logging land	23	6.7	82.6	0.0	17.4
10. individual land ownership	13	3.8	84.6	15.4	0.0
11. EuroCanadian legal status for Indians	13	3.8	100.0	0.0	0.0
12. desirability of fishing licenses	11	3.2	100.0	0.0	0.0
13. communal land ownership	7	2.1	100.0	0.0	0.0
	<u>341</u>	<u>99.9</u>			

\*based on testimony of 105 Tsimshian before the Royal Commission on Indian Affairs for the Province of British Columbia (Aug. 1913-Oct. 1915)

## Distribution of Comments by Topic and Opinion

As seen on Table 1, 'aboriginal title' was undoubtedly the topic of greatest interest, constituting 17.3% of the total comments. Given the nature of the Commission's inquiry and the fact that the 'Nishga Petition' (1913) had been widely circulated by the time of the hearings, it is not surprising that the land title issue would emerge as the paramount concern. Members of the 'Nishga Land Committee' had been actively soliciting support from other local groups, and especially those in close proximity must have been aware of the claims being put forward and their relevance to any discussion of 'final' reserve allotments. The sample analyzed here suggests that the Tsimshian as a whole overwhelmingly supported the recognition of aboriginal title by Government. Over 88% of the comments on this topic reflect this positive point of view. Only 11.9% of the comments about 'aboriginal title' reflect opposition or indecision. Those comments which did not support the recognition of Indian land title tended to focus on the speaker's desire to be dissociated from those who supported 'this land trouble'.

'The reserve system' itself came under considerable fire during the course of the Commission's hearings. Next to the question of land title, the individuals who testified considered 'the reserve system' to be of greatest import: 12.3% of the total comments concerned this subject. The predominant sentiment expressed was to abolish reserves or drastically rework the entire basis of allotments. Sixty-nine percent of the comments about 'the reserve system' reflect this negative point of view. Though it is only slightly more than one-quarter of the

speakers who support 'the system' against their fellows, on no other topic is the minority viewpoint so well represented. In fact, only on the question of 'individual land ownership' is any other case of significant difference of opinion apparent, and in this instance it is only two individuals (15.4% of 13) who go against the majority, while on 'the reserve system' issue eleven individuals dissented. Thus, the subject of reserves and reserve allotments, while not the most debated question ('aboriginal title'), is certainly the most debatable question from the Tsimshian point of view.

Of only slightly less interest than 'the reserve system' was the subject of 'non-Indian territorial expansion'. Complaints about the loss of land and fishing territories to EuroCanadian and Japanese individuals and companies comprise 11.4% of all comments. For obvious reasons no Tsimshian supported the expansion of non-Indian endeavours or the resultant loss of Indian lands. Comments regarding this topic tended to be very specific. In most cases particular incidents involving the Grand Trunk Railroad, Japanese fishing boats, or local non-Indian entrepreneurs were reported. Though comments were not coded according to the Indian solution proffered, most Tsimshian did not seek the return of lost lands but asked for financial compensation instead.

The remaining ten topics for which comments were coded each comprise less than 10% of the total, but this is not to say that actual frequencies are inconsequential. The relatively strong desire to have access to traditional fishing stations secured is reflected by the fact that thirty comments were made about this subject. These comments constitute 8.9% of the total. Again the point of view expressed was

positive or neutral, with 90% of the Indians who talked about fishing stations specifically asking that they be set aside as the property of a Tsimshian local group. Some disputes arose, however, over which groups were to be assigned the small reserves for seasonal fishing. In some cases the Commissioners attempted to avoid this controversy and simply set aside such a reserve, making note that several local groups had rightful access to the land (R.C.R. 1916:591,621,622).

Almost equal to the interest in traditional fishing stations was the interest voiced about traditional hunting camps, territories, and trap lines. Just over 8% of the 341 coded comments concern this Tsimshian economic endeavour. The identity of the groups primarily interested in hunting and those primarily interested in fishing will be discussed later.

The desire to see changes in reserve boundaries, without reference to abolishing 'the reserve system', and the importance of setting aside land suitable for farming are also much in evidence. Though by no means of greatest concern, a sizable proportion of the total comments (7.6%) dealt with each of these issues. Only one individual felt that his reserve's location and acreage were adequate. In reference to the distribution of comments concerning farm land, 11.5% either contained no explicit opinion or else the speaker appeared undecided on the advisability of Indians engaging in agricultural activities.

The remaining topics ranked in order of the relative degree of interest shown are as follows: 'non-traditional economic endeavours for Indians', including work in sawmills, canneries, lumber camps, etc. (7.0%); the 'desirability of timber and/or logging land' (6.7%);

'individual land ownership' (3.8%); 'no special treatment of Indians under the law' or no special Indian status (3.8%); the 'desirability of fishing licenses' (3.2%); and 'communal land ownership' (2.1%).

Note should be taken here of the low level of certainty with which we may speak of the ranking of many of the topics in terms of interest demonstrated. Because of the relatively small number of comments on which this study is based, where the difference between relative frequencies is small or non-existent, no particular stress can confidently be placed on the rank-ordering of topics. Nonetheless, it is still possible to determine the single topic of paramount concern ('aboriginal title', #1 in Table 1), those issues of high and approximately equal relevance to the native people who addressed the 1913-1916 Commission ('the reserve system' and 'non-Indian territorial expansion', #2 and #3 respectively in Table 1), those subjects where moderate interest is demonstrated (#'s 4-9), and those questions which, for whatever reasons, were not addressed by a large number of Tsimshian (#'s 10-13).

Since no attempt was made to code 'latent content', many of the percentage figures reported up to this point may leave inaccurate impressions in the mind of the reader. Therefore two aspects of the techniques of analysis will be reiterated here. First, not all of the comments or opinions which have been coded as neutral indicate indecision on the speaker's part. The comments simply contained no explicit viewpoint. In many instances inferences could easily have been made about the speaker's opinion but the analysis would then have entered into the realm of speculation. Only in the cases of 'aboriginal

'title' and the 'desirability of land suitable for farming' were cases of indecision obvious. Second, though 2.1% of the comments concerned 'communal land ownership', this is not to say that only 2.1% of the Tsimshian were interested in, or supportive of, this type of land ownership. Had each of the 105 individuals who addressed the Commission stated the type of ownership they favoured, the frequencies for the topics 'communal land ownership' and 'individual land ownership' would, in all likelihood, have been different, and more importantly, would only then reflect the type of land ownership the Tsimshian supported. Hence, where the actual number of comments on a given topic is small, only the relative degree of interest in that topic as compared to the others can be determined. Absolute frequencies have no validity beyond the confines of this analysis. The relative degree of interest on the part of the testifiers may, however, reflect the relative interest on the part of other Tsimshian in the various topics for which comments were coded.

Perhaps the major finding at this point is the wide range of native interests expressed. There is not merely one single feature of 'reserves' or 'reserve allotments' which was discussed. Many topics which the Tsimshian associated with 'land' were addressed.

Also apparent from the analysis is the seemingly complete agreement of opinion amongst the Tsimshian witnesses for the majority of topics. Nine of the thirteen topics reflect no native disagreement, the points of view explicitly stated being all 'for' or all 'against'. The Commission hearings no doubt provided a forum for Indian differences of

opinion to be aired and we have seen that some of the previously discussed questions of interest had proponents on both sides. Yet for the most part, the Tsimshian appear to have been in agreement.

Even given the methodological problems discussed above, the popularity of 'aboriginal title' is nevertheless worthy of note. The distribution of Tsimshian comments demonstrates that the Indians as a whole were most interested in the land question. Had those Tsimshian which cooperated with the Commission not been so complacent in accepting that 'aboriginal title' was not really a topic for discussion at the Royal Commission hearings, the number of comments coded about this topic would in all likelihood have been even higher. (This notion is expanded upon elsewhere.)

Native concern about 'the reserve system' and the problems arising from the continual loss of land are also shown in this analysis. Substantial numbers of individuals focused attention on fishing stations, on farming, logging and hunting lands, on additions to reserves, and on the need for Indians to engage in non-traditional economic activities to support their families. Addresses concerning land ownership, fishing licenses, and the inferior status of Indians under Canadian law were not infrequent.

#### Intensity of Opinion

Although the discussion to this point has focused on the intensity of group interest in one topic relative to all others, it is also possible to determine the intensity of individual interest, combine that information with the opinion expressed (i.e. pro or con), and

TABLE 2: RELATIVE(%) DISTRIBUTION OF COMMENTS BY INTENSITY OF OPINION \*

TOPIC	f	RELATIVE(%) INTENSITY OF OPINION FOR COMMENTS PER TOPIC							T
		+++	++	+	∅	-	--	---	%
1. aboriginal title	59	13.6	16.9	57.6	8.5	1.7	1.7		100.0
2. the reserve system	42		2.4	23.8	4.8	26.2	19.0	23.8	100.0
3. non-Indian territorial expansion	39					71.8	12.8	15.4	100.0
4. desirability of traditional fishing stations	30	6.7	13.3	70.0	10.0				100.0
5. desirability of traditional hunting territories	28	14.3	28.6	46.4	10.7				100.0
6. new reserves and/or additions to existing reserves	26	15.4	11.5	69.2	0.0	3.8			99.9
7. desirability of farm land	26	7.7	23.1	57.7	11.5				100.0
8. non-traditional economic activities for Indians	24	12.5	16.7	70.8					100.0
9. desirability of timber and/or logging land	23		13.0	69.6	17.4				100.0
10. individual land ownership	13	7.7	7.7	69.2	0.0	15.4			100.0
11. EuroCanadian legal status for Indians	13		23.1	76.9					100.0
12. desirability of fishing licenses	11	27.3	36.4	36.4					100.1
13. communal land ownership	7	14.3	85.7						100.0
	341								

A plus sign (+) indicates a positive opinion; a negative sign (-) indicates a negative opinion; ∅ indicates no explicit opinion.

The number of signs indicates whether interest is moderate (one sign), high (two signs), or intense (three signs).

\*based on testimony of 105 Tsimshian before the Royal Commission on Indian Affairs for the Province of British Columbia (Aug. 1913-Oct. 1915)

identify the intensity of group opinion.

In order to distinguish between moderate, high, and intense concern about a given topic, a scale was devised whereby an individual's 'intensity of interest' could be measured. In brief, interest is considered to be intense when an individual's address about a specific topic involved seven or more sentences of normal length. High interest is reflected in a discussion of three to six sentences, while moderate interest is noted when only a sentence or two of normal length dealt with a single topic. The individual's 'intensity of opinion' is determined by combining the intensity of interest with the point of view given. For example, is his comment 'intensely for', 'moderately against', or merely 'neutral'? Some comments are coded as 'neutral' because the intensity was not ascertained for those containing no explicit opinion.

After determining the intensity of opinion for every comment about a topic, it is possible to examine the proportions of opinions which are of a moderate, high, or intense nature. Table 2 presents the varying 'intensity of opinion' distributions by percentages for all topics. In order to present these data in a single table, the opinions have been coded as neutral ( $\emptyset$ ), positive (+), or negative (-), with the number of signs indicating moderate, high, or intense interest.

Clearly interest of the most intense sort is evident for the vast majority of topics. All but two have comments in the '+++ ' or '--- ' categories of the table. Although frequently there are only two or three comments making up the percentage figures in the intense interest categories, interpretation of this observation must be tempered with

the knowledge that if a preceding speaker clearly and at length explained an individual's point of view, it is possible the latter would simply refer to the earlier address and briefly affirm support.

The widest ranges of intensity of opinion are found in the native addresses about the two most talked about issues. As discussed below, 'aboriginal title' and 'the reserve system' were the foci of the most intense individual interest, just as they were the subjects most frequently mentioned. Attention will first be directed to the topic of greatest concern to the Indians as a whole.

Of the comments regarding the land title question, 59.7% (57.6% positive and 1.7% negative) are of moderate intensity, while 18.5% (16.9% positive and 1.7% negative) and 13.6% are of a high and intense nature respectively. In terms of the actual number of comments in the '+++ ' and '++ ' categories, 'aboriginal title' has the highest frequency of any topic. Moreover, comments about this topic are often more than ten sentences in length. Thus, over 30% of all land title comments indicate that native concern was more than a passing fancy. To the speakers, 'aboriginal title' was not a subject to be dealt with lightly. The tenets of the Indian argument bore repeating over and over again.

The most intense differences of opinion are evident in the discussions of 'the reserve system'. Obviously, this issue not only had a substantial number of proponents on both sides, it had substantial numbers of proponents who went on at length. The moderate point of view is represented by approximately equal numbers of comments for both the positive and the negative. Comments in the high and

intense range of opinion constitute more than 45% of the total for this topic, however. The Tsimshian who addressed the Commission did not agree on the question of 'the reserve system', and they made certain that the Commissioners knew exactly where they stood.

The largest percentage of comments about eleven of the twelve other topics reflect a moderate intensity of interest. Those Tsimshian who discussed the 'desirability of fishing licenses' indicated an equal amount of moderate and high concern; 36.4% of the total comments on this subject fall in both the '+' and '++' range of the table. On the whole though, the majority of the Indians who expressed concern about a topic did so in brief, using only a sentence or two.

To reiterate, the intensity of opinion discussed here is based on the length of oration and the point of view expressed. The comments addressed to the Commission are obviously wide-ranging not only in scope but in opinion and in intensity. Though most of the comments are of a moderate nature, eleven of the thirteen topics were discussed in at least one speech of the most intense sort. The addresses about 'aboriginal title' and 'the reserve system' reflect the most intense and widest ranging opinions.

#### Distribution of Comments by Testimony 'Type'

As mentioned in the discussion of methodology in the previous chapter, it is possible to identify three 'types' of testimony depending upon the circumstances of an individual's address to the Commission. These are: (1) opening addresses, where an individual

would welcome the Commissioners and make a brief introductory statement on behalf of his local group; (2) voluntary testimony, where the speaker presumably stated only his own interests and opinions; and (3) questioning, where an individual would answer questions put to him by the various Commissioners. Table 3 shows the distribution of comments according to these types of testimony. The relative topical percentages for each type are given.

Since these data are presented in order to discern whether or not the circumstances of testimony significantly affected the kinds of topics discussed, the unit of analysis is each Tsimshian address. The total units for this table only is 118, and a careful comparison of the figures in Tables 1 and 3 reveals that the total frequencies for topics #1,4,5,7,8,9, and 12 are not the same. These small discrepancies are the result of thirteen individuals addressing the Commission twice and discussing some of the same topics both times. In no case is the frequency of any topic increased by more than six. The total number of comments on which this table is based is 362 (not 341 as in the previous tables).

The overall distribution of comments, according to the type of testimony in which each was given, reveals that 14.4% of the comments were made during the Tsimshian's opening addresses to the Commission, while 25.7% resulted from the questioning periods. By far the majority (59.9%), however, were given in freely volunteered addresses, addresses where the speaker was presumably not acting as a 'representative' of his local group but where he could express his own interests and points of view. The relative number of comments from the volunteered and

TABLE 3: RELATIVE(%) TOPICAL DISTRIBUTION OF COMMENTS FOR EACH TYPE OF TESTIMONY \*

TOPIC	f	TYPE OF TESTIMONY		
		% opening addresses	% volunteered	% questioning
1. aboriginal title	65	25.0	19.4	10.8
2. the reserve system	42	17.3	10.1	11.8
3. non-Indian territorial expansion	39	11.5	12.9	5.4
4. desirability of traditional fishing stations	32	7.7	8.3	10.8
5. desirability of traditional hunting territories	29	7.7	7.3	9.7
6. new reserves and/or additions to existing reserves	26	5.8	8.8	4.3
7. desirability of farm land	28	3.8	6.5	12.9
8. non-traditional economic activities for Indians	30	7.7	8.8	7.5
9. desirability of timber and/or logging land	24	3.8	6.0	9.7
10. individual land ownership	13	3.8	2.8	5.4
11. EuroCanadian legal status for Indians	13	1.9	3.7	4.3
12. desirability of fishing licenses	14	1.9	3.7	5.4
13. communal land ownership	7	1.9	1.8	2.2
		<u>99.8</u>	<u>100.1</u>	<u>100.2</u>
Total number of comments	362	52	217	93

\*based on the testimony of 105 Tsimshian before the Royal Commission on Indian Affairs for the Province of British Columbia (Aug. 1913-Oct. 1915)

questioning testimony would have in all likelihood been larger had not eight of the Tsimshian local groups refused to answer the Commissioners' questions. (This observation is expanded upon in the next section.)

Without putting particular stress on the exact percentages, it is possible to identify the topics most often discussed in each of the three types of testimony. Comparing these observations to the testimony as a whole, it is then possible to determine the differences and similarities between each type and the whole, as well as those between each type and the other two.

Opening addresses most frequently concerned 'aboriginal title', 'the reserve system', and 'non-Indian territorial expansion': 53.8% of the comments addressed these issues. Many of the other topics which were addressed in opening addresses have roughly similar percentages, but appear to be not nearly as salient as the three topics at the top of the list in Table 3. The overwhelming preponderance of opening address comments about the land title question, the subject of the reserve system, and the loss of Indian land, indicates that these topics were emphasized more in the opening addresses than they were in the other two types of testimony and more than they were stressed in the testimony as a whole.

Those giving volunteered testimony indicated that they were also interested in 'aboriginal title', 'non-Indian territorial expansion', and 'the reserve system', but in that order. Thus, while a large number of comments were about the topic of reserve allocations, a greater number addressed the problems resulting from local non-Indian activities. By far the majority, though, reflect the primary and

continuing native interest in the question of aboriginal title. The rank-order of the other topics discussed in the voluntary testimony generally corresponds to that of the testimony as a whole. We may conclude that the volunteered testimony was similar in content to the opening addresses and to the testimony as a whole, excepting that relatively greater emphasis was put on 'non-Indian territorial expansion'.

Examining the comments offered during the periods of questioning, it is apparent that both the topics of greatest interest, and the ranking of these topics vis-a-vis one another, do not resemble those noted for either the opening addresses, the volunteered testimony, or the testimony as a whole. The topic most frequently addressed during the questioning was the 'desirability of land suitable for farming': 12.9% of the comments focused on this issue. The next five most commonly discussed subjects, ranked in order, are 'the reserve system' (11.8%), the 'desirability of traditional fishing stations' (10.8%), 'aboriginal title' (10.8%), the 'desirability of traditional hunting territories' (9.7%), and the 'desirability of timber and/or logging land' (9.7%).

Clearly, then, the questioning testimony is vastly different from the other types. The greater emphasis put on farming, fishing, hunting, and logging lands is probably the direct result of the Commissioners asking disproportionate numbers of questions about these topics. Since it was their job to establish Indian reserves, the Commissioners used the question period to determine the Indians' perceptions about the adequacy of previously allotted or promised lands. They did this

by asking 'where do you fish?', 'do you hunt anywhere other than Reserve No. 7?', 'your band asked for this piece of land, what do you intend to use it for?', etc. Further, the native people were pressed about their local group's intention to engage in non-traditional subsistence activities. If an individual indicated that his group had or intended to establish a sawmill or cannery, the Commission would note this and presumably consider it when they allotted or confirmed reserves. Similarly, the Commissioners demonstrated considerable concern about farming and farming land. All individuals who cooperated and answered their questions were asked if they farmed or would consider it, and if so, where? Hence, the topical foci of much of the questioning testimony reflect the interests of those who did the questioning, as would be expected. The opinions expressed, however, are decidedly Indian.

The Tsimshian testifying were also asked, though some volunteered, their opinions about schools, roads, electricity, the churches, and the like. These topics were not included in this study since, with few exceptions, they were not discussed at any time but in the questioning periods and none comprised even 1% of the total topics.

Given that all thirteen topics presented in this thesis are mentioned at least once in each of the three types of testimony, it can be said with a high degree of certainty that none of the topics which form the basis of this analysis were non-Indian in origin. That is, none was first introduced by the Commissioners as a subject for discussion.

To recapitulate, the bulk of the comments made during opening addresses and those of the volunteered testimony demonstrate native concern about 'aboriginal title', 'the reserve system', and 'non-Indian territorial expansion'. The relative degree of interest in each of the topics for these two types of testimony resembles that shown in the testimony as a whole. Comments offered during the question periods of the hearings, while reflecting the Indian point of view, were decidedly biased by the Commissioners' interests in terms of the topical foci. Hence, whereas the questioning by the Commissioners increased the total number of comments by approximately 35%, the ranking of topics overall, in terms of the interest apparent in each, most likely reflects the Tsimshian representatives' concerns and not those of the Commission, in that the distribution of volunteered and opening address comments mirrors that of the aggregate, including the questioning testimony.

Distribution of Comments According to Whether or not the Indians  
Cooperated with the Commission

Many of the Tsimshian appear to have been misinformed about the Commission's scope and powers. All but one local group had at least some members who were prepared to present arguments for the recognition of aboriginal rights. Upon being enlightened that the Commissioners could not adjudicate land title claims, some groups adjourned and/or reorganized their presentations, frequently still including some references to the title question. Others, when given time to reconsider, chose not to assist the Commission. Based upon each local group's

attitude toward the Commissioners --- that is, whether it was cooperative or uncooperative --- the comments for each type of testimony will now be briefly re-examined. Comparisons in terms of the actual topics discussed are made in the following chapter.

Each local group's attitude toward the Commission was ascertained in part from the Commissioners' description of their reception and in part from the statements of the Tsimshian representatives at the hearings. Most uncooperative local groups blatantly refused to answer more than a few of the questions put to them and all made it very clear that they would not jeopardize land claims by assisting the Commission. The attitude of only one local group, Port Simpson, is equivocal. The Commissioners considered its representatives to be uncooperative but based on seven pages of testimony in response to Commission queries and the fact that the Indians were at all times polite, Port Simpson is treated as a cooperative group herein. Table 4 presents the distributions of the cooperative and uncooperative Tsimshian's comments according to the topical interest coded and according to the type of testimony in which they were given. Note should be made of the fact that, as in the previous table, the unit of analysis is each Tsimshian address, not each individual's testimony.

Perhaps the most obvious and important difference between the comments given by the twenty representatives of the uncooperative local groups and those given by the eighty-five cooperative Indians emerges not by comparing distributions, however, but by comparing the total number for each. As shown in the table, the cooperative Tsimshian made more than seven times as many codable comments as the uncooperative

TABLE 4: TOPICAL DISTRIBUTION OF COMMENTS FOR COOPERATIVE AND UNCOOPERATIVE TSIMSHIAN ACCORDING TO THE TYPE OF TESTIMONY IN WHICH EACH WAS GIVEN \*

TOPIC	TYPE OF TESTIMONY**										T
	OPENING ADDRESSES		VOLUNTEERED		QUESTIONING		TOTAL		T		
	coop- erative	uncoop- erative	coop- erative	uncoop- erative	coop- erative	uncoop- erative	coop- erative	uncoop- erative			
1. aboriginal title	4	12	37	2	2	8	43	22	65		
2. the reserve system		6	24	1	8	3	32	10	42		
3. non-Indian territorial expansion	4	2	28		5		37	2	39		
4. desirability of traditional fishing stations	3	1	18		10		31	1	32		
5. desirability of traditional hunting territories	3	1	16		8	1	27	2	29		
6. new reserves and/or additions to existing reserves	2	1	19		4		25	1	26		
7. desirability of farm land	2		14		11	1	27	1	28		
8. non-traditional economic activities for Indians	4		19		7		30		30		
9. desirability of timber and/or logging land	2		13		9		24		24		
10. individual land ownership	1	1	6		4	1	11	2	13		
11. EuroCanadian legal status for Indians		1	8		4		12	1	13		
12. desirability of fishing licenses	1		8		5		14		14		
13. communal land ownership	1		4		1	1	6	1	7		
total number of comments	27	25	214	3	78	15	319	43	362		

\*based on the testimony of 105 Tsimshian before the Royal Commission on Indian Affairs for the Province of British Columbia

\*\*unit of analysis is each Tsimshian address, not each individual's testimony

representatives, 319 as compared to 43. Clearly, the aggregate results discussed in the previous sections reflect primarily the interest and opinions of the cooperative Tsimshian, since over eighty-five percent of the coded comments are theirs. All generalizations, then, must be tempered with the knowledge that the uncooperative Indians are sorely under-represented in this sample.

Another significant difference between the comments of the uncooperative and the cooperative Tsimshian is reflected in their distributions according to the type of testimony in which they were given, however. Both the cooperative and uncooperative Indians made roughly the same number of codable comments during opening addresses, 27 and 25 respectively. But there the similarities end. The uncooperative Tsimshian almost totally lack comments from volunteered testimony, whereas the bulk of the cooperative Indians' comments were made in freely volunteered addresses to the Commission. As shown in Table 4, only three codable volunteered comments were identified for the uncooperative local group representatives, while 214 were identified for the cooperative Tsimshian. Similarly, although 78 comments were coded from the question period testimony of the cooperative Indians, only 15 codable comments were identified in the same type of uncooperative Tsimshian testimony.

As might be predicted, the uncooperative Indians, with fewer coded comments and fewer representatives, also discussed a narrower range of topics in each of the three types of testimony as compared to the cooperative Tsimshian. While the opening addresses of the cooperative Tsimshian focused on eleven of the subjects for which comments were

coded, those of the uncooperative Indians focused on only eight. Similarly, while the volunteered comments of the cooperative local group representatives addressed all thirteen of the topics for which comments were coded, those of the uncooperative Indians addressed only aboriginal title and the reserve system. The distributions of coded comments from questioning period testimony also reflect that while at least one individual from a cooperative local group discussed each of the thirteen subjects which are the focus of this analysis, those of the uncooperative Indians indicate that only six different topics were addressed. Clearly, the more adamant the Indians were about discussing aboriginal rights, the less likely they are to have addressed other issues or problems.

In sum, the cooperative Tsimshian made more than seven times as many codable comments as the representatives from the uncooperative local groups. The cooperative local group representatives outnumber those of the uncooperative Tsimshian by more than four to one, however. The vast majority of the cooperative Indians' comments are found in their volunteered testimony, whereas the bulk of the uncooperative Tsimshian's coded comments were made during opening addresses. The choice not to assist the Commissioners apparently resulted in the uncooperative Indians having relatively few codable comments in their volunteered or questioning testimony, as well. Moreover, it resulted in an apparently narrower range of interest in terms of the number of different subjects addressed by them. Discussions of the Tsimshian as a whole, then, are necessarily biased in favour of the cooperative

Indians' concerns and opinions.

But generalizations about 'the Tsimshian' have limited relevance. 'The Tsimshian' were not a political or social entity. Its members had cultural and linguistic similarities but in terms of day to day living only a small part thereof interacted on a regular and meaningful basis. Shortly, the demonstrated concerns of each Tsimshian local tribal grouping will be examined and many of the points brought up in this section will be expanded upon. First, however, the EuroCanadian testimony will be summarized.

#### EuroCanadian Testimony

Included in the 'Tsimshian evidence' of the Royal Commission on Indian Affairs are the addresses of several non-Indian individuals. The hearings themselves were not closed and anyone wishing to speak could do so. Only four EuroCanadians, however, addressed the Commission during the actual meetings with the various Tsimshian local groups. These were three 'missionaries' and the representative of a fourth. While hearings with other British Columbia Indians were apparently attended by municipal officials and other interested parties, only the clergy were present in the Tsimshian case.

Also included in the extended 'Tsimshian evidence' are records of private interviews with the three Indian Agents, the inspector of the Indian Agencies, and two British Columbia government surveyors. These interviews usually took place in Victoria, though one was held while the Commissioners were in transit. Each of these individual's statements was duly recorded and a transcript can be found after the

Indian testimony for its respective agency in the unpublished Commission record.

The testimony of all of the aforementioned individuals was excluded from the aggregate summary and from all subsequent chapters. Each non-Indian's comments were, however, subjected to content analysis and what follows is a brief discussion of the results of those particular analyses. Comments were coded in exactly the same way for the non-Indians as they were for the Indians.

Comments of the 'missionaries': The most visible man of the cloth was 'the Venerable Reverend Archdeacon Colli(n)son'. (NOTE: The spelling here is probably incorrect. In all likelihood, the individual referred to is Rev. Collison). He was present throughout the meetings with the Kincolith Indians, a Nishga local group. He had previously worked with Duncan at Metlakatla and informed the Commission about this fact on several occasions. After the Indians at Kincolith had been advised of the Commission's inability to deal with the land title question, Colli(n)son asked for an adjournment so that the Indians could discuss and plan how to proceed. After the recess, the Indians began presenting their case but when the topic of education was brought up, Mr. Colli(n)son interrupted. He reiterated how bad the school situation was and urged that the standard of local education be upgraded so that it would no longer be necessary for so many children to leave their families in order to receive the most basic academic skills (R.R.C.E. Nass:64). The remainder of this Anglican Archdeacon's comments can be found in a six-page address (R.R.C.E. Nass:66-74). He had again interrupted the proceedings, having decided to give "a little

history for a change", a history of his over fifty years in the area. None of Reverend Colli(n)son's comments were codable. There was some hint that he favoured EuroCanadian legal status for Indians but nothing about this or any other topic was explicitly stated.

Mr. Charles Morton addressed the Commission at the meetings in Aiyansh, another Nishga settlement. He was "taking the place of Reverend Mr. McCulloch" (R.R.C.E. Nass:140). Whether he was a clergyman himself is unknown. Mr. Morton did not claim any local group or 'band' membership and it is presumed that he was non-Indian. Such may not be the case but the equivocal nature of his identity led to the exclusion of his testimony from any consideration of the Indians' testimony. The comments of Mr. Morton indicate that he, and presumably Reverend McCulloch, were moderately against 'the reserve system' and supporters of Indian land claims. Morton's address about 'aboriginal title' reflects a high intensity of positive interest.

Two other ministers spoke on behalf of two Coastal local groups. The Reverend George Read discussed the occupations of the Kitsoo Indians in regards to a piece of land that the Indians had requested. In response to the Commissioners' questioning, Mr. Read put forth a strong argument for the Indians' need to retain traditional fishing stations and hunting territories. They were necessary for the native peoples' survival, he said (R.R.C.E. Bella Coola:79-85). Mr. Read provided the Commissioners with some clarification of the various reserves and the use to which they were put, and he later served as the interpreter at Hartley Bay (Kitkahta Indians).

The Kitkahta Indians met with the Commission in September of 1913.

They did not cooperate in any fashion and "their minister", James Herbert Matthews, abided by their choice not to do so. Mr. Matthews, a member of the Methodist church, supported the Indians in their fight for aboriginal title (R.R.C.E. Bella Coola:117-118). While he submitted to questioning, Mr. Matthews made very few replies. The result was that the Commission gathered little information about the Kitkahta, their reserves, or their land requirements at that time. Nearly two years later, in March of 1916, Mr. Matthews sent a letter to the Commission which in part remedied that situation. He stated that though the Indians had been uncooperative, "they now see matters in a different light" (R.R.C.E. Bella Coola:205). Land suitable for firewood, hunting, fishing and trapping was then specifically requested.

Clearly the 'missionaries' made few codable comments. Aside from the topics previously mentioned, namely 'the reserve system', 'aboriginal title', and hunting and fishing territories, no others were discussed. The topics mentioned and the point of view demonstrated will later be shown to echo, or at least not oppose, those of the Indians themselves. It is difficult to assess the role the clergy played at the Commission hearings. Perhaps their primary purpose was to clarify for the Commissioners the various incidents and lands to which the Indians referred. There is no way of telling whether or not the Indians' concerns and opinions were given more weight because of non-Indian support. Similarly, whether or not adjournments would have been granted had the Indians asked for them themselves is debatable.

Comments of the Indian Agents, their inspector, and two land surveyors:

Other than the clergy, no non-Indians made addresses that could be

classed here as 'voluntary'. Six government employees did however have private interviews with the Commission members. At these times each answered the very specific questions put to him. During these question periods the Commission went over each 'band' allotment, what was asked for, and what was available for Indian use. The individual being interviewed would reply in a similarly specific manner.

The two British Columbia government surveyors, George Robinson and A. W. Harvey, simply told whether or not a given area was available based on their studies. Later under official direction they surveyed the lands before final allotment. They had no codable comments.

The 'inspector of Indian Agencies', Mr. A. M. Tyson, had accompanied the Commissioners on some of their travels. In November of 1913, he reported to them on his inquiries at China Hat (Klemtu). Several Indian applications for additional reserves had been received. The Kitasoo Indians had up until that time been granted only two small reserves. Mr. Tyson reported that there were "no white men" and that granting the specified lands would not cause any "racial problems" or tie up agricultural land (R.R.C.E. Bella Coola:124). The inspector also stated that, in his opinion, adequate fishing stations and hunting camps ought to be set aside (R.R.C.E. Bella Coola:127). His opinions about these topics were of moderate intensity.

Iver Fouger, the Bella Coola Indian Agent, was interviewed about the Coast Tsimshian under his jurisdiction on September 4, 1913, aboard the S.S. Queen City. R. E. Loring, the agent of the Babine Indian Agency, answered questions about 'his Indians' from November 4 to 22, 1915, in Victoria. C. C. Perry of the Nass Agency was

interviewed December 16 to 30, 1915, also in the capital. Nearly 250 pages of evidence were recorded from the three Indian Agents. Each agent provided pertinent demographic and economic information for his agency. Each was further pressed to offer suggestions as to which parcels of land might best be set aside, given his knowledge of settlement and the use to which the Indians put the land.

Because of the number of local groups discussed with each agent, and because the same sorts of questions were asked for all Indians in his agency, the interest of each agent in the topics discussed appears intense. That is, addresses totalling more than seven sentences in length were noted for every agent. As might have been predicted the Commission questioned the Indian agents about the same sorts of things they questioned the Indians about at the hearings. The topics which the agents mentioned include the desirability of fishing, hunting, timber, and farming lands, new reserves and/or additions, and the importance of Indians engaging in non-traditional activities.

All three agents appeared realistic in their advice to the Commission. While the Commission members pushed farming and farm land, the agents suggested that in many places it was too wet or otherwise unsuitable. Moreover, all said that the Indians were not farmers and that land should be given permitting the continuation of more traditional activities. They said fishing was perhaps the most viable commercial enterprise (R.R.C.E. Babine:107-123); Bella Coola:119-122, 141-201; Nass:186-293).

In summary, the topical foci of the Indians agents' comments were wider than those of the other non-Indians but nevertheless narrower than

those of the Indians themselves. Because the agents were questioned repeatedly about similar subjects, their interest in each topic discussed appears intense. All three appear to have been knowledgeable about the local groups under their jurisdiction and all seem to have been realistic about where the economic future lay for the Indians.

Overall, the EuroCanadian testimony is less diverse than the Indians' both in interests indicated and in opinions expressed. Relatively few topics were discussed by non-Indians and no conflicting points of view are apparent. The Commission's questioning determined the foci of much of the EuroCanadian comments. The questions were usually specific and opinions about debatable 'issues' were not solicited. Generally the non-Indians assisted the Commission and the Indians by clarifying the situations surrounding incidents or lands previously referred to. In those cases where the Indians refused to assist the Commission, the non-Indians provided the information the Commissioners felt was necessary for them to make reserve allotment decisions.

## CHAPTER 6

## LOCAL GROUP VARIATION

In the previous chapter, a generalized picture of the interests and opinions of the Tsimshian as a whole was presented. This picture does not necessarily reflect the expressions of concern and attitude of any part thereof, however. It is the purpose of this chapter to examine just what it was that each of the twenty-one local groups considered worthy of discussion and to suggest some possible explanations for the similarities and differences observed.

The 105 Tsimshian testifying before the Royal Commission in 1913 and 1915 usually gave their Christian surname. The Indians also stated the local group or village to which they belonged. Clan and lineage membership were not discussed and indications of status and rank are few and far between. The village or local group, then, forms the smallest identifiable grouping of individuals based on the information available in the extended evidence of the Commission.

The distribution of the analyzed comments of each of the Tsimshian local groups is first briefly summarized. Note is made of those local groups which cooperated with the Commissioners, and of those local groups which were granted adjournments to prepare. Because it has already been established in which type of testimony the bulk of cooperative and cooperative codable comments were given, matters are simplified in this chapter by using each individual's testimony as the unit of analysis. In the discussion section, comparisons are made

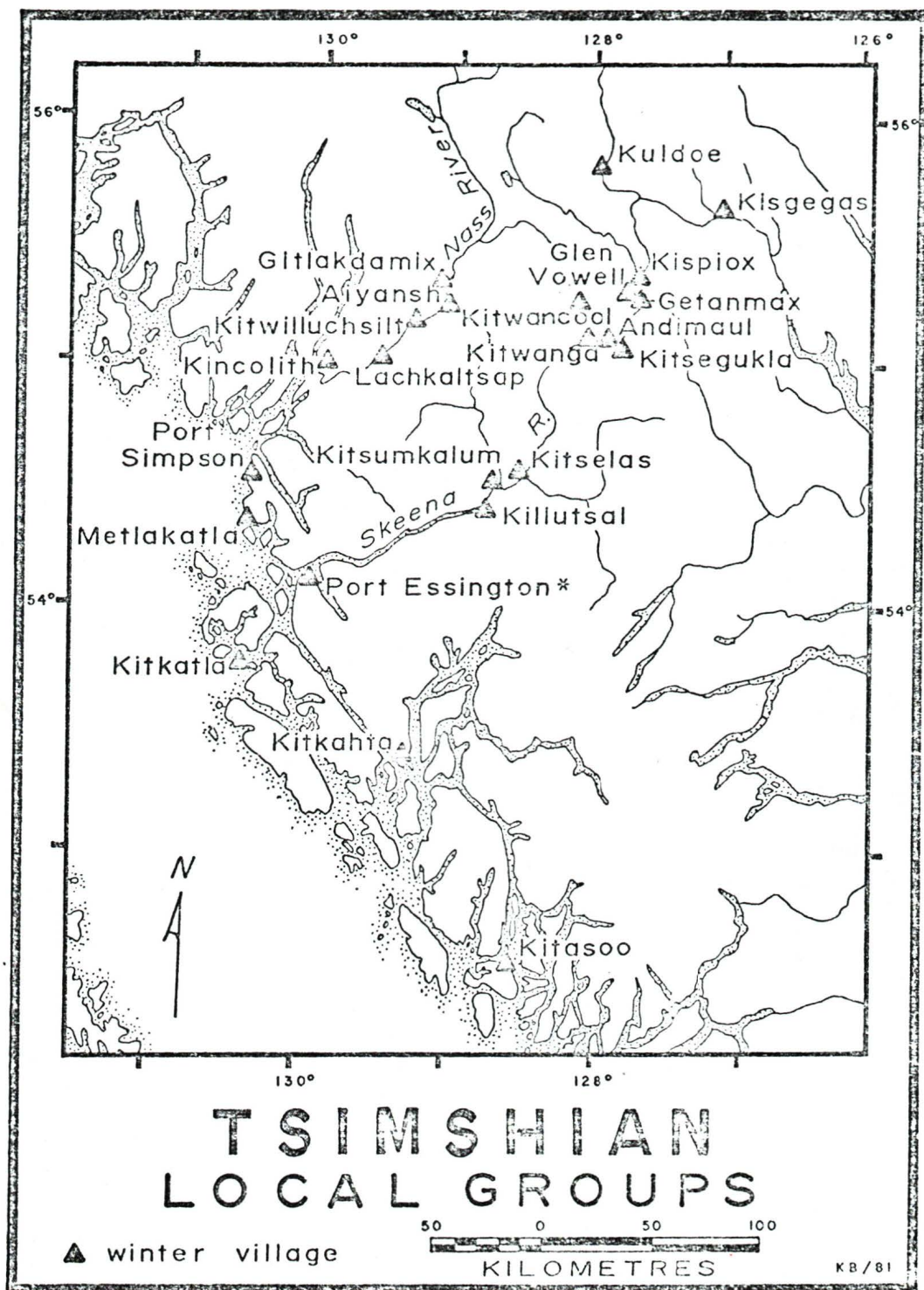
between the cooperative local groups on the one hand and the uncooperative groups on the other wherever feasible since much of the overt variation between and among local groups is probably determined by their posture towards the Commission and not by real differences in interests. By way of conclusion, it is established which of the twenty-one local groups seem closest in general concerns and attitudes. Whether or not the consensus varies significantly from one local group to another is also discussed.

In Table 5 the Tsimshian local groups are listed according to ethnolinguistic classification. Map 3 shows the location of each according to the Commission's published volumes. The comments of those groups comprising the Coast Tsimshian are outlined first, followed by the comments of the Gitksan and Nishga local groups. Note that a copy of the data file has been left with the Department of Anthropology, University of Victoria, for those wishing to see the exact results of the coding procedure.

TABLE 5: ETHNO-LINGUISTIC CLASSIFICATION OF TSIMSHIAN LOCAL GROUPS \*

LOCAL GROUP ("Band")	DIALECT	LANGUAGE
Kitasoo		COAST TSIMSHIAN
Kitkahta		
Kitkatla		
Port Simpson		
Metlakatla		
Killutsal (Lakelse)		
Kitsumkalum		
Kitselas		
Kitwanga	GITKSAN	NASS-GITKSAN
Andimaul		
Kitsegukla		
Getanmax		
Kispiox		
Glen Vowell		
Kisgegas		
Kuldoe		
Kitwancool	KITWANCOOL	
Kincolith	NISHGA	NASS-GITKSAN
Lachkaltsap		
Kitwilluchsilt		
Gitlakdamix		
Aiyansh		

\*based on Hindle and Rigsby 1973:1-2



Map 3: The location of the Tsimshian local groups in British Columbia  
(adapted from R.R.C. 1916:179, 223, 549)

\*some Kitsumkalum and Kitselas also lived at Port Essington in 1915

## Coast Tsimshian Local Groups

Eight Coast Tsimshian "bands" or "tribes" were identified by the Commission in their final report. All but one of these local groups were represented at the hearings. No individual spoke on behalf of the Killutsal (or Lakelse) local group. According to the Nass Indian Agent, one member of the Killutsal "band", a Mr. Charles Powell, was apparently present at the Port Simpson meeting. He did not identify himself however, nor did he address the Commission. A brief discussion of the comments of the other seven Coastal groups follows.

Kitasoo: Two Kitasoo individuals addressed the Commission on August 26, 1913. Both expressed moderate concern about their traditional fishing and hunting territories and about the need of more land suitable for farming (R.R.C.E. Bella Coola:79-85). One of the two also discussed his desire for additional reserves, where the land would be individually owned. He otherwise supported Indians having full Canadian legal rights (R.R.C.E. Bella Coola:82). The other representative talked of the problems of non-Indian territorial expansion and briefly mentioned timber land, presumably to the end of having it secured for native use and/or access (R.R.C.E. Bella Coola:80). One of the two representatives responded to all of the Commission's queries. A total of eleven comments were coded for the Kitasoo representatives. No differences of opinion between the two speakers were apparent.

Kitkahta and Kitkatla: Seven representatives of the Kitkahta and Kitkatla local groups met with the Commission on September 3 and 4, 1913. They apparently spoke of Indian title to the exclusion of all else and would not cooperate in answering the Commissioners' questions (R.R.C.E. Bella Coola:117,119). The addresses of these individuals were not recorded so it is impossible to determine whether or not other topics were also discussed. From the little information available it was assumed that each of these Coast Tsimshian representatives was at least a moderate supporter of aboriginal rights. The notation sheets for the seven were coded accordingly. Hence, four Kitkahta Indians appear 'moderately for' aboriginal title and three individuals from Kitkatla seem similarly inclined. \*

Port Simpson: After being advised that the Commission could not address the land title question, the Port Simpson Indians briefly adjourned from their September 29, 1915, meeting to consider how to proceed. Seven individuals later spoke to the Commission, three of whom claimed that the land title question really should have been settled first (R.R.C.E. Nass:35,37,38). The Port Simpson representatives, as a whole, appeared most concerned about the continual loss of lands to non-Indians. Four representatives discussed this subject. Aboriginal title and the inacceptability of the reserve system received a considerable amount of attention from three Port Simpson individuals. Moderate interest in fishing, hunting, and farming lands was also demonstrated. Two Indians asked for additional reserves and another indicated his groups willingness to engage in \*

non-traditional endeavours.

A total of eighteen codable comments were identified for all representatives and the Indians appeared to be in complete agreement. There is some evidence that the Port Simpson Indians delegated the responsibility of discussing certain topics to specific individuals. Three of the seven representatives had been appointed by the various chiefs of all Port Simpson "tribes" to discuss different subjects with the Commission (R.R.C.E. Nass:37).

The Commission noted in their final report that the Port Simpson Indians refused to give the information required (R.R.C. 1916:175). Such is not strictly true. Moses Johnson answered many of their questions (R.R.C.E. Nass:42-49). In the end, he had to stop as a heated discussion had arisen among the Indians present. Some did not want him replying to the Commission. Others were dissatisfied with the interpreter. Only then did Johnson refuse to answer, saying that he would not go against the Indians in his 'band' or their wishes (R.R.C.E. Nass:49). Given the aforesaid, it may be concluded that while the Port Simpson Indians did not cooperate fully with the Commission neither did they absolutely refuse to give all of the information asked for. The Port Simpson representatives were at all times polite and respectful.

Metlakatla: When the Commissioners arrived for the meeting at Metlakatla on September 15, 1915, they were treated to a musical recital and a host of welcoming speeches (R.R.C.E. Nass:23). The six individuals who represented the Metlakatla Indians at the hearings were cooperative and discussed all of the topics which form the basis of this

study, excepting the 'desirability of traditional hunting territories'. \*  
All six individuals discussed 'the reserve system'. Three were satisfied with it and three were not. As one speaker pointed out, there was "a division in the Village about the reserves - some wants it cut up and others again wants it to remain just as it is now" (R.R.C.E. Nass:22).

Next to the system of reserves, the necessity of securing adequate numbers of fishing stations and the desirability of individual land ownership were mentioned most frequently. Three Metlakatla representatives supported individual ownership of land, while one individual was against it. All who focused on fishing stations asked that more be set aside as reserves. Three other representatives also indicated more than moderate interest in fishing licenses and non-traditional economic activities. Some Indians already had trades, they said, and many were seeking work in canneries and sawmills or with the railroad (R.R.C.E. Nass:22,26-27,30).

Two of the Metlakatla representatives complained about non-Indian expansion. No one from this local group spoke up in favour of aboriginal title. One individual discussed the subject and he claimed that he and his fellows did not support the other Indians in 'this land trouble' (R.R.C.E. Nass:23). All of the other topics addressed, including the desirability of farm and timber land, EuroCanadian legal status, and communal land ownership, were discussed in a sentence or two by a single individual. A total of twenty-nine comments was coded for the Metlakatla representatives.

Clearly the comments of these Indians were wide ranging in focus

with approximately one-quarter of the total indicating more than a moderate intensity of interest. Opposite points of view were apparent for two issues, namely the reserve system and individual land ownership. The systematic manner in which various subjects were dealt with, and the fact that the Indians held a welcoming reception indicates the considerable amount of time those at Metlakatla spent preparing for the Commission's arrival. No other group went to the same sorts of troubles.

Kitsumkalum: On September 25, 1915, six members of the Kitsumkalum Indians met with the Commissioners at Port Essington. The topics on which they focused attention were also wide and varied, but unlike the Metlakatla Indians, the Kitsumkalum were in complete agreement.

The Kitsumkalum appeared most concerned about the reserve system and EuroCanadian legal status for Indians. Five of the representatives claimed that the reserves simply did not work and that they considered the Indian agents and the Indian Act to be of no value (R.R.C.E. Nass: 2,4,6, and 13). The five also demanded that the reserves be abolished and that Indians have the same rights and responsibilities as other Canadians under the law.

Continuing non-Indian territorial expansion also warranted Kitsumkalum attention, though slightly less than did either the reserve system or Canadian legal status. Discussions about fishing stations and non-traditional economic endeavours were apparently next in importance to the loss of Indian lands, judging from the number of comments made about each. Two individuals addressed the Commission

about fishing licenses, farm land and/or aboriginal rights. These individuals favoured the granting or recognition of all three. Hunting, logging, and individual land ownership were discussed by one individual each. The Kitsumkalum made twenty-nine codable comments, and at no time did the Indians appear uncooperative.

Kitselas: Five Kitselas addressed the Commission on April 15, 1915. One of their chiefs later spoke to the Commission members on September 25, 1915. Like those at Kitsumkalum, the Kitselas demonstrated interest in eleven of the thirteen topics which are the foci of this analysis. In total, twenty-six codable comments were identified for the Kitselas representatives.

At the meeting greatest native concern was evident about non-Indian territorial expansion, including the activities of the railroad, farmers, and cannery owners. All five representatives addressed this problem and nearly one-fifth of all coded Kitselas comments focused on this subject.

Slightly less interest was apparent concerning aboriginal rights. Several Kitselas made references to the 1908 (1909?) petition sent to Sir Wilfred Laurier and the Department of Indian Affairs (R.R.C.E. Nass:1,2,11). They apparently supported the arguments put forth in this document. One Kitselas representative was willing to wait until the aboriginal title question was brought up in the courts before assisting the Commission in their final reserve allotments (R.R.C.E. Nass:3). Comments equal in number to those about land title were coded for 'the desirability of timber and/or logging land'. Four individuals

addressed the Commission about each of these topics.

Three Kitselas discussed 'the reserve system'. One was 'moderately for', while the other two showed high and intense negative interest. Three representatives also demanded that traditional fishing stations be secured for their use and their use only, and two individuals demanded similar action for their traditional hunting territories. One Kitselas appeared willing to engage in non-traditional activities, including farming. One individual also addressed the Commission about the topics of fishing licenses, communal land ownership and/or EuroCanadian legal status for Indians.

On the whole the Kitselas were decisive and in agreement. Moreover, " t he Indians were willing to answer questions and seemed to appreciate the visit of the Commission" (R.R.C. 1916:175).

#### Gitksan Local Groups

Nine Gitksan local groups addressed the Commission during their various meetings with the Indians of the Babine Indian Agency. Seven of the local groups met with the Commission in April of 1915. Two local groups were unable to attend these meetings, as previously arranged, and they were afforded another audience with the Commissioners in July of the same year. The groups that were uncooperative in April were instructed by the Indian Agent, Mr. Loring, that they could have another opportunity to address the Commission later in the year if they so chose (R.R.C. 1916:172). None accepted the offer.

Kitwanga: Two individuals represented the Indians of Kitwanga at their April 17, 1915, meeting with the members of the Royal Commission. Between them these two individuals made six codable comments. Both Kitwanga representatives spoke out in favour of aboriginal rights, one in a sentence or two, the other in four or five (R.R.C.E. Babine:13,14). Both individuals also addressed themselves to the subject of the system of reserves and allotments. They were, however, not in agreement about this issue as one appeared 'moderately for', the other 'highly against'. The Indian who did not support the reserve system nevertheless suggested that a few more reserves should be set aside (R.R.C.E. Babine:15). He also indicated that non-Indian expansion was a problem of ever increasing gravity that must soon be controlled.

The Kitwanga stand on aboriginal rights evidently precluded answering questions about their reserves and additional requirements. The two representatives would not reply to the Commissioners' queries and neither would any of the other Kitwanga present. While decidedly uncooperative from the Commission's point of view, both representatives were at all times polite. Despite being disappointed in the Commission's narrow scope of powers, the first Kitwanga Indians to speak at the meeting claimed that "all the majority in this place here, we are all happy because we have seen you people" (R.R.C.E. Babine:13).

Andimaul: Two individuals from the Salvation Army village of Andimaul addressed the Commission on April 20, 1915. Three topics were discussed by both representatives. These included 'aboriginal title', 'the reserve system', and the 'desirability of traditional hunting territories'.

Addressed by one of the two, were six other subjects, namely the desirability of farming, fishing, and timber lands, communal land ownership, non-traditional economic activities, and the problems of non-Indian expansion (R.R.C.E. Babine:26-30). One-quarter of the twelve total comments reflected no explicit opinion but differing points of view were not apparent. The Andimaul representatives answered all of the Commissioners' questions about their local group and land requirements.

Kitsegukla: Those from Kitsegukla met with the Commission on April 20, 1915. Of the local group members present, three addressed the Commissioners but only two made codable comments. The individual for whom no comments were coded was skeptical of the Commission's motives and decided not to say anything of consequence in their presence (R.R.C.E. Babine:32-33). The other two representatives of the Kitsegukla Indians were cooperative though decidedly in favour of aboriginal rights. While one individual demonstrated moderate concern about land claims, the other indicated interest of the most intense sort. The inadequacies of the reserve system and the loss of Indian land were discussed by both individuals. The solution proffered to appease both problems was to give the Indians full legal status and allow them individually to stake claim to 100 acres 'just like anyone else' (R.R.C.E. Babine:33). One of the Kitsegukla representatives also showed concern about the possibility of cut-offs. He suggested that more fishing stations and timbered lands were needed. Between the two of them, the Kitsegukla individuals made eight codable comments while

addressing the Commission, seven of which were of moderate intensity. Agreement was evident for the only topic which they both discussed, aboriginal title.

Getanmax: The Indians of the Getanmax local group met with the Commission on an Indian reserve near Old Hazelton on April 21, 1915. At the meeting the Indians did not cooperate with the Commission and the three Getanmax representatives stood firm in their belief that the aboriginal title question had to be settled before any discussion of final reserve allotments could begin. Two of the three representatives thought that the reserves themselves were unnecessary and that the Indians should hold their lands just like other Canadians (R.R.C.E. Babine:39,40). When the Commissioners attempted to question the Getanmax, the Indians adjourned to discuss the matter and in the end, decided not to answer any questions. The nine coded Getanmax comments reflect the Indians' narrowly focused concerns.

Kispiox: Members of the Royal Commission met with three representatives of the Kispiox local group on their reserve on April 22, 1915. Like many of the other Gitksan groups, the Kispiox were uncooperative and interested primarily in aboriginal rights and the dissolution of the reserve system. Two of the three Kispiox representatives addressed themselves to these two issues. Moderate concern was evident about aboriginal rights while high and intense concern was apparent for the reserve system issue. One or another of the representatives also discussed the problems of non-Indian territorial expansion, the

desirability of EuroCanadian legal status for Indians, and communal or traditional land ownership. No native disagreement was apparent from the seven codable Kispiox comments.

Glen Vowell: When the Commission arrived at the Glen Vowell Indian Reserve on September 23, 1915, the members received the same cold reception that they had on the day previous at Kispiox. Only two Glen Vowell Indians spoke with the Commissioners and both stressed that the reserves ought to be abolished and that all native lands ought to be returned to the Indians (R.R.C.E. Babine:48-49). The total codable comments identified for the Glen Vowell representatives was four. The two representatives would discuss nothing aside from the title question and the reserve system, though they were both urged several times to reconsider. The Commissioners were not pleased with the Indians' uncooperative stance but claimed that they did not hold them responsible since they knew that others were 'behind the movement' (R.R.C.E. Babine: 50).

Kuldoe: The Kuldoe local group first met with the Commission in the Indian Agent's office on July 13, 1915. Because the Indians were not satisfied with the arrangements, the meeting was moved to another building. There, the by then familiar tenets of the native case were reiterated once more by one of the two Kuldoe representatives. He asked that the government rid the Indians of the reserves and grant them the right to all their traditional lands (R.R.C.E. Babine:73-74). He also "petitioned" for all one Skeena nation, including the Kuldoes,

Kisgegas, and Kispiox, and those at Glen Vowell and Old Hazelton. The exact intention of such a "petition" is unknown.

Chief DÉBÈ initially agreed to be questioned about the Kuldoe Indians, their population, and land requirements. He briefly mentioned farm land and hunting, and then chose to cooperate no further. The Indian Agent, Mr. Loring, then proceeded to give the pertinent information. Only four Indian comments were coded in total for the Kuldoe local group.

Kisgegas: At the July 13, 1915 meeting with the Kuldoes, the Commission also heard from the single individual who alone represented the Kisgegas local group. This Kisgegas representative spoke briefly about the system of reserves and aboriginal rights, indicating that the former ought to be abolished and that the latter was the Indians' right by birth (R.R.C.E. Babine:76-77). The Kisgegas representative also refused to answer any questions put to him. His address was similar in tone to the majority of the Gitksans'.

Kitwancool: On April 18, 1915, Chief Alexander welcomed the members of the Commission to his village of Kitwancool. He then appointed two individuals to speak on his and the other Indians' behalf (R.R.C.E. Babine:16). The representatives were cooperative yet somewhat suspicious of the Commissioners' motives, and in total they made thirteen codable comments. Both Kitwancool briefly talked of their support of Indian land title claims and their preference to see the reserve system done away with. These topics were not discussed at

length however and the representatives seemed willing to shelve these issues for the time being. No reserves had previously been allotted to the Kitwancool and the Indians appeared eager to assist the Commission in their undertaking.

The Kitwancool were obviously prepared for the Commission's visit and presented the members of it with a map, drawn by an Indian, that had "little red spots showing" the land the Kitwancool wanted set aside for reserves. "We don't want the whole province" only that which is indicated (R.R.C.E. Babine:16).

Both of the Kitwancool representatives addressed the problems resulting from non-Indian expansion, especially the poorer hunting. Each displayed a willingness to engage in agricultural activities when pressed by the Commission about farm land. The Kitwancool were "trying to be civilized", one said (R.R.C.E. Babine:19). The desirability of fishing stations and logging land was also mentioned by one of the two representatives. In all the Kitwancool presented a united front to the Commission, and if there were native disagreements about land or associated issues they were not discussed.

#### Nishga Local Groups

Of the Tsimshian local groups, the Commission met last with five Nishga groups. These hearings were held in October of 1915. Each meeting was apparently well attended, although no specific information exists as to the numbers of individuals in attendance. The Commissioners were duly impressed by the reception they received, however, and little of the negativism characteristic of the majority of the previous meetings was evident (R.R.C. 1916:550).

Kincolith: Those of the Kincolith local group attended the hearings of the Royal Commission on Friday October 2 and Monday October 5, 1915. A total of sixteen individuals addressed the Commission over the two days and every topic which forms the basis of this study was discussed at least once. The subject most frequently mentioned was the new reserves and/or additions to existing reserves. Ten representatives indicated that more reserve land was required and most requested that specific pieces be set aside. The next most popular topics included aboriginal rights and traditional fishing stations. Seven individuals discussed each of these topics and just over 10% of all Kincolith comments focused on each of these two subjects. Following closely behind these concerns was the interest demonstrated in hunting territories, non-traditional economic endeavours, the reserve system, farm land, loss of Indian lands to settlers, and logging land. Each of the aforementioned was discussed by four or more Kincolith Indians. One or two speakers addressed themselves to the types of land ownership they preferred, to fishing licenses, and to full Canadian legal status for Indians. A total of sixty-one codable comments were identified for the Kincolith who addressed the Commission.

The representatives appeared polite and cooperative, and as a group the Indians seemed decisive though nearly 20 percent of the coded Kincolith comments contained no explicit opinion. The only difference of opinion evident among the Indians concerned aboriginal title. One representative did not support Indian land claims.

Lachkaltsap: After the Commission advised those present at Greenville on October 5, 1915 of their powers and the intended scope of their inquiry, the Lachkaltsap Indians adjourned until that evening. When the meeting reconvened seven individuals who had been appointed to represent their local group addressed the Commissioners (R.R.C.E. Mass: 97). Five discussed non-Indian territorial expansion, four spoke out in favour of aboriginal title, and three indicated the desirability of traditional fishing stations. Two representatives discussed hunting, farming, or logging lands as well as fishing licenses and non-traditional economic endeavours. It was not necessarily the same two individuals who addressed each of these five subjects, however.

Only one Lachkaltsap asked for additional reserves. He had been appointed to do so and his address indicated interest of the most intense kind. He also presented the Commission with a map indicating the lands required. A total of twenty-three comments were coded for the Lachkaltsap local group and the consensus on each and every topic was complete. The representative chosen to respond to the Commissioners' queries cooperated fully and answered all questions put to him or else directed the Commissioners to someone who could.

Kitwilluchsilt: The Indians of the Kitwilluchsilt local group were given extra time to prepare since the Commission was not empowered to deal with land title as the Indians had expected. When the meeting proper got underway on October 7, 1915, five different individuals spoke to the Commissioners and cooperated fully with them. Three chose to make it clear that they supported Indian land title regardless of the

Commission's inability to address the issue. Three Kitwilluchsilt also talked of the desirability of timber and/or logging land, while two representatives discussed non-traditional activities including farming. Two individuals also requested additional reserves. Only one codable comment was identified which addressed the reserve system issue, and it clearly indicated the speaker's support of the then present system. Only one comment focused on the necessity of Indians having full legal status and similarly only one comment reflected concern about non-Indian territorial expansion and accompanying problems. A total of fifteen comments, most of moderate intensity, were coded for the Kitwilluchsilt. All indicated the Indians' similar points of view.

Gitlakdamix: On October 9, 1915, six members of the Gitlakdamix local group met with the Commissioners to discuss reserve allotments and associated issues. Four of the six asked that more reserve land be set aside (R.R.C.E. Nass:163,164,165,168). One of those requested a piece of land knowing full well that those at Aiyansh wanted it too (R.R.C.E. Nass:163). Two of the Indians asking for reserve lands indicated that they were intensely concerned about this matter, while the other two indicated only moderate concern. One-half of the representatives of the Gitlakdamix spoke out in favour of aboriginal rights and two of the three thought that the reserve system ought to be abolished as well (R.R.C.E. Nass:164,165).

Four other topics were also discussed by the Gitlakdamix, including the problems of non-Indian territorial expansion, hunting and farming land and non-traditional economic activities for Indians. One

individual, though not necessarily the same individual, discussed each of these subjects. A total of fourteen comments were coded for the Gitlakdamix representatives.

Aiyansh: On October 8 and 9, 1915, seventeen individuals represented the Aiyansh local group before the Royal Commission on Indian Affairs. After the Commission members were welcomed by the 'head chief', his representative discussed the Nishga Land Committee and its fight for aboriginal rights (R.R.C.E. Nass:134-135). Over the two days of meetings seven other individuals affirmed their support of Indian land claims. This topic was the subject most frequently discussed by those at Aiyansh. Despite the Indians' posture on this question, they cooperated fully with the Commission.

Six of the Aiyansh representatives talked of the continual loss of their lands and the same number of individuals asked that hunting acreage be increased. As one Aiyansh Indian said, his people needed more than just "camps" (R.R.C.E. Nass:136). Farming apparently appealed to five individuals and when pressed by the Commission, four members of the Aiyansh local group appeared willing to engage in other non-traditional activities including logging and sawmill work. The more traditional occupation of fishing was discussed by three individuals. Three other representatives discussed the merits of individual land ownership. Two of the Aiyansh Indians suggested that the reserve system was neither fair or necessary, while another two representatives asked for additional reserves. Of the forty-three codable comments identified for the Aiyansh local group, approximately one-half reflected that the speakers were more

than moderately interested in the topics they discussed.

#### Discussion

The evidence given by each Tsimshian local group at the Royal Commission hearings was obviously unique in that the manner of presentation and the 'facts' brought to bear on the discussions of the various topics were different at each and every meeting. Moreover, based on my analysis no two local groups had the same number of representatives who discussed the same subjects and made the same number of codable comments. Some of the local groups do appear to have been much more similar than others, however.

In the previous chapter, a radical difference was noted between the cooperative and uncooperative Tsimshian in terms of the number of topics addressed, the number of codable comments made, and the number of representatives who spoke. At the local group level, the same kinds of distinctions appear to hold. As shown in Table 6, the five Nishga local groups, plus the Gitksan Indians of Andimaul, Kitsegukla, and Kitwancool, and the Coastal people of Kitasoo, Port Simpson, Metlakatla, Kitsumkalum, and Kitselas, discussed at least seven of the topics which are the foci of this study. Most of these cooperative groups mentioned nine or more, however. The uncooperative Indians on the other hand, including the six remaining Gitksan local groups and the Kitkahta and Kitkatla groups of the Coast Tsimshian, never discussed more than five different subjects based on my delineation of the topics. Similarly, while the number of coded comments for the cooperative local groups

TABLE 6: RESULTS OF CONTENT ANALYSIS ACCORDING TO LOCAL GROUPS\*

local group	number of representatives	number of topics discussed	number of codable comments	cooperative?
Kitasoo	2	8	11	yes
Kitkahta	4	1	4	no
Kitkatla	3	1	3	no
Port Simpson	7	9	18	yes**
Metlakatla	6	12	29	yes
Killutsal	0	-	-	-
Kitsumkalum	6	11	29	yes
Kitseles	<u>5</u>	11	<u>26</u>	yes
	33		120	
Kitwanga	2	4	6	no
Andimaul	2	9	12	yes
Kitsegukla	3	7	8	yes
Getanmax	3	5	9	no
Kispiox	3	5	7	no
Glen Vowell	2	2	4	no
Kisgegas	1	2	2	no
Kuldoe	2	4	4	no
Kitwancool	<u>3</u>	8	<u>13</u>	yes
	21		65	
Kincolith	16	13	61	yes
Lachkaltzap	7	9	23	yes
Kitwilluchsilt	5	8	15	yes
Gitlakdamix	6	8	14	yes
Aiyansh	<u>17</u>	10	<u>43</u>	yes
	51		156	

\*based on the testimony of 105 Tsimshian before the Royal Commission (Aug. 1913-Oct. 1915)

\*\*I consider the Port Simpson Indians to have cooperated with the Commissioners, albeit not fully (see pp. 98-99).

ranges from eight to sixty-one, with the 'average' group making approximately twenty-three codable comments, the number of comments coded for the uncooperative local groups ranges from only two to nine, with a mean number of approximately four comments for each of these groups. Likewise, although the cooperative local groups were represented by between two and seventeen speakers ( $\bar{x} = 6.5$ ), the uncooperative local groups had between one and four representatives who addressed the Commission ( $\bar{x} = 2.5$ ). The 'average' cooperative local group, therefore, had approximately three times more representatives than did its uncooperative counterpart.

Obviously, if a local group decided not to jeopardize Indian land claims, and hence, not to cooperate with the Commission, it would take fewer individuals to acquaint the Commissioners with this fact than if the opposite posture were taken. Thus, the number of representatives which spoke on behalf of a local group may not accurately reflect the amount of local group interest in the Commission proceedings. Similarly, comparisons based simply on the number of topics mentioned or the number of comments coded lead to erroneous conclusions when generalizations are made about local (or regional) concerns based on these features since they vary directly with the number of representatives. The most meaningful comparisons, therefore, must be made between those local groups which took similar approaches to the Commission hearings and must focus specifically on the subjects addressed by each.

#### Local Group Variation

Among the uncooperative Tsimshian local groups little meaningful

variation is apparent. As shown in Table 7, at least one representative of each spoke about 'aboriginal title' since it was on this ground that the Indians decided not to assist the Commissioners. The system of reserves and reserve allotments were also mentioned by at least one representative of all of the uncooperative local groups, excepting perhaps the Kitkahta and Kitkatla Indians whose testimony is not recorded. Aside from one Kitwanga individual who seemed to support the reserve system, the representatives of the uncooperative local groups appear to have been in complete agreement about the inacceptability of reserves. No other differences of opinion are evident, though few references were made to other subjects by the Indians of Kitkahta, Kitkatla, Kitwanga, Getanmax, Kispiox, Glen Vowell, Kisgegas, or Kuldoe.

Yet while the variation of interests or attitudes between and among the uncooperative local groups seems minimal, such is apparently not true for those groups which chose to assist the Commission in its endeavours. An examination of the subject matter of the addresses of the cooperative local groups indicates a general consensus of opinion on the questions of aboriginal title and the reserve system for the majority of the groups, however. The representatives of Kitsegukla, Kitwancool, Gitlakdamix, Port Simpson, Andimaul, Aiyansh and Kitsumkalum were united in their support of aboriginal land claims. Members of these local groups also voiced strong objections to the reserve system. One Kitselas Indian indicated that the reserve system was not problematical to his way of thinking, but the comments of other Kitselas suggest that this local group can nevertheless be grouped with

TABLE 7: TOPICAL DISTRIBUTION OF LOCAL GROUP COMMENTS <sup>1</sup>

TOPIC	Kitasoo	Kitkahta *	Kitkatla *	Port Simpson	Metlakatla	Kitsumkalum	Kitselas	Kitwanga *	Andimaul	Kitwancool	Kitsegukla	Getanmax *	Kispiox *	Glen Vowell *	Kisgeegas *	Kuldoc *	Kincolith	Lachkaltzap	Kitwalluchsilt	Gitlakamix	Aiyansh
1. aboriginal title		4	3	3	1	2	4	2	2	2	2	3	2	2	1	1	7	4	3	3	8
2. the reserve system				3	6	5	3	2	2	2	1	2	2	2	1	1	5		1	2	2
3. non-Indian territorial expansion	1			4	2	4	5	1	1	2	1		1				4	5	1	1	6
4. desirability of traditional fishing stations	2			1	4	3	3		1	1	1	1					7	3			3
5. desirability of traditional hunting territories	2			2		1	2		2	2		1				1	6	2		1	6
6. new reserves and/or additions to existing reserves	1			2	2			1		1							10	1	2	4	2
7. desirability of farm land	2			1	1	2	1		1	2						1	5	2	2	1	5
8. non-traditional economic activities for Indians				1	3	3	1		1								6	2	2	1	4
9. desirability of timber and/or logging land	1				1	1	4		1	1	1						4	2	3		4
10. individual land ownership	1				4	1					1	2					1				3
11. EuroCanadian legal status for Indians	1				1	5	1				1		1				2		1		
12. desirability of fishing licenses				1	3	2	1										2	2			
13. communal land ownership					1		1		1				1				2			1	
Total No. of Comments	11	4	3	18	29	29	26	6	12	13	8	9	7	4	2	4	61	23	15	14	43

\*local groups that did not cooperate with the Royal Commission /

<sup>1</sup>based on testimony of 105 Tsimshian before the Royal Commission on Indian Affairs for the Province of British Columbia (Aug. 1913-Oct. 1915)

the aforementioned in terms of the stated attitude towards aboriginal rights and the issue of reserves.

The Kitwilluchsilt and Kincolith local groups appear to have supported the reserve system while favouring the land claims fight of the Indians. They seem to be unique in this regard. Kitasoo and Lachkaltsap appear to stand alone as well. No Lachkaltsap representative discussed the system of reserves per se, and neither of the two Kitasoo representatives made mention of either aboriginal title or the reserve system.

Metlakatla too seems to be in a class by itself vis-à-vis its members' stand on the two questions of utmost concern to the Indians as a whole. The six representatives of this Coastal local group were divided equally on the question of whether or not to have Indian reserves, and the only Metlakatla individual who discussed land title appeared not to favour the fight for its recognition.

As mentioned previously only the representatives of the southern most Tsimshian local group made no mention of either aboriginal rights or the reserve system. Among the Tsimshian, Kitasoo is unique in this regard. Its winter village is geographically closest to that of the Kwakiutl Indians of Bella Bella, and it is possible that if comparative data existed for the Bella Bella, the interests and opinions of the Kitasoo, as reflected in their testimony before the Royal Commission, might be found to be similar to the Bella Bella's, at least, more similar than they are to other Tsimshian's.

That three of the five Nishga local groups raised no objections to being confined to reserves seems worthy of note since no other local

group which supported land claims took this posture on the reserve system issue. The Nishga stand on this question is doubly noteworthy given their petition of 1913, wherein it is stated that Indian Agents, the Indian Act, and Indian Reserves are unacceptable (see page 159). Four villages comprised the Nishga Land Committee, namely Kincolith, Lachkaltzap, Kitwilluchsilt, and Aiyansh (Drucker 1958:91). Of the forty-five representatives from these four local groups, only two (from Aiyansh) said anything against the reserve system. The Nishga Land Committee may have had some line of attack planned for the Commission hearings which excluded antagonizing the Commissioners, although there is no documented proof of this. In any event, the coded comments of the representatives presumably do not reflect the interests of the Nishga on the question of the desirability of Indian reserves. Moreover, the Land Committee local groups' stand, as reflected in their coded comments, is different from all other Tsimshian's. These groups appeared most willing to set aside the land title question, although the Indians were supportative of aboriginal rights. Hence the vast majority of the Nishga representatives seemed not to link the reserve system and land claims together in their testimony, as did the members of many other Tsimshian local groups.

Approximately one-half of the local groups requested new reserves and/or additions to existing reserves without specific references to what the land would be used for, i.e., the land was not for hunting, farming, or fishing, it was necessary because allotments were inadequate. These included the five Nishga groups and Port Simpson, Kitasoo, Kitwanga, and Kitwancool. Two Metlakatla representatives also

discussed this topic; however, one Metlakatla individual felt that the then present allotments were adequate. Hence, Metlakatla is the only local group without a consensus of opinion on the need for more reserves.

Of the local groups which discussed land ownership, approximately one-half favoured individual land ownership, and approximately one-half favoured communal land ownership. The representatives of Kispiox, Andimaul, Gitlakdamix, Kitselas, and Kincolith, supported communal land ownership, while those from Aiyansh, Getanmax, Kitasoo, Kitsegukla, and Kitsumkalum, appeared to favour the individual holding of land and property. The members from the Metlakatla local group appeared divided on the merits of communal versus private land ownership, however. Three representatives supported the individual holding of land, whereas two others seemed to favour the more traditional communal land ownership system. Again, Metlakatla alone lacked a consensus of opinion vis-à-vis the type of land ownership which its members supported.

While no Tsimshian advocated non-Indian territorial expansion, some local groups seemed much more concerned with this topic than did others. The percentage of local group comments about this subject ranged from 0.0% to 22.2%. Only two of the uncooperative local groups, Kitwanga and Kispiox, made mention of their negative experiences in regards to the encroachment of EuroCanadians. All of the cooperative groups discussed this problem, however, and seven of the thirteen seemed very concerned about it. More than 10 percent of the Port Simpson, Lachkaltzap, Aiyansh, Kitselas, Kitsegukla, Kitwancool, and

Kitsumkalum comments focused on non-Indian territorial expansion. It appears that the majority of these local groups had greater exposure to the disruptive influences of non-Indian economic 'development'. This exposure was a result of the particular settlement history of the Port Simpson Indians and of the choice of the Grand Trunk Pacific to build a railroad connecting Prince Rupert to Hazelton.

The Port Simpson local group was an amalgamation of various Indian "bands" (Duff 1964:19). It included many Metlakatla Indians, some southern Tsimshian and many of the previous residents of lower Skeena River villages (Duff 1964:93; Garfield and Wingert 1973:7). The ancestors of the Port Simpson people had camped around the Hudson's Bay post at Fort Simpson and had direct contact with Europeans from 1834 onwards. Their descendants similarly experienced 'Whiteman's ways', including more intense exposure than other Tsimshian to disease, alcohol, and the exploitative practices of store, cannery, and sawmill owners, and of other non-Indians living in the area or passing through on their way to the gold fields of the interior.

The Indians living and/or fishing and hunting along the Skeena River, including the Kitwanga, Kispiox, Kitselas, Kitsegukla, Kitsumkalu, and Kitwancool, were first directly influenced by outsiders when the railroad was built between Hazelton and Prince Rupert in 1908-1909 (Adams 1973:6). The Grand Trunk Pacific Company expropriated their land along the river and utilized their timber resources for railroad ties. Moreover, the Indians were not compensated for these losses through 'adequate payments' or through jobs, since the G.T.R. did not hire native work crews (R.C.R. Babine:17). The railroad was the only

major development project in the Tsimshian area circa 1913, and that those local groups most affected by it should make more remarks about the problems of non-Indian territorial expansion than others is borne out in this analysis.

The importance of fishing to the Tsimshian livelihood is reflected in the comments of eleven of the local groups. Similarly, the significance of hunting to the native way of life is indicated in the coded comments of twelve groups. Of the cooperative local groups, only Gitlakdamix and Kitwilluchsilt on the upper Nass did not mention the desirability of traditional fishing stations. The Kitasoo and Port Simpson were the only groups living on the Coast to express an interest in increased hunting territories. Likewise, the desirability of timbered lands was mentioned by the representatives of Kitasoo and Port Simpson, while all other references to this subject were made by those situated inland. Therefore, based on the distribution of comments, the non-coastal Tsimshian appear the most concerned with hunting and timber lands, whereas fishing appears important to all of the native local groups.

Approximately one-half of the Tsimshian local groups demonstrated what might be called 'progressive tendencies', in that they appeared willing to engage in farming, in fishing as a commercial enterprise, or in the wage-labour market. The groups for which comments were coded for the desirability of farm land and non-traditional economic endeavours, and to a lesser extent, fishing licenses, are Kincolith, Kitwilluchsilt, Gitlakdamix, Lachkaltzap, Aiyansh, Port Simpson, Metlakatla, Kitsumkalum, Kitselas, and Andimaul. The addresses of these cooperative

local groups' representatives suggest that they were the most willing of all Tsimshian to participate in the capitalist economy and to shed some of the vestiges of their traditional occupations. It should be noted here that the bulk of the comments coded for 'the desirability of non-traditional economic activities for Indians' were given during opening addresses or volunteered testimony (see Table 4, page 83). Therefore, they reflect what the Tsimshian were thinking about and are not simply the result of representatives responding to the Commissioners' questions.

Exposure to the EuroCanadian lifestyles may account, in part, for the distribution of Tsimshian comments regarding non-traditional endeavours. Doubtless, the Anglican (Church Missionary Society), Methodist, and Salvation Army missionaries were also in some measure responsible for the inclination on the part of some local groups to engage in 'Whiteman's' economic activities. It was the policy of many churches active on the Northwest Coast to attempt "to change the secular as well as the spiritual lives of the Indians" (Duff 1964:91).

By the early 1900's, many Tsimshian had at least one mission in their village and some had three or more. Table 8 lists the date and some of the missionizing churches for the Tsimshian local groups. All of the Indians who appeared willing to partake of the EuroCanadian cash-economy had been directly exposed to missionary influence since at least the late 1800's, excepting perhaps the Gitlakdamix and the Kitsumkalum whose introduction to non-traditional ways would have been much more subtle. Some of the local groups which had been similarly exposed to the Christian doctrines did not, however, indicate enthusiasm

TABLE 8: MISSIONIZING CHURCHES IN THE TSIMSHIAN TERRITORIES<sup>1</sup>  
 (missionary's name is given in brackets where known)

Local Group	Anglican (C.M.S.)	Methodist	Salvation Army
Kitasoo		1880's	
Kitkahta*			
Kitkatla*	1880's		
Port Simpson	1860's	1874 (Crosby)	1896 (Edgecomb)
Metlakatla	(1859-1862 (Duncan) (1873 (Collison)		1896 (Edgecomb)
Killutsal			
Kitsumkalum			1900
Kitwanga*	1880's (Tomlinson)		
Andimaul			established 1900's
Kitsegukla		1880's	
Getanmax*	1880 (Collison)		
Kispiox*	1879 (Tomlinson)	1880's	
Glen Vowell*			established 1898 (Thorkalson)
Kisgogas*	1880's		
Kuláoe*			
Kitwancool			(members moved to (Aiyansh in 1880's (and 1890's
Kincolith	(1867 (Tomlinson) (1880's (Collison)		
Lachkaltsap	1864-1867 (Doolan)	1877 (Crosby) 1905	
Kitwilluchsilt			1900's
Gitlakdamix			
Aiyansh	established 1883 (McCullagh		

\*uncooperative local groups

<sup>1</sup>taken from Adams 1973:7; Duff 1964:92-99; Fisher 1978:139,140;  
 Garfield and Wingert 1973:79

for non-traditional activities. The denomination of the missionizing churches does not appear to be related to the local group's stated desire for EuroCanadian occupations either. Some villages with Anglican, Methodist, and Salvation Army missions chose to engage in one or more non-traditional economic activities, while other groups gave no hint of such inclinations. Therefore, no strong correlation exists for the stated enthusiasm for EuroCanadian economic endeavours and missionary influence or exposure to 'Whitemen' and their ways. It is primarily the cooperative local groups which discussed expanding their traditional occupations to include wage-labour activities, and it is perhaps this fact which most strongly influences the distribution seen in the data.

The denomination of the missionizing church does not appear to have directly affected the local group's attitude toward the Commission either. Both cooperative and uncooperative groups had been exposed to similar church teachings, but some apparently decided that land claims took precedence over reserve allotments. E. Palmer Patterson II points out that the Methodists and the Anglicans contributed equally to Indian protests (1978:46). Patterson's claim seems to be partially verified here. Some of the Methodist and some of the Anglican villages did not cooperate with the Commission, but neither did some of the Salvation Army settlements. Others of all three denominations assisted the Commissioners, however. A comparative study of the specific missionaries, their views, the length of their mission's life, and the relative size of their congregations, might prove rewarding. At the present time such information does not seem to be available, and most of the literature

discussing missionaries recounts when missions were established as opposed to how long they were in operation or how successful they were. These sorts of data might possible 'explain' some of the differences and similarities which have come to light here regarding the local group's stand on Indian land claims and on the reserve system, the desirability of individual land ownership, and enthusiasm for non-traditional endeavours. Clearly though, missionary influence alone will not account for all local groups' attitudes toward the Commission in 1913 and 1915 or toward the fight for aboriginal rights.

#### Summary

The Tsimshian local groups were apparently not of one mind or one voice about the Royal Commission or about the important questions of aboriginal title or the reserve system. While the majority of the Indians cooperated with the Commissioners, more than one-third of the local groups adhered to their beliefs that land claims must be settled first and that aboriginal rights would be jeopardized by final reserve allotments.

This firm stand of the uncooperative local groups affected fundamentally the results of this analysis. It resulted in fewer topics being discussed and fewer codable comments being made by their representatives as compared to those of the groups which did not take such a hard-line approach. It also, in part, accounts for the minimal variation evident between and among the interests of the uncooperative Tsimshian. Having discussed very few subjects, the chances of disagreement surfacing are much lower than when a larger number of

issues are mentioned.

The uncooperative local groups seem to stand together, then, in that the stated interests and concerns of each are quite similar. Likewise, those groups which chose to assist the Commissioners appear to have more in common with each other, than with the uncooperative local groups, based on the testimony of their representatives. Metlakatla seems atypical of the cooperative local groups and of the Tsimshian as a whole, however. The majority of all groups presented a united front to the Commission, and if any disagreement existed between members it was not openly discussed, whereas, Metlakatla's representatives appeared at odds on several issues.

Amongst the cooperative local groups certain other kinds of differences in the topics discussed were noted and several bear repeating here. The individuals representing the villages of the Nishga Land Committee appeared willing to set aside the land title question and unlike many Tsimshian had little to say against the reserve system. Metlakatla appears to have been the only local group without a consensus of opinion on whether or not to have reserves, and on whether or not additional allotments were necessary. Its members also appear to have disagreed about the merits of communal versus individual land ownership. Generally, of those local groups which discussed the desirability of hunting, fishing, and timber lands, the distribution of comments suggests that fishing was important to all Tsimshian, while hunting and forested lands were primarily the concern of those situated inland. As might have been expected, those Tsimshian with the greatest exposure to the disruptive influences of EuroCanadian

economic development tended to discuss the problems of non-Indian territorial expansion more frequently.

Ten local groups indicated a willingness to engage in 'civilized' economic pursuits. The majority of these had experienced missionization prior to 1900 but each also assisted the Commissioners and it may be primarily this cooperative stance that is reflected in the distribution of Tsimshian comments regarding non-traditional activities for Indians. That is, the majority of the uncooperative local groups may have been willing to engage in wage-labour too, but because they were not given, or did not take, the opportunity to discuss this subject and/or answer to Commissioners' questions, little conclusive data exists for them about such concerns.

The influence of missionaries cannot, at this point, be directly related to either a local group's willingness to engage in 'Whiteman's' occupations or a local group's stand vis-à-vis the Commission or the system of Indian reserves. The denomination of the missionizing churches does not at this time appear to be a decisive factor either. At present, the necessary, in-depth information regarding missionary activity on the North Pacific Coast does not seem to be available. While such information will not in itself account for all of the similarities and differences which have come to light, it would in all likelihood provide an important clue to understanding the Indian attitude toward both the reserve system and the Royal Commission of 1913-1916. No other factors have as yet been identified as possibly underlying the cooperative/uncooperative attitudes. Even geographically close neighbours had radically different postures toward

the Commissioners and their undertaking.

Thus, while it is cumbersome to speak of each of the twenty-one Tsimshian local groups separately, generalizing the interests and opinions of only one to the Tsimshian as a whole is decidedly unwarranted. In the next chapter the concerns of the three regional groupings of Tsimshian are briefly summarized and discussed in order to determine the wisdom of using these groupings for comparative or generalizing purposes.

## CHAPTER 7

## REGIONAL VARIATION AMONG THE TSIMSHIAN

As becomes apparent from the discussions in the previous chapter, all five Nishga local groups are frequently alike in terms of concerns indicated and the points of view expressed at the Royal Commission hearings. The same striking agreement does not appear to exist among the Coast Tsimshian or among the Gitksan local groups. In this chapter, the comments of all Tsimshian are considered according to these regional groupings, and the variation at this level is examined.

The distributions of the analyzed comments of the Nishga, Gitksan, and Coast Tsimshian are first presented and contrasted. The picture derived from each is then briefly compared to those given for the constituent local groups in Chapter 6. Whether or not the uniformity of interest and opinion apparent for the Nishga is reflected within the distributions of the coded comments of the other two groupings is discussed. Possible alternative groupings are suggested based on the similarities shown in this analysis.

Because the Nishga were the most visible Tsimshian at the turn of the century and their views on land claims issues are more widely known, by way of conclusion I examine whether or not they can be taken as representative of the Tsimshian as a whole. Similarities and differences between the Nishga and the others are also clarified.

## Distribution of Nishga, Gitksan, and Coastal Comments

While, as discussed on page 13, it is not feasible to distinguish speakers of the Kitwancool dialect in this study, since only three Kitwancool individuals addressed the Commission, Table 9 presents the varying distributions of comments by topic for the Nishga and Gitksan dialect groupings. The Kitwancool are included in the Gitksan data on the basis of closest linguistic and cultural affinity. The Coastal distribution is also presented. The 156 Nishga comments are those of 51 individuals. The 65 Gitksan comments represent 21 individuals. The 33 Coast Tsimshian speakers made 166 codable comments at the hearings.

Perhaps the single most notable feature that emerges from the distribution of comments by regional groupings is the Gitksan's seemingly intense concern about 'aboriginal title' and 'the reserve system'. As seen in Table 9, approximately 50% of their comments focused on these two issues alone. The number of Gitksan comments about either of these topics outnumber those in the next highest categories by at least two to one. The greatest interest is shown in aboriginal title, however. Comments about this question constitute 26.2% of the Gitksan total. The relative number of Gitksan comments about 'the reserve system' suggests that next to aboriginal rights the constituent Gitksan local groups felt that the system of reserve allotments was worthy of note: 23.1% of their comments discussed the adequacies and inadequacies of 'the reserve system'. Some Gitksan concern is evident about their traditional hunting grounds and the problems they were experiencing with 'non-Indian territorial expansion'

TABLE 9: DISTRIBUTION OF NISHGA, GITKSAN AND COAST TSIMSHIAN COMMENTS BY TOPIC \*

TOPIC	NISHGA		GITKSAN		COAST TSIMSHIAN	
	f	%	f	%	f	%
1. aboriginal title	25	16.0	17	26.2	17	14.2
2. the reserve system	10	6.4	15	23.1	17	14.2
3. non-Indian territorial expansion	17	10.9	6	9.2	16	13.3
4. desirability of traditional fishing stations	13	8.3	4	6.2	13	10.8
5. desirability of traditional hunting territories	15	9.6	6	9.2	7	5.8
6. new reserves and/or additions to existing reserves	19	12.2	2	3.1	5	4.2
7. desirability of farm land	15	9.6	4	6.2	7	5.8
8. non-traditional economic activities for Indians	15	9.6	1	1.5	8	6.7
9. desirability of timber and/or logging land	13	8.3	3	4.6	7	5.8
10. individual land ownership	4	2.6	3	4.6	6	5.0
11. EuroCanadian legal status for Indians	3	1.9	2	3.1	8	6.7
12. desirability of fishing licenses	4	2.6	-	-	7	5.8
13. communal land ownership	3	1.9	2	3.1	2	1.7
	<u>156</u>		<u>65</u>		<u>120</u>	

\*based on testimony of 105 Tsimshian before the Royal Commission on Indian Affairs for the Province of British Columbia (Aug. 1913-Oct. 1915)

(9.2% each). Generally though, it appears that the Gitksan addressed themselves to two issues, almost to the exclusion of all others, as might be predicted since the majority of the Gitksan did not cooperate with the Commission.

The Nishga apparently demonstrated a much more systematic approach to their 1915 hearings and the topical distribution of Nishga comments is much more balanced than that seen for the Gitksan. Their's does not appear to be a case of focusing attention on only one or two subjects. Eight of the thirteen topics coded are represented by between 13 to 26 comments. Nevertheless the Nishga indicated that their primary concern was 'aboriginal title', and that next to that, they were interested in additions to their reserves and the loss of their land to non-Indians. The Nishga also demonstrated their willingness to engage in non-traditional endeavours, including farming. The importance of hunting lands did not go unmentioned. What does appear to have been of relatively little concern to the Nishga as a whole was the reserve system. Only 6.4% of their comments focused on this topic.

The distribution of the Coast Tsimshian comments indicates an apparently strong and equal concern for two topics, namely 'aboriginal title' and the 'reserve system'. 14.2% of Coast Tsimshian comments address each of these subjects. Of only slightly less concern, however, was 'non-Indian territorial expansion' (13.3%). The Coast Tsimshian also appear to have been more interested in the loss of their lands to EuroCanadians than were either the Nishga representatives or the Gitksan individuals who addressed the Commission. Those included in the

Coastal regional grouping also demonstrated the greatest interest in fishing and in having traditional fishing stations set aside as reserves: 10.8% of the Coastal comments address this topic.

'Individual land ownership', 'White legal status for Indians', and the 'desirability of fishing licenses' also appear to have been more important to the Coast Tsimshian local groups than to either the Gitksan or the Nishga. The relatively greater Coastal interest in the previously mentioned topics is accompanied by relatively less Coastal interest in all other areas.

The distributions of Nishga, Gitksan, and Coast Tsimshian comments by intensity of opinion are presented in Appendices F, G, and H, respectively. They reveal no contradictory information about the similarities and differences just noted, however.

To reiterate, a distinct topical focus emerges for each regional grouping. Three different patterns of comments can be identified. The Gitksan distribution indicates a strong two-topic focus. That of the Coast Tsimshian suggests primary concern with four of the subjects for which comments were coded. The distribution of the Nishga comments, while clearly signifying the salience of the aboriginal title question, reflects a seemingly much more balanced interest in eight of the other topics.

The pattern of comments for the Gitksan can be directly related to the number of cooperative/uncooperative local groups in that region. Six of its nine villages did not assist the Commissioners, and it is probably this fact which is reflected most strongly in the distribution

of its comments. The differences between the distributions of Nishga and Coast Tsimshian coded comments cannot be explained away as easily. Only two of the seven Coastal local groups were uncooperative and on that basis alone we would not expect as much variation as is observed. Some possible explanations for the Nishga's distribution of comments are given shortly.

#### Uniformity Within Regional Groupings

The characteristic topical focus for each regional grouping is now compared to that witnessed for the constituent local groups in Chapter 6. While it is not expected that all or even one of the distributions of local group comments will exactly mirror that of its regional grouping, whether or not there is general uniformity within each grouping is the subject of the present discussion. Comparisons between Table 6 (Results of Content Analysis According to Local Groups) and Table 9 (Distribution of Nishga, Gitksan, and Coast Tsimshian Comments) are made.

As previously mentioned the five Nishga local groups not only have wide ranging and relatively balanced distributions, but also no outstanding differences of opinion are evident. The Kincolith group indicated concern for thirteen topics and its representatives also discussed additional reserves ten times. This local group's representatives are, therefore, responsible for the Nishga as a whole seeming so much more concerned than the Gitksan and Coast Tsimshian about 'new reserves and/or additions to existing reserves'. Otherwise, the stated interests of the five Nishga local groups are relatively

similar, though not, of course, identical.

Excluding Kitkahta and Kitkatla for whom no testimony was recorded, the Coast Tsimshian local groups tend to fit the generalized picture presented for the region. Aboriginal title, the reserve system, non-Indian territorial expansion, and the desirability of traditional fishing stations seem to be the primary concern of the majority. More Coast Tsimshian local groups also appear more interested in fishing licenses and 'White' legal status for Indians than do other Tsimshian. The opinions of the Metlakatla local group representatives do not parallel those of the other Coast Tsimshian local groups or those of any other region, however.

The distributions of the uncooperative Gitksan local groups reflect the two-topic focus noted for the distribution of the comments of the Gitksan regional grouping. The cooperative Gitksan groups' do not. Kitwanga, Getanmax, Kispiox, Glen Vowell, Kisgegas, and Kuldoe apparently discussed aboriginal rights and the inacceptability of the reserve system to the exclusion of all else. Andimaul, Kitwancool, and Kitsegukla were represented by only two or three individuals but each group demonstrated concern for nine or more topics. The latter local groups appear more like the Nishga in this regard, and because of the lack of emphasis on fishing seem unlike the Coastal local groups.

Hence, while there is general uniformity of interest and opinion apparent for the Nishga local groups, within the other regional groupings the same does not appear to exist. The cooperative and uncooperative Coast Tsimshian and Gitksan indicated decidedly different concerns. The cooperative Coastal Indians seem to have stressed the

desirability of traditional fishing stations, fishing licenses, and EuroCanadian legal status for Indians more than the uncooperative local groups did and more than the Gitksan and Nishga apparently did. The uncooperative Gitksan groups, like the uncooperative Coast Tsimshian local groups, mentioned aboriginal rights and the reserve system most frequently and their representatives had little else to say.

Therefore, based on the content analysis of the Tsimshian testimony, three rather different distributions of comments emerge which do not completely reflect the regional divisions. The comments of the eight uncooperative Gitksan and Coast Tsimshian local groups are unique in focus and opinion. The comments of the cooperative Coast Tsimshian individuals demonstrate another set of concerns. (The coded opinions of the Metlakatla representatives are decidedly atypical although the topics of concern roughly parallel those noted for the Coastal speakers at the Commission hearings.) The comments of the Nishga and the Gitksan Indians from Andimaul, Kitwancool, and Kitsegukla suggest apparently wider ranging and like concerns and opinions. Hence, only the Nishga, as a Tsimshian regional grouping, demonstrate any kind of internal consistency in terms of the interests which were indicated and the points of view which were stated. In the early 1900's, only they appear to have had unity and organization beyond the village level.

#### The Nishga Case

The much more balanced distribution of Nishga comments suggests that these Indians may have taken a different approach to the hearings than did either the Gitksan or the Coastal representatives. Indeed,

the Nishga as a whole were much more organized and were more cooperative with the Commission. None of the five Nishga local groups refused any of the information asked for. Moreover, all were polite and courteous.

The systematic style of the presentations by Nishga groups at the hearings is reflected in the following sentences:

. . . we wish to thank you for falling in with our plans and meeting us here today. There is a separate thing known as the Land Question, and I have already appointed men to address you to make known what it is we require. And it was given me by the people of the village to appoint these speakers here today . . . (R.R.C.E. Nass:52).

The majority of the Nishga apparently decided prior to their meetings with the Commission or during adjournments which topics, as they defined them, were relevant and/or deserving of comment. Various local group members were then appointed to be responsible for the presentation of each issue and the 'proper' point of view about it. The result was more structured group presentations than those apparent for the other cooperative Tsimshian groups, where the volunteered testimony often seems more redundant or less organized.

Of the Tsimshian local groups, it will be remembered that the Commission met with the Nishga last, and after facing hostilities from some of the others, they were singularly impressed by the friendly reception afforded them by the Nishga:

This [friendly] disposition prevailed among all of the different bands on the reserves along the Nass River, and the Commission accorded them all the time and as many meetings as they desired. (R.R.C. 1916:175)

The fact that the Commissioners "accorded them all the time and as many meetings as they desired" may, in part, account for the Nishga's seemingly wider ranging interests. While the other cooperative local

groups did not appear to be pressed for time, the members were not encouraged to talk on indefinitely, nor did any of the others have a second day of hearings as did several Nishga groups.

Moreover, the Nishga may have been more inclined to discuss matters with the Commissioners partly because of their previous experience in presenting land claims and partly because of the Commission's positive attitude towards them. With respect to the Nass River local groups, the Commission commented that:

During their visit to the home of the ancient Nishga nation, the Commissioners were distinctly impressed by the qualities of intelligence, progressiveness, industry, and self-reliance displayed by these Indians, and by their requirement of other lands suitable for profitable use. (R.R.C. 1916:550)

Although the Commissioners wrote this glowing report of the Nishga and their cooperative stance, such is not the case for the Gitksan. Speaking of the explanation given to the Indians about the Commission's scope and limited powers, the Commissioners commented that "the tribes of the Babine Agency did not even appear to care to understand" (R.R.C. 1916:174). The uncooperative and rather negative nature of the Gitksan representatives and their addresses is also remarked upon several more times in their final report (R.R.C. 1916:172,174). Similarly, while the cooperative Coastal groups are briefly mentioned in the Commission's published volumes, little else, and that not very flattering, is said about the Coast Tsimshian (R.R.C. 1916:175).

Thus, not only did the Nishga seem more organized and more cooperative, their addresses to the Commission appeared more sophisticated and their posture more 'progressive' than those of the other Tsimshian. Furthermore, unlike so many other local groups which

seemed somewhat suspicious of the Commission's motives and intentions, several Nishga blatantly stated that they believed that the Commissioners would do 'the right thing by them' and that they believed that land claims would not be jeopardized by final reserve allotments (R.R.C.E. Nass:51,54).

The Nishga's apparently greater willingness to set aside the aboriginal title question, in concurrence with the Commission's wishes, is also deserving of note. The other Tsimshian as a whole may have viewed this action as one of naïve trust. After all, no government had a particularly good record for giving the Indians what had been promised. On the other hand, it should be pointed out, that while the Nishga's stand may seem ill-advised in retrospect, it could also be said that they were simply providing for all contingencies. Should the Indian claims fail, they had, through cooperation and instruction, insured that as many reserves as possible would be set aside for their members and their descendents. Moreover, the Nishga's friendly and cooperative posture towards this joint federal/provincial Commission, and their lack of criticisms about the reserve system, may be seen as demonstrating political sagacity in not antagonizing those who might later decide upon the validity of Indian title claims.

In any event, several aspects of the Nishga presentations and addresses are different from other Tsimshian's. The Nishga speeches to the Commission tend to have the widest ranging topical foci and appear more organized. While the majority of the Tsimshian, including the Nishga, were cooperative and indicated their primary concern for aboriginal rights, an important one-third of the local groups apparently

did not consider cooperation to be the most advisable road to take. This minority posture would not be represented were the Nishga taken as representative of the Tsimshian. Hence, the Nishga are neither representative of the uncooperative local groups or the other cooperative groups which constantly reiterated the inacceptability of the reserve system.

If one had to chose the most typical regional grouping, the Coast Tsimshian probably best qualify, although not perfectly. The Coast Tsimshian have a minority of uncooperative local groups as do the Tsimshian as a whole. Though concern about land title and the reserve system was equal, the relative degree of interest in the other ten topics more closely parallels that of all of the Indians combined. The Gitksan are discounted as representative of all the Tsimshian because of the preponderance of uncooperative local groups and their narrow two-topic foci. The Nishga are disqualified for the reasons stated previously. But perhaps with the exception of the four local groups comprising the Nishga Land Committe, each Tsimshian village or local group demonstrated sufficient variability and uniqueness to warrant considering each as a separate entity with its own particular concerns.

## CHAPTER 8

## SUMMARY AND CONCLUSIONS

Before presenting a summary of the analysis and my findings, the two principal aims of this thesis should be re-stated. The first objective was to systematically identify and describe the interests and opinions of the Tsimshian Indians as reflected in their testimony before the Royal Commission on Indian Affairs for the Province of British Columbia with the intention of redressing, in part, the superficial coverage of the Indian viewpoint in the existing literature. The second objective was to provide a comparison between and among the various Tsimshian concerns at the regional and local levels, suggesting some factors which may have affected, in some measure, the similarities and difference observed.

To this end, the unpublished Tsimshian evidence was subjected to 'manifest content analysis'. This coding procedure reveals the wide range of native interests expressed. Despite the Commission's narrow purpose, to establish Indian reserves, the overall picture obtained from the coded comments suggests that the Tsimshian were concerned with many subjects which they associated with 'land'. The topic discussed most frequently was aboriginal rights. The reserve system also came under considerable fire and the problems resulting from EuroCanadian territorial expansion were reiterated time and time again. New reserves were often requested and appeals for land suitable for hunting, fishing, logging and farming were made by the Tsimshian. The

desirability of non-traditional economic activities for native people was discussed and mention was made by some Tsimshian of the type of land ownership they preferred. The inferior status of Indians under Canadian law was also remarked upon.

While the bulk of native addresses about specific subjects were of moderate intensity --- that is, they are one or two sentences in length --- the majority of the topics for which comments were coded were discussed by at least one individual in a speech indicating the most intense concern (seven or more sentences). At the aggregate level, the Tsimshian appear much in agreement although addresses about 'aboriginal title' and 'the reserve system' reflect intense and wide ranging opinions.

Whether or not the Indians cooperated with the Commission appears to directly affect the results of this analysis. An examination of the Tsimshian comments at the local group or village level reveals that eight Coast Tsimshian or Gitksan local groups did not cooperate with the Commissioners. These representatives were adamant that title claims must be settled first and that final reserve allotments would, in their opinion, seriously jeopardize native chances for an equitable settlement of the land question. This firm stand resulted in relatively fewer topics being discussed and relatively fewer codable comments being made by the Indians of Kitkahta, Kitkatla, Kitwanga, Getanmax, Kispiox, Glen Vowell, Kisgegas, and Kuldoe. The distribution of the uncooperative local group comments by and large reflects the representatives' attitude toward the Commission, and although these biases in the data are not quantifiable, they are taken into account by

keeping comparisons confined to the cooperative local groups on the one hand and the uncooperative groups on the other. The uncooperative local groups discussed aboriginal rights and the inacceptability of the reserve system almost to the exclusion of all else. Hence, the cooperative local groups are responsible for the wide ranging topical foci seen for the Tsimshian as a whole.

The distribution of comments about land for traditional economic endeavours suggests that while the majority of the cooperative local groups considered fishing an important occupation, those Tsimshian situated inland were more concerned with hunting than were those on the coast. Such a distinction reflects, in part, the differing traditional occupational emphases. Fish was (and is) an important food source. All Tsimshian had access to lineage-controlled fishing stations in aboriginal times, which on the coast also included the rookeries of sea mammals. The narrower range of marine resources available inland necessitated hunting more land mammals and hence, required larger hunting territories.

The cooperative local groups with the greatest exposure to the disruptive influences of EuroCanadian economic 'development', especially the railroad, tended to discuss the problems of non-Indian territorial expansion more frequently. Most of the representatives from the village-communities located near the tracks of the Grand Trunk Pacific between Hazelton and Prince Rupert complained about the loss of land and the loss of timber. Coastal Tsimshian near major 'White' settlements also made similar complaints, though theirs were directed at store owners, settlers, and other local non-Indians.

*also  
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The majority of the Indians who experienced intense missionization prior to 1900 appeared willing to engage in wage-labour or in non-traditional occupations, though not to the exclusion of traditional endeavours. The data about missionary influence are inconclusive, however, and comparative work needs to be done on specific missionaries, their views, the length of their mission's life, and the relative size of their congregation in order to determine accurately missionary impact at the village level. The Metlakatla representatives seemed at odds on several issues, whereas the majority of the other local groups presented a united front to the Commission. Metlakatla's atypical opinions and its lack of consensus may be related to its unique missionization history, but without conclusive comparative data it is difficult to determine whether the multiple denominations vying for native support had radically and consistently different teachings on the questions for which varying Metlakatla opinions were coded.

Examining these observations for specific regional groupings, the distributions of the Nishga, Gitksan, and Coast Tsimshian comments are distinctly different. The Gitksan distribution suggests a strong two-topic focus. The Gitksan representatives discussed primarily aboriginal title and the reserve system as might be predicted since the majority were uncooperative. The distribution of the Coast Tsimshian comments indicates primary concern for land title, the reserve system, non-Indian territorial expansion, and the desirability of traditional fishing stations. That of the Nishga reflects a much more balanced interest in the majority of the topics for which comments were analyzed, although criticisms of the reserve system are notably absent.

The comments of several component local groups do not completely reflect these regional grouping interests, however. Only the comments of the cooperative Coast Tsimshian mirror the regional four-topic focus. The distribution of all uncooperative local groups parallels the regional Gitksan emphasis on aboriginal rights and the system of reserves. The Nishga and the Gitksan Indians from Andimaul, Kitwancool, and Kitsegukla have distributions of comments which reflect the wide-ranging Nishga regional concerns.

Although the Nishga were the most visible Tsimshian at the turn of the century and their views on land claims are more widely known because of their petition, they should not be taken as representative of the Tsimshian as a whole. The Nishga were more organized, cooperative, and demonstrated apparently greater willingness to set aside the land question than did other Tsimshian at the hearings held by the Royal Commission on Indian Affairs. Despite the claims made in the Nishga Petition to the effect that reserves were unacceptable, very few representatives from the Nishga Land Committee villages made mention of this. The lack of Nishga criticisms of the reserve system presumably do not reflect the Nishga position. Rather, it is more likely that these Indians, who had had numerous previous dealings with the government and bureaucracy, may have decided that it was politically sagacious not to antagonize the Commissioners, thinking that a polite and non-critical stance would reap the most benefits for the Land Committee members regardless of the outcome of the land question.

In conclusion, this analysis of the Tsimshian testimony suggests that the concerns of the representatives differ in at least two important ways from the impressions of native interests and attitudes given in the literature. First, they were neither narrowly nor vaguely defined. While the data verify that aboriginal rights were the paramount concern of the Tsimshian as a whole, they also indicate that the Tsimshian were dissatisfied with the reserve system, non-Indian expansion, the lack of land both in general terms and for specific purposes, and with the inferior status of native people under Canadian law. Second, although overall native dissatisfaction with and hostility towards the Royal Commission are noteworthy, neither are 'typical' of the majority of Tsimshian. Although only the uncooperative local groups' stance tends to be remarked upon, thirteen of the twenty-one local groups for which comments were coded were polite and answered all of the questions put to them by the Commissioners.

This investigation, therefore, demonstrates the importance of utilizing native expressions of their own concerns in determining Indian interests and opinions. Secondary and generalized sources are too frequently inadequate, in that local and regional differences tend to be overlooked. The evidence given before the Royal Commission on Indian Affairs between 1913 and 1916 is the only survey of British Columbia native concerns for the early 1900's, and its examination, through content analysis, allows the full variety of Tsimshian opinions and interests to surface. Thus, this thesis not only contributes to our understanding of the Tsimshian generally, it also

demonstrates what the Indians, locally and regionally, considered worthy of discussion at the turn of the century and how they felt about the various issues as they defined them.

## NOTES

1. The Nishga Petition, originally drafted in August of 1912, was adopted at a meeting of the 'Nishga Nation' on January 22, 1913. In May or June of the same year it was submitted to the Canadian Federal Government for referral to the Judicial Committee of the Imperial Privy Council. The Petition was also presented to the Royal Commission on Indian Affairs for the Province of British Columbia in Victoria in 1913. This --- 1913 --- date is the one most frequently given in the literature. Other dates, while not incorrect, refer to specific presentations of the document to a particular governmental body. While the Nishga refused to allow their petition to be brought as a suit before a Federal commission or court, they sent delegations to Ottawa in 1915 and 1916 to plead for its processing according to their requests. All actions were to no avail. The Nishga Petition was apparently finally received by the Privy Council some time in 1918. It was presented through a British law firm on behalf of the Nishga (Drucker 1958:97 fn). The Privy Council returned the petition with a letter stating that it should first be litigated in the Canadian courts and only then could an appeal be made.
2. In this chapter, Chapter III, as well as in the proceeding, a great deal of the material has been taken from Shankel's Ph.D. thesis entitled "The Development of Indian Land Policy in British Columbia" (University of Washington, 1945). He presents an excellent analysis of the history of Indian and land policies, and the work provides references to all primary sources.
3. The Proclamation of 1763 was a British Imperial directive establishing general administrative guidelines for the colonies in North America. It expressly forbade 'White' encroachment and established that only the Crown could purchase Indian land should the native people be inclined to dispose of it. When the Proclamation was drafted it was explicitly stated to apply to the colonies of Quebec, East Florida, and West Florida, but it was the

"Royal Will and Pleasure" for the same guidelines to be followed within the limits of the Hudson's Bay Company territories and to "all the Lands and Territories lying Westward of the Sources of the Rivers which fall into the Sea from the West and North West"

(Proclamation of 1763 quoted in Cumming and Mickenberg 1972:291).

Debate has arisen over whether or not British Columbia can be considered to have fallen within the boundaries set forth in the directive, but from the 1860's onward the Provincial and later the Federal governments have refused to "accept the proposition that the Royal Proclamation of 1763 applied to any territory west of the Rockies". (Cail 1974:212).

4. The Slave and Sekani Indians of northeastern British Columbia signed an adhesion to Treaty No. 8 with the Dominion Government on August 15, 1910. "This action removed 104,400 square miles of the territories east of the Rockies from the jurisdiction of the British Columbia government." (Cail 1974:237) Treaty No. 8 had been negotiated with the Cree, Beaver, Chipewyan, and other Indians of northern Alberta and the Northwest Territories.

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## APPENDIX A

## STATEMENT OF THE NISHGA NATION OR TRIBE OF INDIANS KNOWN AS THE NISHGA PETITION

From time immemorial the Nishga Nation or Tribe of Indians possessed, occupied, and used the territory generally known as the Valley of the Nass River, the boundaries of which are well defined.

The claims which we make in respect of this territory are clear and simple. We lay claim to the rights of men. We claim to be aboriginal inhabitants of this country and to have rights as such. We claim that our aboriginal rights have been guaranteed by Proclamation of King George Third and recognized by Acts of the Parliament of Great Britain. We claim that holding under the words of that Proclamation a tribal ownership of the territory, we should be dealt with in accordance with its provision, and that no part of our lands should be taken from us or in any way disposed of until the same has been purchased by the Crown.

By reason of our aboriginal rights above stated, we claim tribal ownership of all fisheries and other natural resources pertaining to the territory above mentioned.

For more than twenty-five years, being convinced that the recognition of our aboriginal rights would be of very great material advantage to us and would open the way for the intellectual, social, and industrial advance of our people, we have in common with the other tribes of British Columbia actively pressed our claims upon Governments concerned. In recent years, being more than ever convinced of the advantages to be derived from such recognition, and fearing that without such the advance of settlement would endanger our whole future, we have pressed these claims with greatly increased earnestness.

Some of the advantages to be derived from establishing our aboriginal rights are:

1. That it will place us in a position to reserve for our own use and benefit such portions of our

## APPENDIX A - continued

territory as are required for the future well-being of our people.

2. That it will enable us to a much greater extent and in a free and independent manner to make use of the fisheries and other natural resources pertaining to our territory.
3. That it will open the way for bringing to an end as rapidly as possible the system of reserves and substitute a system of individual ownership.
4. That it will open the way for putting an end to all uncertainty and unrest, bringing about a permanent and satisfactory settlement between white people and ourselves, and thus removing the danger of serious trouble which now undoubtedly exists.
5. That it will open the way for our taking our place as not only loyal British subjects but also Canadian citizens, as for many years we have desired to do.

In thus seeking to realize what is highest and best for our people, we have encountered a very serious difficulty in the attitude which has been assumed by the Government of British Columbia. That Government has neglected and refused to recognize our claims, and for many years has been selling over our heads large tracts of our lands. We claim that every such transaction entered into in respect of any part of these lands under the assumed authority of the Provincial Land Act has been entered into in violation of the Proclamation above mentioned. These transactions have been entered into notwithstanding our protests, oral and written, presented to the Government of British Columbia, surveyors employed by that Government, and intending purchasers.

The request of the Indian Tribes of British Columbia made through their Provincial Organization, that the matter of Indian title be submitted to the Judicial Committee of His Majesty's Privy Council, having been before the Imperial Government and the Canadian Government for three years, the grave constitutional difficulties arising from the refusal of British Columbia to consent to a reference, having been encountered in dealing with that request, we resolved independently and directly to place a petition before His Majesty's Privy Council.

## APPENDIX A - continued

In following that course we desire to act to the fullest possible extent in harmony both with other tribes of British Columbia and with the Government of Canada.

We are informed that Mr. J. A. J. McKenna, sent out by the Government of Canada, has made a report in which he does not mention the claims which the Indians of the Province have been making for so many years, and assigns as the cause of all the trouble, the reversionary claim of the Province. Whatever other things Mr. McKenna found out during his stay, we are sure that he did not find out our mind or the real cause of the trouble.

We are also informed of the agreement relating only to the so-called reserves which was entered into by Mr. McKenna and Premier McBride. We are glad from its provisions to know that the province has expressed willingness to abandon to a large extent the reversionary claim which has been made. We cannot, however, regard that agreement as forming a possible basis for settling the land question. We cannot concede that the two Governments have power by the agreement in question or any other agreement to dispose of the so-called reserves or any other lands of British Columbia, until the territory of each nation or tribe has been purchased by the Crown as required by the Proclamation of King George the Third.

We are also informed that in the course of recent negotiations, the Government of British Columbia has conceded that under the terms of the Union the Dominion of Canada is responsible for making treaties with the Indian Tribes in settlement of their claims. This attempt to shift the responsibility to Canada and by doing so render it more difficult for us to establish our rights, seems to us utterly unfair and unjustifiable. We cannot prevent the Province from persisting in this attempt, but we can and do respectfully declare that we intend to persist in making our claim against the Province of British Columbia for the following among other reasons:

1. We are advised that at the time of Confederation all lands embraced within our territory became the property of the Province subject to any interest other than that of the Province therein.

## APPENDIX A - continued

2. We have for a long time known that in 1875 the Department of Justice of Canada reported that the Indian Tribes of British Columbia are entitled to an interest in the lands of the Province.
3. Notwithstanding the report then made and the position in accordance with that report consistently taken by every representative of Canada from the time of Lord Dufferin's speeches until the spring of the present year, and in defiance of our frequent protests, the Province has sold a large proportion of the best lands of our territory and has by means of such wrongful sales received a large amount of money.
4. While we claim the right to be compensated for those portions of our territory which we may agree to surrender, we claim as even more important the right to reserve other portions permanently for our own use and benefit, and beyond doubt the portions which we would desire to reserve would include much of the land which has been sold by the Province.

We are not opposed to the coming of the white people into our territory, provided this be carried out justly and in accordance with the British principles embodied in the Royal Proclamation. If, therefore, as we expect, the aboriginal rights which we claim should be established by the decision of His Majesty's Privy Council, we would be prepared to take a moderate and reasonable position. In that event, while claiming the right to decide for ourselves the terms upon which we would deal with our territory, we would be willing that all matters outstanding between the Province and ourselves should be finally adjusted by some equitable method to be agreed upon, which should include representation of the Indian Tribes upon any commission which then might be appointed.

The above statement was unanimously adopted at a meeting of the Nishga Nation or Tribe held at Kincolith on the 22nd day of January, 1913, and it was resolved that a copy of same be placed in the hands of each of the following:

The Secretary of State for the Colonies, the Prime Minister of Canada, the Minister of Indian Affairs, the Minister of Justice, Mr. J. M. Clark, K. C., Counsel for the Indian Rights Association of

APPENDIX A - continued

British Columbia, and the chairman of the "Friends of the Indians of British Columbia".

W. J. Lincoln

Chairman of the Meeting

(taken from Shankel 1945:321-324)

## APPENDIX B

INDIAN AGENCY RESPONSIBLE FOR EACH TSIMSHIAN LOCAL GROUP AND DATE VISITED BY ROYAL COMMISSION \*

LOCAL GROUP ("Band")	INDIAN AGENCY	DATE VISITED
Kitasoo	BELLA COOLA	Aug. 26, 1913
Kitkahta		Sept. 3, 1913
* Kitkatla		Sept. 4, 1913
Kitwanga	BABINE	April 17, 1915
Kitwancool		April 18, 1915
Kitsegukla		April 20, 1915
Andimaul		April 20, 1915
Getanmax		April 21, 1915
Kispiox		April 22, 1915
Glen Vowell		April 23, 1915
Kisgegas		July 13, 1915
Kuldoe		July 13, 1915
Kitselas		April 15 and Sept. 25, 1915
Kitsumkalum	NASS	Sept. 25, 1915
* Metlakatla		Sept. 27, 1915
* Port Simpson		Sept. 29, 1915
Killutsal (Lakelse) **		
Kincolith		Oct. 2&4, 1915
Lachkaltsap		Oct. 5&6, 1915
Kitwilluchsilt		Oct. 7, 1915
Aiyansh		Oct. 8&9, 1915
Gitlakdamix		Oct. 9, 1915

\*based on information in 'the Tsimshian evidence' of the Royal Commission on Indian Affairs for the Province of British Columbia (Aug. 1913-Oct. 1915)

\*\*no individuals from Killutsal addressed the Commission

## APPENDIX C

LIST OF INDIVIDUALS WHO ADDRESSED THE ROYAL  
COMMISSION ACCORDING TO THEIR LOCAL GROUP \*

## KITASOO

Robert Hopkins  
Charlie Collison

## \* KITKATLA

Joshua Zibasha  
Joshua Brown  
Moses Gladstone

## \* METLAKATLA

(Charles) Peter Ryan  
Charles Venn  
William Leighton  
Solomon Auriol  
Matthew Auckland  
Peter Venn

## KITSELAS

Samuel Wise  
Chief Cecil  
Louis Edgar  
Walter Wright  
Mr. Bolton

## ANDIMAUL

The Chief  
S. MacWeeget

## KITSEGUKLA

Chief Malcolm  
Daniel Cookson  
Jacob Milton

## KISPIOX

Charles Wesley  
Mr. Morrison  
Solomon Johnson

## KISGEGAS

William Jackson

## KITKAHTA

Ambrose Robinson  
John Anderson  
H. L. Clifton  
Peter Bates

## \* PORT SIMPSON

Henry Nelson  
George Kelly  
William Moody  
Chief Joseph  
Moses Anderson  
Matthew Shepherd  
Matthew Johnson

## KITSUMKALUM

Sam Kennedy  
Charles Nelson?  
Benjamin Bennet  
Mr. Stevens  
Peter Nelson?  
C. P. Nelson?

## KITWANGA

Mr. Ryan  
Chief Jim

## KITWANCOOL

Albert Williams?  
A. Williams?  
Chief Alexander

## GETANMAX

The Chief  
Mr. Holland  
Ed. Spouk

## GLEN VOWELL

Edward Sexsmith  
Mr. Neeman

. . . 2

\*taken from the extended evidence of the Royal Commission on Indian  
Affairs for the Province of British Columbia (Aug. 1913-Oct. 1915)

## APPENDIX C - continued

## KULDOE

Chief De Be  
William Holland

## LACHKALTSAP

Arthur N. Calder  
Alfred MacKay  
Richard Woods  
Mark Tait  
Peter Calder  
Charlie Barton  
William Jeffrey

## GITLAKDAMIX

Chief Skadeen  
Andrew Naas  
Walter Woods  
Charles Brown  
John Nass  
John N. Ksidiul

## KINCOLITH

James G. Robinson  
Simon Seymour  
A. L. Allen  
W. J. Lincoln  
Paul Kladak  
J. (J.) Harvey  
Henry Smart  
Cornelius Nelson  
John Wesley  
C. B. Bathle  
S. T. Allan  
Jacob Stewart  
George Whitfield  
Robert Stewart  
Peter Stewart  
Stephen A. Allan

## KITWILLUCHSILT

Paul Zaloo  
Charlie Leeson  
Johnnie Moore  
George Palmer  
Samuel Weeshaks

## AIYANSH

~~George Eli~~  
~~Peter Nishyok~~  
~~Gideon Minesque~~  
~~Amos Gosnell~~  
~~Ander Mercer~~  
~~William Gogak~~  
~~Paul Sgadeen~~  
~~Richard Derrick~~  
~~Timothy Derrick?~~  
~~Arthur Derrick~~  
L. T. Derrick? (probably T. L.  
~~Dennis Wood~~ (Derrick  
~~Les Bethle~~  
Paul Gogak  
~~Walter Dasque~~  
~~Robert Pearl~~  
Richard Gosnell

*W. Gogak  
Smith*

NOTE: The spelling of the above listed individuals' names is taken from the extended evidence of the Commission and is not necessarily correct.

? Those names from one local group with question marks beside them may be the same individual. The comments of each were coded separately, however.

APPENDIX D

Notation Sheets for Rating Comments

Card no: \_\_\_\_\_

Individual's name: \_\_\_\_\_ Occupation: \_\_\_\_\_  
 White: \_\_\_\_\_ Indian: \_\_\_\_\_ Place of Residence: \_\_\_\_\_  
 Local Group: \_\_\_\_\_ Religion: \_\_\_\_\_  
 Rank or other status info: \_\_\_\_\_ Circumstances of Testimony: \_\_\_\_\_  
 Other: \_\_\_\_\_

TOPIC	mentioned	for (yes)	against (no)	comments
1. aboriginal title	_____	_____	_____	_____
2. the reserve system	_____	_____	_____	_____
3. non-Indian territorial expansion	_____	_____	_____	_____
4. desirability of traditional fishing stations	_____	_____	_____	Specific vs. general access:
5. desirability of traditional hunting territories	_____	_____	_____	_____
6. new reserves and/or additions to existing reserves	_____	_____	_____	Specific vs. general:
7. desirability of farm land	_____	_____	_____	_____
8. non-traditional economic activities for Indians	_____	_____	_____	Examples:

• • • • 2

APPENDIX D - continued

TOPIC	mentioned	for (yes)	against (no)	comments
9. desirability of timber and/or logging land	_____	_____	_____	Purported use: _____
10. individual land ownership	_____	_____	_____	_____
11. EuroCanadian Legal status for Indians	_____	_____	_____	_____
12. desirability of fishing licenses	_____	_____	_____	_____
13. communal land ownership	_____	_____	_____	_____

Date: \_\_\_\_\_ microfilm cat. no: \_\_\_\_\_ page: \_\_\_\_\_

Additional comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## APPENDIX E

LOCAL GROUP REPRESENTATION BEFORE THE ROYAL COMMISSION  
ON INDIAN AFFAIRS FOR THE PROVINCE OF BRITISH COLUMBIA

Local group	number of representatives	population circa 1914*	percentage of population addressing the Commission
Kitasoo	2	112	1.8
Kitkahta	4	105	3.8
* Kitkatla	3	203	1.5
Port Simpson	7	744	0.9
* Metlakatla	6	192	3.1
Killutsal	0	unknown	-
Kitsumkalum	6	179	3.4
Kitselas	5	76	6.6
Kitwanga	2	151	1.3
Andimaul	2	92	2.2
Kitsegukla	3	64	4.7
Getanmax	3	238	1.3
Kispiox	3	225	1.3
Glen Vowell	2	102	2.0
Kisgegas	1	231	0.4
Kuldoe	2	37	5.4
Kitwancool	3	46	6.5
Kincolith	16	245	6.5
Lachkaltsap	7	168	4.2
Kitwilluchsilt	5	236	2.1
Gitlakdamix	6	78	7.7
Aiyansh	17	182	9.3

\*taken from the Annual Report of the Department of Indian Affairs,  
Sessional Paper #27 for the year ending March 31, 1914.

## APPENDIX F: DISTRIBUTION OF NISHGA COMMENTS BY INTENSITY OF OPINION \*

TOPIC	f	NUMERICAL INTENSITY OF OPINION FOR COMMENTS PER TOPIC						
		+++	++	+	Ø	-	--	---
1. aboriginal title	25	3	3	13	5	1		
2. the reserve system	10		1	4	1	1	1	2
3. non-Indian territorial expansion	17					13	1	3
4. desirability of traditional fishing stations	13	2	2	7	2			
5. desirability of traditional hunting territories	15	4	5	6				
6. new reserves and/or additions to existing reserves	19	4	3	12				
7. desirability of farm land	15	1	6	7	1			
8. non-traditional economic activities for Indians	15	2	1	12				
9. desirability of timber and/or logging land	13		2	10	1			
10. individual land ownership	4			3	1			
11. EuroCanadian legal status for Indians	3			3				
12. desirability of fishing licenses	4	1	1	2				
13. communal land ownership	3		1	2				
	156							

A plus sign (+) indicates a positive opinion; a negative sign (-) indicates a negative opinion; and Ø indicates no explicit opinion.

The number of signs indicates whether interest is moderate (one sign), high (two signs), or intense (three signs).

\*based on testimony of 51 Nishga before the Royal Commission on Indian Affairs for the Province of British Columbia (Oct. 2-9, 1915)

APPENDIX G: DISTRIBUTION OF COAST TSIMSHIAN COMMENTS BY INTENSITY OF OPINION \*

TOPIC	f	NUMERICAL INTENSITY OF OPINION FOR COMMENTS PER TOPIC						
		+++	++	+	Ø	-	--	---
1. aboriginal title	17	3	2	11			1	
2. the reserve system	17			4		6	2	5
3. non-Indian territorial expansion	16					10	3	3
4. desirability of traditional fishing stations	13		2	10	1			
5. desirability of traditional hunting territories	7		1	6				
6. new reserves and/or additions to existing reserves	5			4	0	1		
7. desirability of farm land	7	1	0	6				
8. non-traditional economic activities for Indians	8	1	3	4				
9. desirability of timber and/or logging land	7		1	4	2			
10. individual land ownership	6	1	1	3	0	1		
11. EuroCanadian legal status for Indians	8			3	5			
12. desirability of fishing licenses	7	2	3	2				
13. communal land ownership	2			2				
	<u>120</u>							

A plus sign (+) indicates a positive opinion; a negative sign (-) indicates a negative opinion; and Ø indicates no explicit opinion.

The number of signs indicates whether interest is moderate (one sign), high (two signs), or intense (three signs).

\*based on testimony of 33 Coast Tsimshian before the Royal Commission on Indian Affairs for the Province of British Columbia (Aug. 1913-Sept. 1915)

## APPENDIX H: DISTRIBUTION OF GITKSAN COMMENTS BY INTENSITY OF OPINION \*

TOPIC	f	NUMERICAL INTENSITY OF OPINION FOR COMMENTS PER TOPIC						
		+++	++	+	Ø	-	--	---
1. aboriginal title	17	2	5	10				
2. the reserve system	15			2	1	4	5	3
3. non-Indian territorial expansion	6					5	1	
4. desirability of traditional fishing stations	4			4				
5. desirability of traditional hunting territories	6		2	1	3			
6. new reserves and/or additions to existing reserves	2			2				
7. desirability of farm land	4			2	2			
8. non-traditional economic activities for Indians	1			1				
9. desirability of timber and/or logging land	3			2	1			
10. individual land ownership	3			3				
11. EuroCanadian legal status for Indians	2			2				
12. desirability of fishing licenses								
13. communal land ownership	2			2				
	65							

A plus sign (+) indicates a positive opinion; a negative sign (-) indicates a negative opinion; and Ø indicates no explicit opinion.

The number of signs indicates whether interest is moderate (one sign), high (two signs), or intense (three signs).

\*based on testimony of 21 Gitksan before the Royal Commission on Indian Affairs for the Province of British Columbia (April and July 1915)

VITA

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\_\_\_\_\_ to \_\_\_\_\_

\_\_\_\_\_ to \_\_\_\_\_

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B.A. (Honors) 1977 University of Western Ontario, London

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Honors and Awards:

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Title of Thesis

TSIMSHIAN TESTIMONY BEFORE THE ROYAL COMMISSION ON

INDIAN AFFAIRS FOR THE PROVINCE OF BRITISH COLUMBIA

(1913-1916)

Author

  
(signature)

NANEEN ETHYL-GRACE STUCKEY

Sept. 1/81  
(date)