

62-152 VOL:1

THIS IS 62-152

CLOSED

PLEASE SEE

62-152^A

381 352

6215
November 11/32

Ladysmith

Superintendent

General
NOV 17 1932
RECORDS
B C

Mr Good Superintendent

I am going to let you know what i have been trying to get my rights for this last four-teen years at the time Mr Robinson was Agent my good friends of all the bands Had a meeting with the Agent and they made all the Band sign their Signature for me to get my wife's rights. To be a member of the Band when Mr Robinson was agent

Then when Mr Fred Thomas

As Agent the band had
two meetings and Mr Somas
had the Band sign
their names for me to be a
member of the Band. Then when
Mr Grame our new agent
held a meeting with Band
and all the Band signed
their names for me to be a
member of the Band But i
dont think he has wrote
to the Department I have
a wife and four children
and my wife is a real ind-
ian woman and i would
like to have protection
for my wife and famley
I have no place I am on

Starting on my Brother's
plan I would like to be a
member of the Band so I
could have some protection
for my children and a
place to live

Witnessed by

Consel
Witness

s.19(1)

From Chief James Mitchel

have Witnessed this
man. I have also been
working for this last four
teen years. And I am
going to let you know
I would like to get this
man and his four children
to be a member of the band

s.19(1)

This [redacted] [redacted] is a Quarter
Breed and his wife is fool
Blood Indian woman. She
woman is a Daughter of
my Brother [redacted]

Please send us a answer
soon from [redacted]

Lady Smith B.C. Ep Box 1

000007

62-152.

Ottawa, December 28th, 1911

Sir:-

In reply to your letter of the 18th instant, File 389-J-3, I wish to inform you that the Department does not approve of the resolution passed by the Chemainus Band agreeing to accept into membership of the Band [redacted] and his three children. His wife should be paid as a member of the above Band, but should be given a number of her own.

s.19(1)

I might further add that the policy of this Department is to assist Indians in such a way as to place them on a similar status as white men. On the other hand, it is not the policy of the Department to accept into membership of a Band half-breed who have been living on a reserve among the Indians; in fact, a movement is being made by the Department to take action to gradually remove from all reserves half-breeds and others who are not members of the Band.

Your obedient servant,



T.R.L. MacInnes,
Acting Secretary.




H. Graham, Esq.,
Indian Agent,
Duncan, B.C.

62-152



DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Duncan, B. C.

December 18th, 1931.

389-J-3

Sir:-

I herewith beg to enclose petition from the Chemainus Band of Indians asking for the admission of [REDACTED], his wife and family into their Band.

I might state that when I came here on visiting the Chemainus Reserve, I found this family living there but not recognised as members. [REDACTED] is a half breed by birth, but has always lived on the reserve, and has his home there, and he married an Indian of the Band by whom he has three children.

From what I can gather [REDACTED] is a good steady man, and by every one has always been recognised as an Indian. Under these circumstances I would like to recommend that he be admitted as a member. He would have no where to go if he were not taken in to the Band, and we would know where we stood in regard to him, as I said before, he has always lived as an Indian on the reserve.

s.19(1)

Your obedient servant,

(H. Graham)
Indian Agent.

The Secretary,
Department of Indian Affairs,
Ottawa.

RESOLUTION

We, the Indians of the Chemainus Band, beg to
e [REDACTED], his wife and family, admitted as members
of our Band, as he has always lived as one of us on the
reserve.

(Signed)

[REDACTED] His x Mark
[REDACTED] his x mark.
[REDACTED] his x mark
[REDACTED] his x mark
[REDACTED] his x mark
[REDACTED] his mark x
[REDACTED] his mark x
[REDACTED] his x mark
[REDACTED] his x mark
[REDACTED] His x mark

[REDACTED] his x mark
[REDACTED] his x mark
[REDACTED] his x mark
[REDACTED] His x Mark
[REDACTED] His x mark
[REDACTED] his x mark
[REDACTED] His x Mark
[REDACTED] his x mark
[REDACTED] his x mark
[REDACTED] his x mark
[REDACTED] his x mark
[REDACTED] his x mark
[REDACTED] his x mark
[REDACTED] his x mark.

s.19(1)

62-152.

Ottawa, December 5th, 1931.

Sir:-

In reply to your letter of the 28th ultimo, I would again inform you that the Department does not favourably consider the resolution passed by the Nanaimo Band to accept into membership of the Band [REDACTED].

s.19(1)

I might further say that, if an Indian wishes to adopt children who are not members of the Band, you should warn them that they will be responsible for their upkeep.

Your obedient servant,


A.F. MacKenzie,
Secretary.



H. Graham, Esq.,
Indian Agent,
Duncan, B.C.

62-152

REPT. C. 100
DEC 3 1931



DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Duncan, B. C.

November 28th, 1931.

257-J-3

RECEIVED
DEC 5 1931
C. S. M.

Sir:-

At a meeting of the Nanaimo Band held yesterday the enclosed Resolution was passed preying for the admission of one [redacted], to the Band.

This boy's mother was [redacted], but father unknown, but supposed to be a member of the Penelakut Band. [redacted], the grand-father took this child at infancy, and he is now six years old and the mother is now living with Cassimere a member of the Penelakut Band and has a family by him. [redacted] informs me that there were adoption papers taken out by the late Agent, but these I have been unable to locate.

I would like to strongly recommend that the admission of this boy to the Nanaimo Band be approved. [redacted] and his wife are old and the boy will never leave them, and there is no question but that he is a full blooded Indian.

s.19(1)

Your obedient servant,

H. Graham

(H. Graham)
Indian Agent.

The Secretary,
Department of Indian Affairs,
Ottawa.

Nanaimo, B. C.

November 27th, 1931.

At a large meeting of the Nanaimo Indians held on the above date, the following Resolution was unanimously passed. MOVED by Chief Paul White, and seconded by Nelson Wilson, and passed unanimously,-

"That the Indian Agent apply to the Department for the admission of [REDACTED], a grand-son of [REDACTED], as a member of the Band".

s.19(1)

H. Raham
Indian Agent

62-152.

Ottawa, November 19th, 1931.

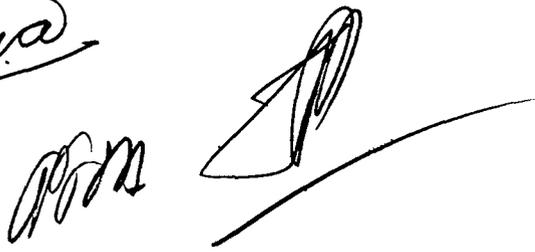
Sir:-

In reply to your letter of the 12th instant File 155-J-3, I wish to inform you that the Department does not approve of the resolution passed by the Tsartlip Band agreeing to the admission of [REDACTED] and her three [REDACTED] children whose father was a white man and a resident of the United States, into membership of the Band.

s.19(1)

Your obedient servant,

Kna

Handwritten signatures and scribbles, including a large flourish and a smaller signature.

A.F. MacKenzie,
Secretary.

H. Graham, Esq.,
Indian Agent,
Duncan, B.C.

62-152



DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

DEPT. OF INDIAN AFFAIRS
NOV 18 1931
RECORDED

Duncan, B. C.

November 12th, 1931.

Handwritten signature/initials

155-J-3

B

Sir:-

When visiting the Saanich Reserves last week, I held a very large meeting of the Bands, at which the enclosed Resolution was passed asking for the admission of three [redacted] children, to the Tsartlip Band, and also for the admission of their mother, [redacted], who was formerly a member.

s.19(1)

I enquired into this, and as near as I could get it, is as follows,- The widow of the late [redacted] of Tsawout, [redacted] by name, and who was previously a member of the Tsartlip Band, when over at the hop-picking on the American side about 25 years ago married a White man by name of [redacted], but she apparently did not live very long with this man and was always backwards and forwards between her own reserve and the United States, but by this marriage there were three boys, [redacted] 23; [redacted] 20, and [redacted] 14 years, who have always lived on the Tsawout reserve when on this side of the line, and have been looked upon by the Band as members.

From what I can gather they have always lived an Indian mode of life and not taken advantage of White mans privileges. The Indians were unanimous that these boys and their mother should be signed up as members of the Tsartlip Band.

Your obedient servant,

H. Graham

(H. Graham)
Indian Agent.

The Secretary,
Department of Indian Affairs,
Ottawa.

Tsartlip Indian Reserve

November 5th, 1931.

RESOLUTION.

We, the members of the Saanich Bands, gathered here this 5th, day of November, 1931, hereby make application to have [redacted], [redacted] and [redacted], sons of [redacted] [redacted] admitted as members of the Tsartlip Band, and also that their mother, the said [redacted] be re-admitted as a member of the same Band.

#####

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

s.19(1)



Memo.

Mr. Awrey to note.

Handwritten signature
ACCOUNTANTS
AUG 5 1988
BRANTFORD

000017

#62-152

6th August, 1931.

Dear Sir,

I beg to acknowledge the receipt of your letter of the 25th ultimo, No. 625-1-3, with respect to the membership of the Qualicum band, and note that after the fullest discussion and consideration of the matter it has been definitely decided that the following should be regarded as the duly recognized members of the said band, namely:-

and

.....	age 29 years
.....	" 28 "
.....	" 21 "
.....	" 24 years.

s.19(1)

In reply I beg to advise you that this list of membership is approved on behalf of the Superintendent General under the provisions of Section 18 of the Indian Act.

Yours truly,

C. S. Williams

Acting Deputy Superintendent General.

H. Graham, Esq.,
Indian Agent,
Duncan, B.C.

a.s.w.

#62-152

6th August, 1931.

Dear Mr. Neill,

For your information I am enclosing a
copy of a letter which has just been written to
Mr. Graham, Indian Agent at Duncan, B.C., with
respect to the membership of the Qualicum band.
enc.

Yours truly,

A.S. Williams

Acting Deputy Superintendent General.

A.W.
A.W. Neill, Esq., M.P.,
Alberni,
B.C.

62-152



DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

M. [Signature]

Duncan, B. C.

July 25th, 1931.

625-I-3

Your File No. 62/152

DEPT. OF INDIAN AFFAIRS
JUL 31 1931
RECORDS

Sir:-

In reply to your letter dated the 13th, instant I beg to state that I have interviewed both [redacted] and [redacted], members of the Qualicum Band in connection with who they consider should be members of the said Qualicum Band, after a great deal of discussion it was definitely decided that the following are recognised by them as legitimate members, namely [redacted], [redacted], [redacted] and [redacted].

In their original letter they stated that [redacted] was always recognised and recorded as a member of the Qualicum Band. This man I might say is a member of the Mancose Band with his wife and child, and when I spoke to [redacted] about him, she replied that she would like to have him made a member of the Band, but that he had no legal claim, but her late husband [redacted] told her before he died that he would like this man made a member of the Band. In regard to [redacted] and [redacted] these two are married and away, the latter being married to a whiteman. In regard to [redacted], she is now the wife of [redacted] of Comox Band; and James Thomas and his wife are now both dead.

s.19(1)

In the interview I had they were both quite satisfied that the four names already stated are without doubt in their minds legitimate members of the Qualicum Band, but [redacted] stated that she would like to have her three sons by [redacted] a whiteman, whom she lived with for a great number of years included, but I assured her that as they had never lived on the reserve, this could not be considered.

I now enclosed statement signed by [redacted] and [redacted], giving the names of the Indians as listed above as recognised, in addition to themselves as members of the Qualicum Band.

Your obedient servant,

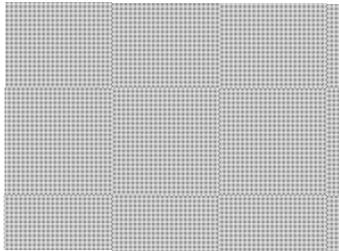
H. Graham

(H. Graham)
Indian Agent.

The Secretary,
Department of Indian Affairs
Ottawa.

We. [redacted] and [redacted] hereby certify that
the following are regarded as members of the Qualicum
Band, in addition to ourselves, and we wish to have them
so recorded,-

s.19(1)



age 29 years
age 28 years
age 21 years
age 24 years.

Witness
H. Raham.
Indian Agent

[redacted] *lur* [redacted]
x
mark.

[redacted] *lur* [redacted]
x
mark

Qualicum,
July 22nd, 1931.

62-152.

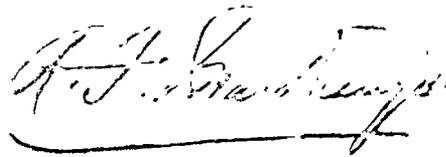
Ottawa, July 31st, 1931.

Sir:-

In reply to your letter of the 13th ultimo,
File 412-1-3, I wish to inform you that you may record
[redacted] as a member of the Qualicum Band, and
quote this letter as authority.

s.19(1)

Your obedient servant,



A.F. MacKenzie,
Secretary.

78na



H. Graham, Esq.,
Indian Agent,
Duncan, B.C.

#62-152

15th July, 1931.

Dear Mr. Neill,

I beg to acknowledge the receipt of your letter of the 22nd ultimo, in further reference to the [redacted] children, grandchildren of [redacted] of the Qualicum band,

In reply I beg to say that Mr. Agent Graham has recently been able to get some further evidence which would indicate that the [redacted] children or some of them have been regularly recognized as members of the Qualicum band. We are asking Mr. Agent Graham for a further report giving at the same time a revised list of those who are regarded by [redacted] and [redacted] as members of the Qualicum band and to have it certified by them when favourable consideration will be given to the application to have such list approved as members of the band.

s.19(1)

Yours truly,

A.W.
[Signature]
A.W. Neill, Esq., M.P.,
House of Commons,
Ottawa.

[Signature]

62-152

Ottawa, 13th July, 1931.

Sir,

I have before me a copy of the memo dated May 30th, 1913, which memo you state is in the handwriting of the late Indian Agent Robertson, giving the names of alleged members of the Qualicum band as follows:-

██████████'s wife
██████████ (██████████) Adopted by ██████████ when a baby (Mystery)
██████████ Lives at Nanoose
██████████, wife, a daughter of Nanoose Bob.
██████████ widow of Mr. Recalma - a Chilean,
children of ██████████, ██████████, ██████████

I have also the copy of a letter recently signed by ██████████ and ██████████ ^{in which} ██████████ claims that her grandsons, ██████████, ██████████ and ██████████ a greatgrandson, ██████████ were always regarded and registered as members of the Big Qualicum Indian Reserve during the time of the late Mr. Robertson as Indian Agent. In this letter the names of her grandchildren, ██████████ and ██████████ are not mentioned by ██████████ neither is her daughter, ██████████, mentioned. Are they dead or does ██████████ not recognize them as members of the band? Is ██████████ and his wife, as mentioned in Mr. Robertson's memo, still living?

s.19(1)

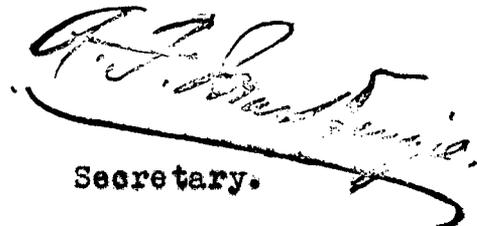
PM
@ J.W.

It is desired that you submit a revised list of those who are now regarded by ██████████ and ██████████
H. Graham, Esq.,
Indian Agent,
Duncan B.C.

██████████ as members of this band and have them certify this list. When this is received favourable consideration will be given to the application to have them approved as members of the Qualicum band.

Your obedient servant,

s.19(1)



Secretary.

 not recognized

s.19(1)

62-152



House of Commons

Canada

O T T A W A, Ontario.

June 22, 1931.

M. L. ...

Dr. Duncan C. Scott,
Deputy Superintendent-General of Indian Affairs,
O T T A W A, Ontario.

Dear Dr. Scott,-

With further reference to your letter of the 24th April re the case of the Recalma children, advising me that Mr. Indian Agent Graham had reported that the only evidence he had was Mr. Lomas' letter. I took the liberty of writing to him and explained that it was not a matter of looking up his records or correspondence files, as of hunting up old census books, which I feel sure every Agent must keep for his own convenience. It is unbelievable that an Agent would make a new census of two thousand Indians each year at great trouble when he could so readily check up his old list.

He replied to the effect that he thought he had found some such records, but that he

- 2 -

was submitting the information to you as his official head.

May I ask what was the nature of it, and if it did not throw some further support on my contention that these people are members of the band.

Yours faithfully,

A.W. NEILL.

A handwritten signature in dark ink, appearing to read 'A.W. Neill', written in a cursive style.

62-152



DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT



Duncan, B. C.

June 13th, 1931.

412-I-3

Handwritten signature/initials

Sir:-

On taking the census a few days ago at Qualicum I found living with old [redacted] a young man by name of [redacted], aged 30 years. On making enquiries I found that he is the illegitimate son of [redacted], a daughter of [redacted] and the late [redacted], and his father being a white man by name of [redacted], who as far as I can understand never did live with the mother. This man was born on the reserve and was brought up by his grand-mother on the reserve.

s.19(1)

On coming back to the office and looking over the records I find that up till 1926 this man's name has been down on the records as an Indian of Qualicum Band, and during the war was given a certificate as thus. [redacted] made a strong plea to me that as this young man was her grand-child and she had raised him from infancy, she begged that his name should be on the Qualicum list, as it was her intention to will her land to him.

I would like the Department's ruling in the matter.

Your obedient servant,

Handwritten signature: H. Graham

(H. Graham)
Indian Agent.

The Secretary,
Department of Indian Affairs,
Ottawa.

62-152



DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

DEPT. OF INDIAN AFFAIRS
MAY 13 1931
RECORDS

Duncan, B. C.

May 7th, 1931.

226-103

[Handwritten signatures and notes]

Sir:-

Since writing you in reference to the claim put in by Mr. A. W. Neill, M. P. on behalf of the [redacted] children, as members of the Qualicum Band, I might say that I have delved further into this matter and have discovered that back around twenty years ago that the number of Indians recorded as members of the Qualicum Band was given as thirteen, and I found a small Memo slip giving these children's names amongst others of the Qualicum Band, a copy of which I am enclosing, the same having been made out in the late Mr. Robertson's hand writing.

s.19(1)

I have discussed the matter with old [redacted], and [redacted], the only two recognised members and they are unanimous that these children should be recognised as members of the Band. I am enclosing copy of letter just received from them on the subject.

I have the honor to be,

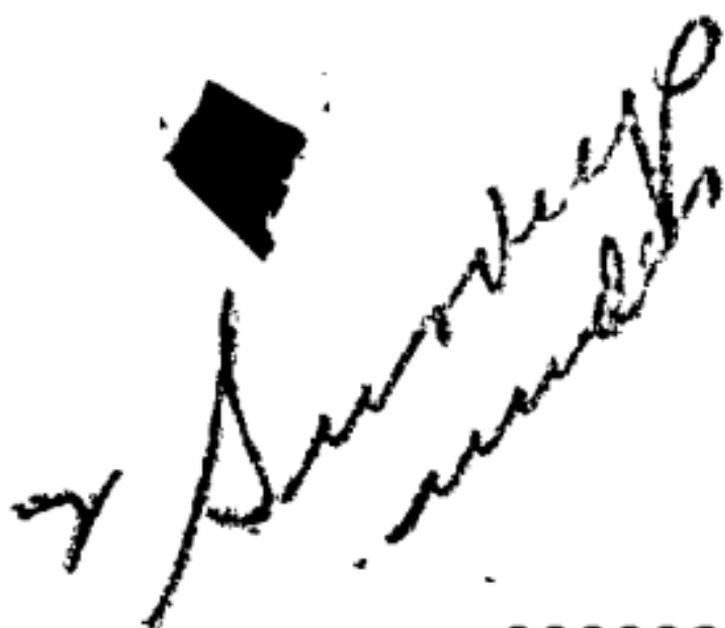
Sir,
Your obedient servant,

[Handwritten signature: H. Graham]

(H. Graham)
Indian Agent.

Duncan C. Scott, Esq.,
Deputy Superintendent General of Indian Affairs,
OTTAWA.

Document disclosed under the *Access to Information Act*
Document divulgué en vertu de la *Loi sur l'accès à l'information*



A handwritten signature in cursive script, possibly reading "A. ...", is written in black ink. To the left of the signature is a solid black square, which appears to be a redaction mark covering a name or title.

000032

(Copy)

BOWSER, B. C.

April 28th, 1930.

Mr. Graham,
Duncan, B. C.

Dear Sir:-

I am writing in regards to the rights of my grandsons, [redacted], [redacted] and [redacted] and great-grandson [redacted] whom I always understood were recorded and registered on the Big Qualicum Indian Reserve during the time of the late Mr. Robertson and all the above mentioned wish to continue living on the Reserve having been born there and raised under my care on the said Reserve.

Owing to old age it is impossible for me to live there alone. It was also the earnest desire of my late husband [redacted] who lived on the said Reserve for nearly sixty years, that the above grandsons and great-grandson should inherit the right to live on said Reserve on the North side of the Qualicum River.

Awaiting your sincere help in the matter.

s.19(1)

Yours truly,

(Signed)

[redacted] Her
x
Mark.

I agree with above letter

(Signed)

[redacted] Her
x
Mark.

(Copy)

Indian Reserve.

Qualicum, May 30, 1913.

██████████
v ██████████ 'S, wife

v ██████████ (██████████) Adopted by ██████████ when a baby (Mystery)

██████████ Lives at Nanoose
██████████ wife, A daughter of Nanoose Bob.

██████████ Widow of Mr. Racalma- a Chilean,
children of ██████████ ██████████ ██████████ ██████████

s.19(1)

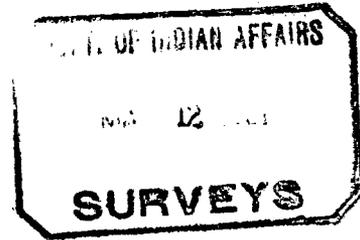
File No. 62-152

Department of Indian Affairs



Canada

Lands and Timber Branch



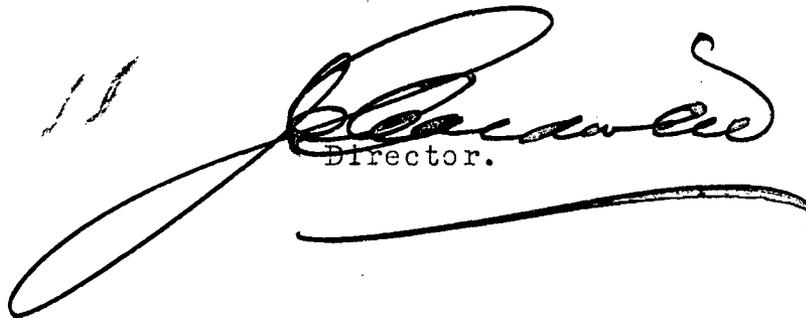
Ottawa, May 12th 1931

Memo.

Surveys Branch

Please prepare description for surrender of the Qualicum Reserve, in the Cowichan Agency, Province of British Columbia. This Reserve, according to our records, is owned by two elderly women, [REDACTED] and [REDACTED].

s.19(1)

11

Director.

62-152.

Ottawa, May 8th, 1931.

Sir:-

In reply to your letter of the 1st instant, file 183-1-3, I wish to inform you that the Department approves of the transfer of [REDACTED] and his wife from the Penelakut Band to the Halalt Band.

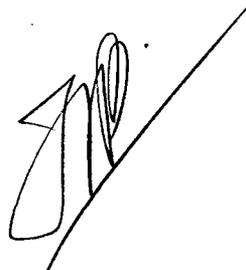
s.19(1)

Kindly quote this file and letter as authority for making the transfer.

Your obedient servant,

A.F. MacKenzie,
Secretary.




H. Graham, Esq.,
Indian Agent,
Duncan, B.C.

62-152.

Ottawa, April 27th, 1931.

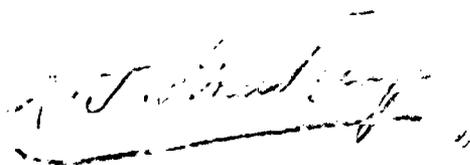
Sir:-

In reply to your letters of the 18th instant, I would advise you that the Department approves of the resolutions passed by the Chemainus Band agreeing to the transfers of [REDACTED], wife and three children from the Penelakut Band, and of the transfer of [REDACTED], wife and seven children from the Clemclemaluts Band to the Chemainus Band.

s.19(1)

Kindly quote this file and letter as authority for the transfers.

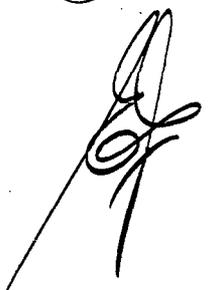
Your obedient servant,



A.F. MacKenzie,
Secretary.

zma

WAM



H. Graham, Esq.,
Indian Agent,
Duncan, B.C.

62-152



DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Duncan, B. C.

April 18th, 1931.

118-1-3

Your File No. 62-152

Sir:-

In reference to your letter of the 2nd, instant, regarding application for the admission of [redacted] to the Chemainus Band, I regret having omitted to give the members of his family, which are as follows, - [redacted], wife, and the following children [redacted] 19 years, [redacted] 17 years, [redacted] 6 years.

s.19(1)

Your obedient servant,

(H. Graham)
Indian Agent.

The Secretary,
Department of Indian Affairs,
Ottawa.

62-152



DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT



[Handwritten signature]

Duncan, B. C.

April 18th, 1931.

117-I-3

Sir:-

At a meeting of the Chemainus Band held yesterday, the enclosed Resolution was passed asking for the admission of [redacted], his wife and family to the Chemainus Band. They were formerly enrolled as members of the Clemclemaluts Band. The family consists of [redacted], his wife [redacted], and the following children, [redacted], 18 years; [redacted] 16 years, [redacted] 14 years; [redacted] 8 years; [redacted] 5 years; [redacted] 3 years, and [redacted] 9 months.

In regard to this application I might say that this man has no holdings whatever at Clemclemaluts, but has been willed 40 acres at Siccameen, Chemainus Indian Reserve No.13, by his uncle, [redacted] and the Band are most anxious that he with his wife and family should be admitted and take possession of the land.

s.19(1)

I would like to recommend the admission as applied for.

Your obedient servant,

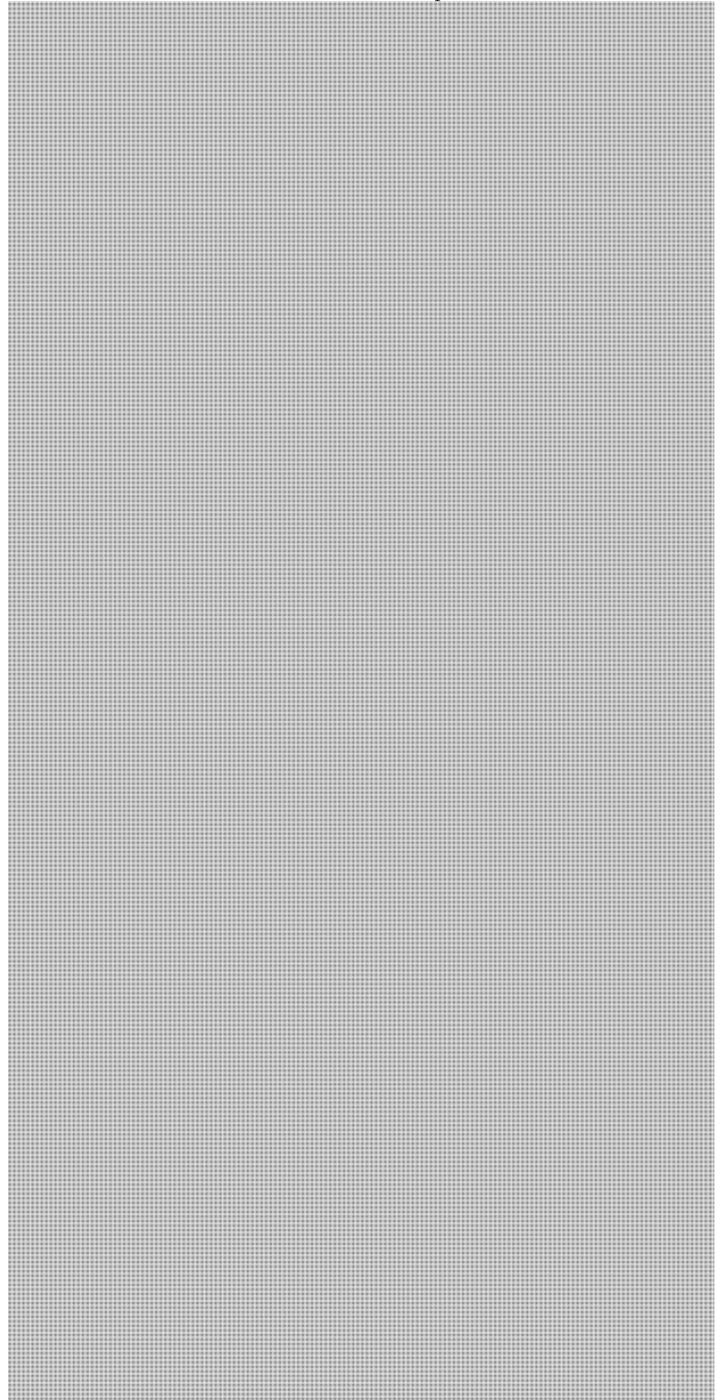
(H. Graham)
Indian Agent.

The Secretary,
Department of Indian Affairs,
Ottawa.

Chemainus Bay Indian Reserve No.13.
April 17th, 1931.

We, the undersigned voting members of Chemainus
Band, hereby make application for the admission of [REDACTED],
his wife and family, formerly members of the Clemclemaluts
Band, to be admitted as members of the Chemainus Band.

s.19(1)



62-15-2



DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT



Duncan, B. C.

May 1st, 1931.

Handwritten initials/signature

183-I-3

1931

Sir:-

I herewith beg to enclose a Resolution passed yesterday at a meeting of the Halalt Band, asking for the admission of [redacted], who has been a Member of the Penelakut Band, and married to [redacted], a daughter of the late Aimie of Halalt Band.

s.19(1)

This woman is the possessor of certain land on the Halalt reserve and between them they have done a great deal of very good work this year. They have cleared up and put under cultivation this year alone about ten acres, which is very creditable considering the small amount of ground on these reserves that has been worked in recent years.

I would strongly recommend that this man be admitted as a member of the Halalt Band, as he has no land of his own on Kuper Island, and the matter was discussed at a meeting of the Penelakut Indians last week, and they were quite satisfied that this man and his wife, having no children, should be released from the Penelakut Band in order to allow him to become a member at Halalt.

At the meeting yesterday of the Halalt Band there was a little opposition from three of the members, but I may say that this was only due to a little bit of jealousy. Some of them thought that they might get a chance to get in and get this land, but they have all got plenty of their own and not doing a quarter of the work, that [redacted] has done on his wife's.

In taking the vote there are only seven members eligible to vote, and four voted in favor and three against, but without exception the energetic Indians were unanimous.

Trusting to get a favourable reply.

Your obedient servant,

Handwritten signature: H. Graham

(H. Graham)
Indian Agent.

The Secretary,
Department of Indian Affairs,
Ottawa.

RESOLUTION

April 30th, 1931.

We the members of Halait Band, hereby make application for the admission of [REDACTED], formerly of the Penelakut Band, and his wife [REDACTED], to be admitted as members of our Band.

For,

[REDACTED]

Against.

[REDACTED]

s.19(1)

H. Mahau
Indian Agent.

24th April, 1931.

Dear Mr. Neill,

In further reference to the question as to whether the [redacted] children should be recognized as members of the Qualicum band, I have to say that we communicated with Mr. Agent Graham, of Duncan, B.C., pointing out that it had been asserted that these children had been recorded as band members for several years, and asked him to search all available records to ascertain whether such was the case. Mr. Graham has reported that the only record he has with reference to these children is Mr. Lomas's letter of the 25th May, 1926, with attached memorandum setting forth the history of this family.

s.19(1)

I regret that from lack of sufficient proof I am unable to direct that these children be placed on the list of members of the band in question as requested.

Yours truly,

A.W. Neill
sch

A.W. Neill, Esq., M.P.,
House of Commons,
Ottawa.

P.M.

DEPARTMENT OF INDIAN AFFAIRS
CANADA



62-152

OFFICE OF
INDIAN AGENT

E. J. J.

Duncan, B. C.

April 1st, 1931.

28-I-3

Sir:-

I have yours of the 25th, ultimo, together with copy of letter addressed to A. W. Neill, M. P. in connection with application to have the [redacted] children recognised as members of the Qualicum Band.

I might say that I have searched all available records here and all I can find is a letter, No.102-A.-3 dated May 25th, 1926 written by the late Indian Agent, which I think explains the matter fully, together with a history of the three families referred to in the letter, and then the Department's reply, dated June 2ne, 1926, No.62-152.

s.19(1)

I might further say that by our books there are only two members down as belonging to this Band now, namely [redacted], and [redacted]. There is no mention of the [redacted] children, nor has any payment been made at any time, that I can find, to these children.

Your obedient servant,

H. Graham

(H. Graham)
Indian Agent.

Duncan C. Scott, Esq.,
Deputy Superintendent General,
Department of Indian Affairs,
Ottawa.

62-152.

Ottawa, April 2nd, 1931.

Sir:-

Referring to your letter of the 25th ultimo, File 959-H-3, regarding the transfer of [REDACTED] from Penelakut Band to Chemainus Band, I beg to inform you that you have omitted to give full information regarding the family. Kindly advise us regarding the number of persons in his family who would be transferred. This information is necessary in order that proper transfer of the Capital Funds may be made.

s.19(1)

Your obedient servant,

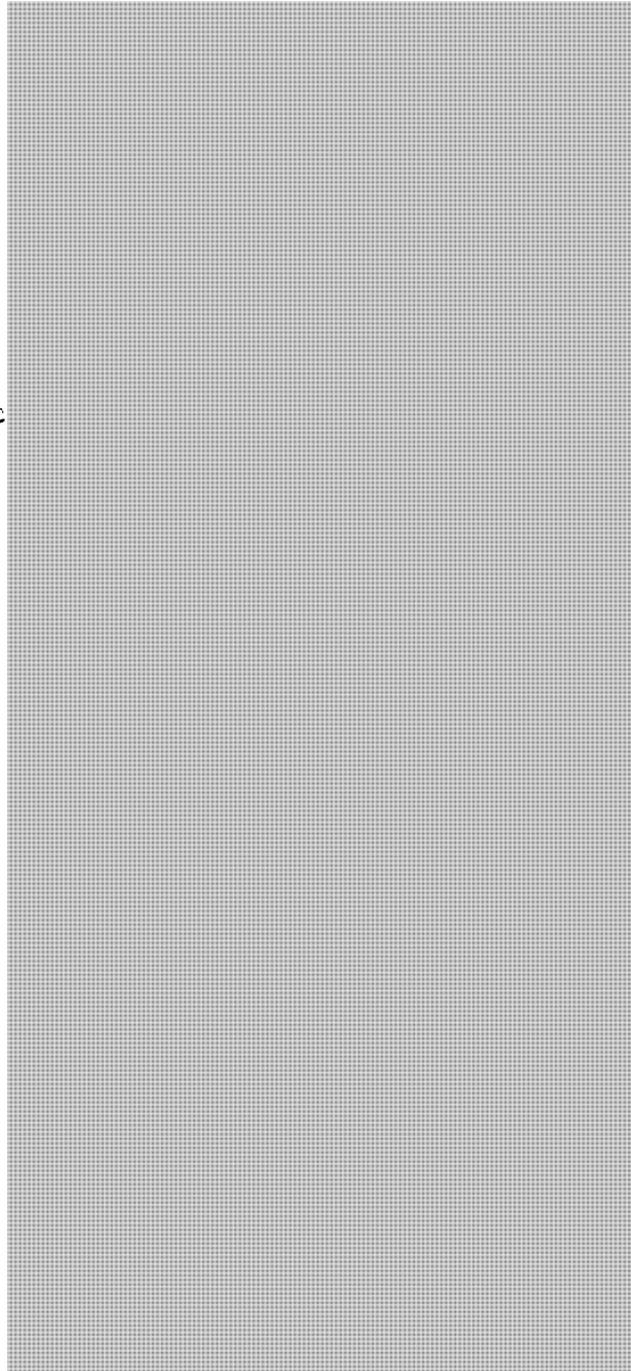
A.F. MacKenzie,
Secretary.



H. Graham, Esq.,
Indian Agent,
Duncan, B.C.

PETITION.

We, the Indians of the Chemainus Bay Band, hereby make application and apply to the Department of Indian Affairs for the admission of  and family of the Penelakut Band to the Chemainus Bay Band.



s.19(1)

August James

H. P. Pabian
Indian Agent.

62 152



DEPARTMENT OF INDIAN AFFAIRS
CANADA



959-H-3

Duncan, B.C.

March 25th.1931.

Sir:-

I herewith beg to enclose a petition signed by practically all the Male Members of the Chemainus Bay Band, asking for the admission of [redacted] of Kuper Island, Penelakut Band.

This matter was brought to my attention at a meeting I held with the Chemainus Band last week.

On investigation I found that [redacted] has no holdings at Kuper Island, but he has been willed by his Uncle a valuable piece of ground at Chemainus Bay, so under these circumstances I would like to recommend that this be favorably considered by the Department.

s.19(1)

Your obedient servant,

(H. Graham)
Indian Agent.

The Secretary,
Department of Indian Affairs,
OTTAWA.

March 25, 1931.

Sir,-

The Department has had considerable correspondence in connection with an application to have the [redacted] children recognized as members of the Qualicum Indian Band. For your information I am enclosing a copy of a letter which has been written to Mr. Neill, M.P., of Alberni, setting forth the position which the Department has taken with respect to the application. I may say that this copy is confidential and you will treat it accordingly. There is just one phase of the question on which we require some further information. It is claimed that these children were adopted into the band by consent of the members and recorded as band members for several years. Will you be good enough to search all available records to ascertain whether these children have appeared on the list of the members of the said band and advise the Department at your earliest convenience.

Encl.

s.19(1)

Yours very truly,

A.S.W.

H. Graham

H. Graham, Esq.,
Indian Agent,
Duncan, B.C.

MAR 28 1931

#62-152

24th February, 1931.

Dear Mr. Neill,

I have before me your letter of the 29th December last, on behalf of the [redacted] children, and note your contention in support of their claim.

In reply I beg to say that while Father Beaton's letter did perhaps disclose something new, there was nothing new I submit which affected the vital question as to whether these children were or were not members of the band. [redacted] it appears was a foreigner. He could not be adopted or admitted into a band by its members without the consent of the Superintendent General. If his children were legitimate, they are clearly not members because their father was not. They are not being barred because of physical disability or drunkenness, nor are they being barred by any new retroactive ruling because so far as we are aware they have never been recognized as members by any ruling old or new. The fact that persons similarly situated may have been admitted to membership of bands from time to time in the past by inadvertence or by carelessness of Departmental Agents would not be a valid reason for deliberately repeating such irregularities. I am advised that there are hundreds of people in British Columbia similarly situated, but who are not Indians within the meaning of the Indian Act and have no legal right to be enrolled as Indians of a particular band and to share in Indian property.

s.19(1)

Yours truly,

[Handwritten signature]

A.W.Neill, Esq., M.P.,
Alberni,
B.C.

62-152

Ottawa, 24th February, 1931.

Sir,

I beg to acknowledge the receipt of your letter of the 26th ultimo, No.574-H-8, enclosing a letter from Chief Johnny of the Penelakut Band asking for the admission of one [REDACTED], and note your observations with respect to this matter.

s.19(1)

In reply I beg to say that the Department is not disposed to approve of the admission of Arthur Crocker to the Penelakut Band.

Your obedient servant,



Secretary.

H.Graham, Esq.,
Indian Agent,
Duncan, B.C.

H.G.



Memorandum with reference to the status
of the four Recalma Children

Agent Lomas says:- That [redacted] lived with an Italian named [redacted] - Were off the reserve for many years - That Agnes was not married to [redacted] - That two of her children were brought up by [redacted] their grandmother from infancy.

Bishop Beaton says :- [redacted] lived with South American half-breed. [redacted] not an Italian - [redacted] adopted him - Wanted [redacted] children put on band list - [redacted] lived on reserve until she married [redacted], a member of the Comox band - Had house on Qualicum reserve - [redacted] and [redacted] lived together Indian fashion - [redacted] and wife asked Agent to record children as members of band - One hundred per cent vote - Contradictory decisions of Department:(1) [redacted] a member of Comox band was son of a Scotchman and Comox Indian woman and not entered on list of Comox band by Department (2) [redacted], Texada Indian, entered by Department on Qualicum list.(3) [redacted] lived with [redacted] mostly of Indian blood with some little Spanish - [redacted] was given to understand his wishes were granted - Why were they not entered as members twenty-five years ago - [redacted] children born of tribal marriage - They should not be excluded on the ground of physical or moral disability - As illegitimate children they go with the mother.

s.19(1)

Commissioner Ditchburn says :- [redacted] an Italian - Left the reserve so far as he could learn - All children earning their own living except [redacted], a cripple - That he is following the ruling of the Department that descent must be traced from the father's side and that the Department did not intend to "make" any more Indians - He was following decision of the Department 2nd June, 1926 - If these children considered members of Qualicum band, hundred of others in B.C. in similar position - Many are members who should never have been admitted - Laxity in early administration.

2.

Mr. Neill contends :- It matters not whether [redacted] children were born in wedlock or not, they were her ([redacted]) children - He has always understood it was optional with a half-breed as to whether he could live like an Indian and be treated as an Indian - Many half-breeds shared Songhees reserve money - Character or physical disability should not prevent recognition as Indians - Father Beaton's standing and reputation should carry weight - Absurd to talk about legitimate or illegitimate children - Indian marriage arrangements should be respected - Any ruling now given should not be retroactive - [redacted] adopted into the band by consent of members - [redacted] and children recorded as band members for several years - Father Beaton should be asked to attend meeting with these people and new Agent and further report obtained - Lots of cases where half-breeds recognized as Indians.

Observations:- [redacted] a foreigner - immaterial whether he had Italian or Spanish blood - could not be adopted or admitted into band by its members without consent of Superintendent General - no proof of their ever having been recognized as members.- If these children legitimate they are clearly not members because their father was not. - They are not being barred because of physical disability or drunkenness. - They are not being barred by any new retroactive ruling because they have apparently never been recognized as members by any ruling old or new.- The fact that children similarly situated may have been admitted to membership of bands from time to time in the past by inadvertence or carelessness of Departmental agents is not a valid reason for repeating such irregularities.

s.19(1)

C.S. W.

62-15



DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Duncan, B.C.,

January 26th.1931.

574-H-3

Allen

no rec

Dear Sir:-

I here beg to inclose a letter from the chief of the Penelakut Band, asking for the admission of one [REDACTED]. I made enquiries myself when last there, and found that this man had lived on the reserve all his life, and was born on the reserve. His father, who is a halfbreed, lived on the reserve before him, and his mother, a full blooded Indian, and member of the band. This man is now married to an Indian girl of the band, and has a family. For some reason or another his name has never appeared on the roll, and I cannot find anything against him.

I would like to recommend that his name be entered up as a member of the band, for the way he is living now, is that he is Indian one day and white man the next.

s.19(1)

Your obedient servant,

H. Graham

The Secretary,
Department of Indian Affairs,
OTTAWA.

(H. Graham)

Kuper Island B.C.

Jan 22nd 1931

Dear Sir +

In our meeting of members of Penelakut band.

We consider

[redacted] as one of our members of Penelakut band. Our reasons for admitting is because he grew up among us ever since his childhood ^{was} ~~has~~ never been any where else.

Our chief and Council 000054

COWICHAN INDIAN AGENCY
JAN 23 1931
DUNCAN, B.C.

s.19(1)

3 P.S.

Please forward this
to Ottawa all the
at Pease Lake wants
to do it

s.19(1)

2)
has admit him to our
Reserve to be one of us
to be an Indian. So
from now on he is under
the Indian act

He has land the allotment
of former owner of the
place he is stay at present
about 5 acres to be his

[redacted] [redacted] from now

on
yours truly
Moses Johnson
and Council chief

000055

62-152

Secretary



House of Commons
Canada



Albarni, B.C. Dec. 29th. 1930

Dear Mr. Williams,

I have your letter of 8th. ult dealing in part with the question of membership in the Quaaicum Beach Indian Band and advising me that Father Beaton's letter of May 9th. last does not disclose anything that has not already been considered and that you adhere to a former decision that [redacted] grandchildren are not to be considered Indians, or rather not to be considered members of that band which after all is the same thing.

I submit that Father Beaton's letter did disclose something new, inasmuch as it flatly contradicted in several important respects, the information obtained from Indian Agent Thomas and in view of recent revelations of the careless manner in which that Agent conducted the business, I think that Father Beaton's standing and reputation should carry considerable weight.

First we must agree that it is absurd to talk about legitimate or illegitimate children of the older Indians. Their marriage arrangements are entitled to as much respect as ours.

Secondly .Father Beaton asks if [redacted]'s daughter's children have not more claim to her inheritance than a white man's golf course?

No objection to the white man getting it for that purpose but don't take the proceeds from the Indian owners by a new made ruling that

s.19(1)



House of Commons

Canada

Half Breed Indians are white. Such a ruling should not at least be retroactive and was absolutely not in force at the time these children were born. My own experience as an Indian Agent tells me that .

3rd. Your information, -" [redacted] took up with an Italian and many years ago and left the reserve".

Father Beaton. - [redacted] was not an Italian.

Not an important point perhaps except to illustrate the sloppy character of the information supplied you.

But the fact that Father Beaton vouches for is important, namely that ~~neither [redacted] nor [redacted]~~ neither [redacted] nor [redacted] ever left the reserve permanently but on the contrary, he was formally adopted into the band by [redacted] the father of [redacted] and then head of the band, who had a right to so adopt him with consent of the other members which was given.

s.19(1)

[redacted] asked that [redacted] be recorded on the annual list or census of the band and his name and that of his children was so recorded for at least several years. Father Beaton further asserts, and he should know and has no axe to grind, that during the time she lived with [redacted], [redacted] lived continuously on the Qualicum reserve and was living there when [redacted] was killed so that the statement that on the death of [redacted] " [redacted] and her children was allowed to return to the reserve on sufferance" is totally incorrect.

There are other discrepancies between the information furnished Mr [redacted] Ditchburn by Mr. Lomas and the facts as stated by Father Beaton.



House of Commons

Canada

There is also a very evident ~~i~~-ntention to "knock" the idea of giving the grandchildren their rights. For instance it is stated that one of them is a cripple and would be an expense and another one is stated to have been "heavily fined" in connection with liquor matters, the inference, indeed, it is so stated that this suggests he is an undesirable.

He was, once, found drunk in a car of which he was not the driver and ~~was~~ fined the minimum as being drunk in control of a car.

This is the only occasion specified of his having been drunk.

Since when does being a cripple or having got drunk, once, debar a man from his rights as heir to his grandmother?

I submit that the above facts and Father Beaton is willing and indeed anxious to be given a chance to prove them, do disclose things that have not been already considered by your Dept and which should be considered. I think that Father Beaton should be asked to attend a meeting with the Indians named and the new Indian Agent and a further report obtained, not forgetting always that we are dealing with facts and conditions of 30 or more years ago and we must consider those facts in light of the then rules and not apply to them this rule of not recognising half breeds as Indians if ⁱ living on reserves and following the Indian mode of life because this rule is of comparatively recent origin. I can give lots of instances where half breeds ~~have~~ ^{were} even now recognised as Indians and in some cases getting relief, long after the Recalma family were established on the Qualicum Reserve.

Yours faithfully, A.W. Neill ^{AW} 000058

COPY
ORIGINAL ON
File 27152-13

November 8th, 1930.

Dear Mr. Neill,

I have before me your letter of the 23rd. ultimo with reference to the membership, and the possible disposal of the Qualicum Indian Reserve.

In reply I beg to say that Bishop Beaton's letter to you dated the 9th May, 1930, on behalf of the [redacted] children does not disclose anything that has not already been considered in connection with the status of these children, and I am obliged to adhere to the position which has all along been taken, namely, that these children cannot be recognized as members of this band, I may say, however, that I am anxious to assist [redacted] [redacted] in any way that I can in extending her bounty to the [redacted] children which apparently is the real purpose of the efforts that have been put forward to have them declared to be members of the band.

s.19(1)

x x x

Yours very truly,

A. S. Williams.

Acting Deputy Superintendent General.

A. W. Neill. Esq., M.P.,
Alberni, B.C.

62-152.

Ottawa, December 17th, 1930.

Sir:-

Referring to your letter of the 8th instant, File 261-H-3, I beg to inform you that any illegitimate children become legitimate as soon as the father and mother are legally married. Under the circumstances, the children of [REDACTED] should be admitted and paid in future as members of the Esquimalt Band.

Referring to the last paragraph in your letter, I think you had better not raise any question regarding the illegitimate children who are already receiving interest money as members of the Band.

Your obedient servant,



A.F. MacKenzie,
Secretary.

s.19(1)



H. Graham, Esq.,
Indian Agent,
Duncan, B.C.

62-152



DEPARTMENT OF INDIAN AFFAIRS
CANADA



OFFICE OF
INDIAN AGENT

Duncan, B. C.

December 8th, 1930.

[Handwritten signature]

261-H-3

Sir:-

Last week Mr. Commissioner Ditchburn handed me a cheque for \$340.00 which he requested me to pay out to the members of Esquimalt Band. In making up the Pay-List I found [redacted] a legitimate member of the Band was living with a woman to whom he was not legally married, and they had two children. I took the matter up with the Band and they passed a resolution agreeing to admit this woman and the two children, on condition that they get married, which they promised to do immediately.

s.19(1)

I divid~~ed~~ this money as if these three were members, but witheld their money until they were married, this being agreeable to them and to the members of the Band. I discussed this with Mr. Commissioner Ditchburn and he was quite satisfied with my action in the matter. I would like to recommend they they be admitted as members of the Esquimalt Band.

I might here state that I find throughout the Agency there are a great many Indians, who are not legally married and have raised large families, which naturally makes it very difficult for me when making a distribution. A great many of them I see have been paid by the late Agent as if they were legally married and members of the Band.

When the pay-ment has been completed, the pay-books will be forwarded.

Your obedient servant,

[Handwritten signature: H. Graham]

(H. Graham)
Indian Agent.

The Secretary,
Department of Indian Affairs,
Ottawa.

Esquimalt, B.C.
Dec. 3rd 1930.

We the Members of the Esquimalt Band
hereby agree to allow [redacted]
now living with [redacted] a member
of Esquimalt Band, to become Members
of the same Band with her two children;
and that they are to be married as
soon as possible.

[redacted]

s.19(1)

[redacted]
[redacted] + [redacted]
[redacted]

H. Raham
Indian Agent.

November 8th. 1920.

Dear Mr. Neill,

I have before me your letter of the 23rd. ultimo with reference to the membership, and the possible disposal, of the Qualicum Indian reserve.

In reply I beg to say that Bishop Beaton's letter to you dated the 9th. May, 1920, on behalf of the [redacted] children does not disclose anything that has not already been considered in connection with the status of these children, and I am obliged to adhere to the position which has all along been taken, namely, that these children cannot be recognized as members of this band. I may say, however, that I am anxious to assist [redacted] in any way that I can in extending her bounty to the [redacted] children which apparently is the real purpose of the efforts that have been put forward to have them declared to be members of the band.

s.19(1)

With respect to your enquiry as to how the Indians and the Department are protected in the matter of surrenders I have to say that the document of surrender is all the protection that is required.

A. F. Neill, Esq., M.P.,
Alberni,
B.C.

- 2 -

As to the proportion of purchase price payable to the Indians, I have to say that where an Indian has improvements on land that is surrendered by a band such improvements have to be paid for in full out of the purchase price, and out of the balance the Indians may be paid as much as fifty per cent. As soon as the reserves of British Columbia are conveyed, we can take up with the two members of the Qualicum band the question of surrender.

Yours very truly,

A.S. Williams,

Acting Deputy Superintendent General.

62-152



DEPARTMENT OF INDIAN AFFAIRS
CANADA

RECEIVED
OCT 23 1930

COMMISSIONER'S OFFICE,
P. O. BOX 666

VICTORIA, B.C. October 22, 1930

IN YOUR REPLY REFER TO

No. 1/19225

ALSO TO DATE OF THIS LETTER

Your file
62-152.

[Handwritten signature]

Dear Sir:

I beg to acknowledge receipt of your letter of the 23rd of May last and that of your Assistant of the 17th instant with reference to my report of October 23rd regarding the question of admission to the Qualicum Band of the [redacted] children, although these [redacted] cannot be considered children any longer in view of the fact that the youngest is over eighteen years of age.

Accompanying your letter to me was a communication written to A.W. Neill, M.P. by the Reverend Ronald Beaton, a Roman Catholic priest of Comox, B.C., on which you asked me to submit a report and at the same time returning Reverend Father Beaton's letter.

In reply, I beg to say that I have never forgotten a ruling which you gave me a number of years ago on such cases, which was to the effect that the line of descent must be traced from the father's side, and that the Department did not intend to "make" any more Indians, and keeping this in view I have always been of the opinion that the [redacted] offspring could not be considered members of the Qualicum Band or of any other band of Indians. This question is not a new one to me as Reverend Father Beaton, himself, called on me several years ago in regard to the status of [redacted] and her sons and daughters, and I informed him that if [redacted] was not again married she might be considered a member of the Qualicum Band but that so far as the children were concerned they could not be considered Indians. My decision in that case was borne out by the decision of the Department in a letter to Indian Agent Lomas of the 2nd of June, 1926 (your file 62-152), and in view of this fact I am not prepared to revise the opinion I gave in my letter of October 23, 1929, and I do not think there are any circumstances in connection with this case that would warrant my opinion being overruled, for if these people are considered to be Indians and members of the Qualicum Band there are hundreds of others in British Columbia who would make like claim, and our census book would be loaded with half and quarter breeds. There are many such on the books at present but that is due to laxity in the early administration of Indian Affairs in British Columbia when no strict census was kept.

s.19(1)

Duncan C. Scott, Esq.,
Deputy Superintendent General of Indian Affairs,
Ottawa, Ontario.

-2-

census was kept.....

As regards the remarks made by [redacted] in his communication to Mr. Neill I do not intend to pay any attention with the exception of two points, the first dealing with his insinuation against officials of the Department, and in this connection I wish to point out that if he had confined himself more to the clauses of the Indian Act than apparently he has done he would not make such wild statements as those contained in his communication. If he infers that I am in favour of selling the Reserve to private parties to be turned into a golf course his inference is absolutely at variance with the facts, as I have never had any information that such was the case, although at one time Mr. Lomas did inform me that he thought that the Reserve might be sold at a good price and the proceeds of the sale could be beneficially used in the maintenance of old [redacted] and, if necessary, her daughter, [redacted].

The second point in connection with Father Beaton's letter is where he mentions the fact that [redacted]'s father was a Texada Indian. There is no band of Indians in British Columbia known as Texadas. Texada is a large island situate in the Straits of Georgie between Malaspina Inlet and Steven Passage, lying out from Qualicum, and the information the Department has always had is that [redacted] was a Qualicum Indian, and I have not the slightest doubt but that this was the case, although it is many years since this man died.

I regret having held this matter over so long.

I am herewith returning to you the letter which accompanied your communication of the 23rd of May.

Yours respectfully,

s.19(1)



W.E. Ditchburn,
Indian Commissioner for B.C.

ENC.
WED/TH.

Copy

Comox, B.C.,
May 9th, 1930.

A. W. Neill, Esq., M.P.,
House of Commons,
Ottawa.

Dear Mr. Neill,-

I am in receipt of your letter of the 25th ult., relative to a subject which I took up with you last year--the Qualicum Indian Reserve. In the first place, I have to thank you very much for your continued interest in the matter. I know it takes a lot of perseverance to get some of the Departments to do simple justice where, on account of special circumstances, the general law or regulation works a hardship or an injury. For a while they consider their regulations like the laws of the Medes and Persians--unchangeable. Then all of a sudden they reverse them and for a while again, consider the new rulings a sacrosanct thing not to be touched.

In the first place, I am going to make some comment on the letter sent Oct. 25th, 1929, by Mr. Ditchburn, Commissioner of Victoria, B.C., to the Department of Indian Affairs, relative to the Qualicum Reserve. You were good enough to secure a copy of the letter, 62-152...1/15779. Mr. Ditchburn says in paragraph two that he has given the matter considerable attention. He states that Mr. Lomas, Indian Agent at Duncan, B.C., wrote on May 25th, 1926, to the Dept. of Indian Affairs for a decision on the status of three families claiming membership in the Qualicum Band, namely, [redacted], [redacted] and the [redacted] family. The Department ruling was that only [redacted] and [redacted] were to be considered as members, rejecting the others. The [redacted] children and [redacted] are grandchildren of [redacted], born of trial marriages common among the Indians years ago but not of marriages according to the law of the land. [redacted] lived near the Qualicums. Her mother was a Nanoose Indian, her father a Texada Indian and how the Dept. of Indian Affairs ever came to put her down as belonging to the Qualicum Band, I cannot understand. The Indians are roaming all the time but they remain members of their own band, it makes no difference where they are.

s.19(1)

- 2 -

On the above decision of the Dept. of Indian Affairs, allow me to make a few general remarks. Since some years now, there has been a lot of protest coming from the Indians in general and from the B. C. Indians in particular, against the way their ancient rights and privileges are without a hearing, battered about and extinguished by officials of the Department of Indian Affairs. In this particular case, the sole survivor of the Qualicum Indians, [REDACTED], has been denied the right to pass to her descendants, the property which she and her forefathers held and owned before a white man ever came to this country, without consulting her or her descendants, without their knowledge or consent and without a chance to defend their rights and by men who seem not to have considered all the circumstances of the case. In the case of the Qualicum Indian Reserve there is this special circumstance that should be taken into account--- according to the above ruling, [REDACTED] is the last of the Qualicum Indians. Now if her descendants are not allowed to inherit her property, it will either go to some white men-- a group of them want to get it for a Golf Course--or be sold and the proceeds given to some other Indians. Any fair-minded man can at once see that the descendants of the original owners have more right to that Reserve than outsiders who have no claim whatsoever on them. It must be remembered that the Dominion Government does not own the Indian Reserves. It only holds them in trust for the Indians who live on them. Supposing I held a large sum of money in trust for a man and he dies, the last of his race, leaving everything to an illegitimate grandchild. Have I the right to give that money to other people or turn it to pious purposes and thus deprive the child of its inheritance. The case need only be stated and any fair-minded man can see what should be done. The law of the land will support the right of the child. In the same way the law of the land, I am told on the authority of good lawyers, will support the claim of the [REDACTED] family.

s.19(1)

Now I take up again Mr. Ditchburn's letter as above. In paragraph three he says, "With regard to the [REDACTED] family, I beg to say that [REDACTED], daughter of [REDACTED], many years ago took up with an Italian named [REDACTED] and left the reserve so far as I can learn." [REDACTED] was not an Italian. He came to the Qualicum Reserve when a young man, when [REDACTED], husband of [REDACTED] and father of [REDACTED] was alive. [REDACTED] asked him to stay on the Reserve and adopted him as far as an

- 3 -

Indian could adopt, for [redacted] was very helpful in looking after them. In time, [redacted] and [redacted] lived together Indian fashion. They lived on the Qualicum Reserve continuously and the statement by Mr. Ditchburn that they left the reserve is not correct. Mr. Ditchburn leaves a loophole by saying, "As far as I can learn" but that only makes the matter worse.

Mr. Ditchburn says that [redacted] took up with [redacted]. The state of trial before marriage which the Indians had and have, some of them to this day, is entirely different from a casual meeting. It was a state recognized by practically all bands of Indians on this coast, entailing obligations with respect to food, clothing and support on the part of the father and also on the part of the mother. The Indian mother and her band recognized their obligation to the children. In this case, old [redacted] wanted the [redacted] children to be put down as Qualicum Indians. That was their law and in the absence of any other claimant for the Reserve, the [redacted] seem to me to have the only claim there is.

s.19(1)

Mr. Ditchburn continues, "There were five children born, [redacted], who is now twenty-six years of age and living in Courtenay, John -----!" [redacted] never lived in Courtenay, B.C. On several occasions he made short visits to his mother on the Comox Reserve but since he left school he has been living mostly at Deep Bay and working there.

At the end of the paragraph, Mr. Ditchburn says, "Some time after the birth of [redacted] who is now eighteen years of age, [redacted] was killed in a Logging Camp and [redacted] and her children were allowed to return to the Reserve on sufferance by the Indian Agent Robertson." In the last part of this statement, Mr. Ditchburn is very much mistaken. [redacted] lived on the Qualicum Reserve from the time she was born until she married George Mitchell of the Comox Reserve in 1915. During the time she lived with [redacted] they lived continuously on the Qualicum Reserve. At first the [redacted] had a house down near the shore on the reserve, then [redacted] built a house near the public highway also on the reserve and the family lived there and was living there when Recalma was killed and lived there until [redacted] married [redacted] and moved to the Comox Reserve. Any Indian or white man, conversant with the place and circumstances will tell you that. It seems to me, Mr. Ditchburn did not give this matter very 'considerable attention.' All the same his letter seems to serve a good purpose for it shows the kind of information, or rather misinformation, at times placed before the Department

000069

- 4 -

Department of Indian Affairs. Letters of that kind may possibly account for strange decisions that are sometimes made.

I find the last paragraph of Mr. Ditchburn's letter is as follows, "In conclusion I beg to say I fully approve of the ruling of the Department of the 2nd of June, 1926, that these [redacted] children should not be admitted to the Qualicum Band. They are now all earning their own livelihood with the exception of Willie who is, as pointed out by Agent Lomas, a cripple and if taken into the Band, would be a burden of expense. Furthermore I beg to say that so far as the son [redacted] is concerned, he is not a desirable subject as it is only a month ago he was arrested and heavily fined in connection with liquor matters, but not as an Indian". Mr. Ditchburn say that he fully approves of the ruling of the Department. I wish I were sure that he considered all the facts of the case in an unbiased manner. It is known that some people want to get the Qualicum Reserve to turn a part of it at least, into a Golf Course. Besides it is currently reported, though with how much truth I cannot say, that some of the officials of the Dept. of Indian Affairs in B. C. are quietly in favour of that move. Golf is a fine game but there is a finer game of preserving to the poor Indians and their descendants, the little that has been left to them of the immense patrimony that once was theirs until the white men came and took it from them with very little if any, compensation.

s.19(1)

By using the expression 'heavily fined' Mr. Ditchburn seems to me, to convey the implication that the offense was serious. The facts as I found them, were as follows: A car load of Indians, including [redacted], went from Deep Bay to Nanaimo. Some of the Indians had liquor permits and got some liquor. [redacted] got some too. They all drank. [redacted] slept in the car. The Indians were celebrating and making a noise. Someone reported this to the Provincial Police, and a new policeman, a greenhorn, was sent to investigate. In place of arresting those who were making

- 5 -

a noise, he arrested [redacted] who was sleeping in the car. He has rheumatism in his ankles and cannot run and so he was taken in. He was made the scapegoat and fined \$25.00 and the ones that made the noise got off scott free. The police made out that [redacted] was running the car, which he was not, and that he was drunk because he could not walk straight. He cannot walk straight at any time on account of his ankles and feet. He had liquor no doubt, and too much of it but many a man has been known to take liquor which fact did not extinguish any right or claim to property which he may have had. The insinuation in Mr. Ditchburn's letter is that [redacted] is not much of a man-- an undesirable. From personal knowledge, I can say of him that he is a diligent man. When his step-father, [redacted], was unwell some years ago, [redacted] stepped in and supported his mother and half-brother and sisters and so relieved the Department of Indian Affairs of the necessity of spending many a dollar to supply food and clothing to Indians under its care. In the past, the Comox Indians got very little from the Department and kind people like [redacted] had to step in and help them. I know of one man myself, who was out about \$95.00 which he had to give to needy cases some years ago, cases that could not wait a long and wordy correspondence with officials including Mr. Ditchburn. Some of the merchants in Courtenay did the same and had to resort to some drastic means to get their own. [redacted] would not raise any disturbance in the Qualicum band because there is no one to raise a disturbance with. He gets on well with his brother and sisters, he helps his mother and his grandmother and is deserving of every encouragement.

s.19(1)

To get a good grasp of the situation, let us consider the history of the Qualicum Reserve. [redacted] was the only and sole representative of the Qualicum Band. The rest were destroyed or carried away by raiding bands from the North. [redacted] belonged to Texada and lived near old [redacted]. When [redacted] was getting up in years, [redacted] came and on the invitation of old [redacted], he remained on the reserve. As far as [redacted] could adopt the man, he adopted him. [redacted] was very useful in helping him. In time [redacted] and [redacted], daughter of [redacted]

000071

- 6 -

lived together, Indian fashion, without being married by the whiteman's law. [redacted] and [redacted] lived on the Qualicum reserve, never moved away. [redacted] and [redacted] his wife, many times asked the Indian Agent to enter the [redacted] on the list of the Qualicum Indians. This was a hundred per cent vote of the Band. On taking the census, the names and ages of the [redacted] were taken. [redacted] always considered that the [redacted] were written down in the Qualicum Band. Why was not action taken on hundred per cent vote of the band. Others are taken into bands on a much lesser vote and I do not see why the Qualicums should be refused. In this affair, some of the contradictory decisions of the Dept. of Indian Affairs show up. (1) [redacted] of the Qualicum Band, mother of the [redacted], is now married to [redacted] of the Comox Band. Now [redacted] is the son of a Scotchman from Scotland and a Comox Indian woman. He was brought up and educated as a white man but has been entered as an Indian of the Comox band by the Dept. of Indian Affairs. (2) [redacted], a Texada Indian is entered by the same Department, as of the Qualicum band. (3) [redacted] of the Qualicum band lived for years Indian fashion, on the Qualicum Reserve with [redacted] mostly of Indian blood with some little Spanish. Her father, [redacted], wanted to adopt the [redacted] family into the Qualicum band, a hundred per-cent vote. He was given to understand his wishes were granted but now, this late ruling of the Department says 'no'. Officials may say that they are acting on a late ruling but why were not the [redacted] entered on the Qualicum band twenty-five or more years ago. Adoption was not so uncommon a thing then and is not unknown even to-day.

s.19(1)

To me, all this seems to be the exercise of absolute dominion by the Department over property that it only holds in trust. Are the wishes of the real owners ever to be consulted or granted? Are the owners ever to have a say as to the disposal of their property? Are they to stand by quietly and see their homes handed to strangers? Surely the request of [redacted], the last of the Qualicum braves, should have been granted when he wanted to leave his own property to his own descendants.

000072

- 7 -

In accordance with the decision of the Department, after [redacted] and [redacted], there is no straight Indian claimant for the Qualicum Reserve, but the [redacted] children being descendants of the Qualicum Indians have certainly a better claim to the Qualicum Reserve than any white man or any Indian from another reserve who has nothing whatsoever to do with the Qualicums. One lawyer whom I consulted, says it is not a question of band but a question of inheritance and that the Dominion Government has no power to take property held in trust and give it to total strangers while blood descendants of the original owners are there to claim it.

s.19(1)

Will you please, Mr. Neill, place this matter before the proper authorities and see what can be done to protect the interests of the [redacted] family in their claim for the Qualicum Reserve.

Many thanks for copies of the Debates which you sent. Glad to read your strong and correct views on unemployment and other important questions.

Yours sincerely,

(Sgd.) (Rev.) Ronald Beaton.



62-152

DEPT. OF INDIAN AFFAIRS
OCT 20 1930

DEPARTMENT OF INDIAN AFFAIRS
CANADA

IN YOUR REPLY REFER TO

No. 126/19145

ALSO TO DATE OF THIS LETTER

Your file No. 62-152.

COMMISSIONER'S OFFICE,
P. O. BOX 666

VICTORIA, B.C. October 13, 1930.....

Dear Sir:

Replying to your letter of the 24th December last in connection with the transfer of a portion of the funds of the Songhees Band of Indians, Cowichan Agency, to the Esquimalt Band, I now beg to inform you that the number of Indians in the Songhees Band is at present 63, that is, those who are interested in the Songhees Reserve No. 1, now at Esquimalt. There are, however, 16 others who live on Discovery Island but who are not usually classified as Songhees Indians as they never lived on the old or new Songhees Reserves and did not participate in the compensation paid by the Provincial Government when the old Reserve was transferred to the Government of British Columbia.

The number of Indians in the Esquimalt Band has now grown to 17 owing to increases in the family, two of the sons having married and are raising families. In connection with the trust funds of the Esquimalt Band I had Chief Edward Joe in to see me a few days ago and he asked if it would not be possible to have a distribution of his Band's interest funds at an early date as he is particularly in need of some money to have his teeth extracted and a new set purchased. Ordinarily this Indian is energetic but of late he has suffered a great deal from rheumatism and Dr. Thomas has stated that the trouble arises from his teeth which are affected with pyorrhea. He advised Chief Edward Joe not to go fishing this year on this account and he is necessarily hard up. I would therefore recommend that a cheque for the full amount of the Band's interest funds to date be sent to me and I will make a distribution. Pay-books should of course be sent out to me at the same time.

(78MA)

Transfer made
See letter
Dec 3/29
+
letter Dec 11/29

EXTRACT
on 12-10-30

W. E. Ditchburn

Your obedient servant,

W. E. Ditchburn.
Indian Commissioner for B.C.

s.19(1)

WED/AC

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

47. 10. 1930

Ottawa, 17th October, 1930.

Dear Mr. Ditchburn,

I beg to refer you to Departmental letter of the 23rd May last enclosing a copy of a letter from A.W.Neill, Esq., M.P., regarding the admission of the [redacted] children to the Qualicum band. I should be glad to have your report in this matter.

s.19(1)

Yours truly,

A.S. Williams

Assistant Deputy Superintendent General.

W.E.Ditchburn, Esq.,
Indian Commissioner,
Victoria, B.C.

W.S.W.

62-157

Form 179.

ALL CORRESPONDENCE TO BE
ADDRESSED:-

THE COMMISSIONER,
R. C. M. POLICE,
OTTAWA.

R

Royal Canadian Mounted Police,
Office of the Commissioner.

76257

Ref. No. 30D62-8-J-83

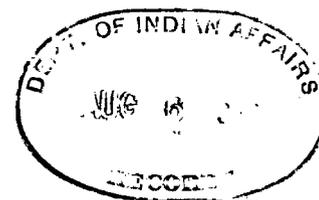
Ottawa, August 1st. 1930

Your File No.

File

Sir:

Re: [REDACTED]



I beg to enclose, herewith, for your
information copy of report received from the Officer
Commanding at Vancouver, B.C.

s.19(1)

dated 25-7-30
and such enclosures or attachments, if any, as are
mentioned therein.

I have the honour to be,
Sir,
Your obedient servant,

Cortlandt Starnes

Cortlandt Starnes,
Commissioner.

The Deputy Superintendent General,
Department of Indian Affairs,
Ottawa.

"E" DIVISION
C.I.B.

R.C.M. POLICE.

H.Q.

30 D 62-8-J-83.

Vancouver, B.C. July 25th, 1930.

B.C. Ref: 50-20 P.R.71.

D.D. 18-8-30.

The Commissioner,
Royal Canadian Mounted Police,
Ottawa, Canada.

s.19(1)

Sir:

Re: [REDACTED] - Indian Act.
Hazelton Reserve, B.C.

Replying to the memorandum of the Director,
C.I.B., dated the 11th instant, regarding the above
noted case:

I have the honour to report that a request
was made to the Indian Commissioner for B.C., for his
opinion, as the matter was evidently overlooked, and I
now in receipt of a letter from Mr. Ditchburn (Copy
of which is attached) giving his opinion as to the
status of the woman in question.

I have the honour to be,
Sir,
Your obedient servant,

(SGD)

(H.M. Newson) Supt.
Commanding B.C. District.

(COPY)

DEPARTMENT OF INDIAN AFFAIRS

CANADA.

Commissioner's Office,
P.O. Box 666.

VICTORIA, B.C. July 21, 1930.

In reply
refer to -
No. 157/18368.

Dear Sir:

I wish to refer to the report of your Corporal M. E. Berger of Hazelton Detachment, dated May 24th last, in regard to the status of one [redacted]. In reply I beg to say that if this woman was, as stated, married to a white man she would cease to have the status of an Indian woman under the provisions of Section 14, Chapter 98, which states as follows:-

s.19(1)

"Any Indian woman who marries any person other than an Indian, or a non-treaty Indian, shall cease to be an Indian in every respect within the meaning of this Act, except that she shall be entitled to share equally with the members of the Band to which she formerly belonged, in the annual or semi-annual distribution of their annuity interest monies and rents; but such income may be commuted to her at any time at ten years' purchase, with the approval of the Superintendent General."

In regard to the reported remarks of His Honour Judge Robertson in conversation with Corporal Berger in which His Honour expressed as his opinion that this woman was legally an Indian woman as she was living on the Reserve and her husband was dead to say it is rather difficult to understand under statutory provision His Honour would be justified making this remark inasmuch as the Section 14, above quoted, defines the status of such a woman. Merely under Section 13 of Chapter 98 (Indian Act) a bona fide Indian who may have been away from a Reserve in foreign country without the consent of the Band and approval of the Superintendent-General cannot be a member of the Band and cannot be reinstated to the Band without the consent of the Band and the approval of the Superintendent-General obtained. It does not appear therefore, to be probable that His Honour would sustain the woman's right to be classed as an Indian if she has not been accepted as such by the Band she formerly belonged and the approval of the Superintendent-General obtained. Notwithstanding, we welcome any further observations which either Corporal Berger or His Honour Judge Robertson might make in the above connection.

Your obedient

(sgd) W.E. Hitchcock
Indian Commissioner

Superintendent,
Commanding B.C. District,
Royal Canadian Mounted Police,
Vancouver, B.C.

Handwritten initials: LR

May 23rd. 1930.

Dear Mr. Ditchburn,

With reference to your report of October 23rd. last regarding the admission of the [redacted] children to the Qualicum band, I am enclosing herewith a copy of letter on the subject which Mr. A. W. Neill, M.P., left with me. Will you kindly let me have a report returning the copy of letter with your report.

s.19(1)

Yours very truly,

Handwritten signature: W.E.D.

Handwritten signature: W. E. Ditchburn

W. E. Ditchburn, Esq.,
Indian Commissioner,
Victoria, B.C.

Handwritten initials: W.E.D.

May 21st, 1930.

Dear Mr. Neill,

I have to acknowledge the receipt of your letter of the 15th. instant enclosing letter from Rev. Ronald Beaton with reference to the children of [REDACTED], in respect of which you called on me recently. In reply I have to say that most careful consideration will be given to the representations set forth in this letter.

I am returning your enclosure herewith.

Yours very truly,

A. S. Williams

Acting Deputy Superintendent General.

A. W. Neill, Esq., M.P.,
House of Commons,
Ottawa.

s.19(1)

A. W.

62-152



House of Commons
Canada

Ottawa, May 15, 1930.

Dr. Duncan C. Scott,
Deputy Superintendent General,
Department of Indian Affairs,
Ottawa, Canada.

Dear Dr. Scott:-

I enclose original letter from the Rev.
Ronald Beaton. I will have to get this back from you,
as I have not had it copied. After you have had time
to digest it, I will come over and discuss it with you.

I thought we had finished with this
subject, and I wrote him along that line.

Yours faithfully,

A. W. Neill.

A handwritten signature in cursive script, appearing to read 'A. W. Neill'.

AWN:AM.
ENCL.

January 31st. 1930.

Dear Mr. Neill,

I have read your letter of January 22nd. with care but cannot think that it contains anything which would enable me to alter the decision in the question of the [REDACTED] family.

In answer to the question in the last sentence of your letter, I may say that any half-breeds are included in Indian bands throughout this country in cases where Indians have married white women. The descent, as you know, according to the statute, is through the male line. In the early days in British Columbia there was a good deal of carelessness in dealing with requests for membership in Indian bands, but of late years we have endeavoured to avoid increasing the Indian population by allowing persons who are not legally Indians to be classed as such.

I shall be very glad to discuss this matter with you during the Session.

Yours very truly,

W.C.

Duncan Scott

A. W. Neill, Esq., M.P.,
Alberni, B.C.

s.19(1)

62-1576

*File and return to me please
Mr. William*



House of Commons
Canada



Alberni, B. C.,
Jan. 22nd, 1930.

Dr. Duncan C. Scott,
Deputy Superintendent-General of Indian Affairs,
Ottawa.

Dear Dr. Scott:

Referring to your letter of November 15th, enclosing report from Commissioner Ditchburn in respect to the [redacted] family.

I cannot agree with his conclusions,--I would submit the following:

It is undenied that [redacted] was an Indian of the Qualicum Band. Mr. Ditchburn himself says she has now no claim in the Qualicum Band because she has married an Indian of the Comox Band, but it is quite evident that she was an Indian of the Qualicum Band,--it is also apparent that she had five children. It does not particularly matter whether they were born in wedlock or not, they were her children and she was and is still an Indian living on an Indian Reserve. Mr. Ditchburn states that at the death of Recalma, who was the father of her children, she and her children were allowed to return to the reserve on sufferance. Where does the sufferance come in? Who could keep an Indian woman off the reserve to which she belonged nor could they deny her

s.19(1)



House of Commons
Canada

Dr. Duncan C. Scott,

-2-

the right to have her children with her even although half-breeds.

I have always understood it was mor or less optional with a halfbreed; if he choose, he could live on a reserve and follow the Indian mode of life and be treated as an Indian, for instance, he could not get liquor and he could not vote. On the other hand if he lived off the reserve and followed the white man's mode of living, he had the privelege, such as it might be, of voting and getting drunk. I think I have known cases where even although he lived off the reserve and followed a white man's mode of living he classed up as an Indian when it came to division of the Band's property. For instance, how many halfbreeds got a share of the Songhees reserve money?

s.19(1)

I note that Mr. Ditchburn gives as one reason why they should not be admitted, that Willie would be a burden of expense, being a cripple and that [REDACTED] is not a desirable subject. Probably so, but we cannot fefuse to acknowledge our relations because they are poor or sick or because they are not of unblemished character. In-clusion, or otherwise, in an Indian Band certainly cannot be based or influenced by such considerations.

000084



House of Commons
Canada

Dr. Duncan C. Scott

-3-

There must be ample precedents for such cases where it came to the division of the proceeds of the sale of Indian lands. Am I not correct in saying that halfbreeds are included as belonging to the Band?

Yours faithfully,

A.W. Neill.

A handwritten signature in cursive script, appearing to read 'A.W. Neill'.

AWN/S

62-152.

Ottawa, December 24th, 1929.

Sir:-

Referring to your letter of the 16th instant, File 126-16227, regarding the transfer of [redacted] and family from Songhees to Esquimalt Band, I beg to inform you that in fairness to all parties, it is thought that the transfer should date from the present time instead of from 1911.

s.19(1)

The proper proportion of the Capital funds of the Songhees Band will be transferred to the Esquimalt Band when you definitely advise the Department of the number of persons in the Songhees Band at the present time.

An interest distribution to the Esquimalt Band is being contemplated. Kindly advise me of the number of persons, including the Tom family, in the Esquimalt Band.

I regret that complications have arisen regarding the above transfer, but I think you will readily understand the circumstances causing the same.

Your obedient servant,

A.F. MacKenzie,
Acting Asst. Deputy and Secretary.

W.E. Ditchburn, Esq.,
Indian Commissioner,
Victoria, B.C.

62-152
3



DEPARTMENT OF INDIAN AFFAIRS
CANADA

COMMISSIONER'S OFFICE
P. O. BOX 666

VICTORIA, B.C., December 16, 1929.

IN YOUR REPLY REFER TO
No. 126/16227.
ALSO TO DATE OF THIS LETTER

C. H. ...

Your file 62-152.

Dear Sir:-

I beg to acknowledge receipt of your letter of the 11th instant informing me that the transfer of \$683.64 will be made from the Capital Funds of the Songhees Band to the Esquimalt Band, Cowichan Agency, on account of [redacted], his wife and four children being regularly transferred to the Esquimalt Band in the year 1911.

In the copy of Mr. Davey's letter, which I forwarded to you on the 3rd instant, this solicitor also asked on behalf of the Chief that the Interest Funds of the Esquimalt Band be distributed among the members. I do not know whether you took any action on this particular point or not, but if not I would recommend that as the Interest Funds of the Esquimalt Band amounted to \$1,938.05 on the 28th March, 1928, a considerable portion of this should be disbursed among the members of the Band at as early a date as possible. There was, of course, recently a commutation to [redacted] of her share which naturally will be deducted from the above mentioned amount. A cheque for the amount of distribution should be forwarded to Mr. Indian Agent Lomas, at Duncan, B. C.

s.19(1)

Your obedient servant,

W. E. Ditchburn

W. E. Ditchburn.
Indian Commissioner for B. C.

WED/KD:

The Secretary,
Department of Indian Affairs,
Ottawa.

15 November

*7/22
1915 20*

62-152.

Handwritten signature/initials

Ottawa, December 11th, 1929.

Sir:-

s.19(1)

In reply to your letter of the 3rd instant, File 126-16124, I beg to inform you that I cannot see any reason why the Capital Funds of the Songhees Band amounting to \$683.64 should not be transferred to the Capital Funds of the Esquimalt Band since the transfer of [redacted], his wife, and 4 children was regularly made. The transfer will be made at once.

Your obedient servant,

Handwritten signature
A.F. MacKenzie,
Acting Asst. Deputy and Secretary.

W.E.D.

Handwritten signature

W.E. Ditchburn, Esq.,
Indian Commissioner,
P.O. Box 666,
Victoria, B.C.

62-152



DEPARTMENT OF INDIAN AFFAIRS
CANADA



IN YOUR REPLY REFER TO

No. 126/16124.

ALSO TO DATE OF THIS LETTER

COMMISSIONER'S OFFICE,
P. O. BOX 666

VICTORIA, B.C., December 3, 1929.

Handwritten signature/initials in a circle

Dear Sir:-

I am attaching hereto for your information and consideration a letter received from H.W.Davey, Barrister and Solicitor, acting for the Esquimalt Band of Indians, with reference to the desirability of the transfer of a portion of the Capital Funds belonging to the Songhees Indians, in 1911, on account of the [redacted] family transferring from the Songhees Band to the Esquimalt Band.

You have a file on this matter already, although I do not know the number of the same.

On September 7, 1911, [redacted], who was then a member of the Songhees Band, applied to Mr. Indian Agent Robertson to be transferred to the Esquimalt Band conditional upon his per capita share of the trust funds of the Songhees Band being transferred to the Esquimalt Band.

On September 8, 1911, Chief Joe Seenopin, Chief of the Esquimalt Band, and his son [redacted] gave their consent that the [redacted] family should be admitted to the Esquimalt Band and participate in the funds according to the regulations of the Department.

These documents were forwarded to you by Mr. Indian Agent Robertson on the 16th of September, 1911, and you replied to this communication on the 27th of September stating that the funds might be transferred to the Esquimalt Band provided the Songhees Band gave formal consent in this matter. You then informed Agent Robertson that upon receipt of a resolution passed by the members of the Songhees Band agreeing to the transfer of the [redacted]' share in the capital funds of the latter Band, the matter would receive further consideration by the Department. Apparently this matter went no further, but the [redacted] family moved on to the Esquimalt Reserve, established a home there and have been living on that Reserve ever since, and should rightly be considered members of the Esquimalt Band. After writing on the 21st May, 1925, to the Deputy Minister in connection with matters relating to the Esquimalt Reserve, he wired me to the effect that if the [redacted] family were properly admitted by the Esquimalt Band, the consent of the Songhees Band to the transfer was not necessary. This, however, does not cover the point raised by Mr. Davey as sub-section 2. of Section 17 provides that the Superintendent General may cause to be deducted from the capital funds of the band of which an Indian was formerly a member his per capita share of such capital and place the same to the credit of the capital of the band into which membership he has been admitted. I, therefore,

s.19(1)

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

am.....

(2)

am of the opinion that this would be the proper thing to do even at this late date.

In 1911 the total membership of the Songhees Band was 95 and the Capital Trust Funds of this Band were \$10,824.46. Thus the per capita share would be \$113.94. The [redacted] family comprised six members, being [redacted], wife and four children, and the amount of Capital funds of the Songhees Band that should be transferred to the Esquimalt Band will be \$683.64.

I think the Department should go on record as considering that the [redacted] family was regularly admitted into the Esquimalt Band in 1911, and, following this, decide to the transfer of the above mentioned sum from Songhees Capital Account No.51 to Esquimalt Capital Account No. 322.

Your obedient servant,

W.E. Ditchburn.
Indian Commissioner for B.C.

s.19(1)

WED/HM.

Enclosure:-

*Mr. D. [unclear]
to make necessary
transfer as above. HMA
Jrs
7/20/11
[unclear]*

*13
6
19
20*

626 91

C O P Y.

HERBERT W. DAVEY.

Barrister-at-Law.

Suite 303 Times Building
Victoria, B.C.

December 2, 1929.

W.E.Ditchburn, Esq.,
Indian Commissioner for B.C.,
1220 Government St.,
Victoria, B.C.

Dear Sir:-

Chief Edward Joe of the Esquimalt Band has consulted me with reference to the transfer of the [REDACTED] family membership in the Songhees Tribe to the Esquimalt Tribe which took place some years ago.

At that time no provision was made for the transfer of the per capita share of the [REDACTED] in the funds of the Songhees Tribe to the Esquimalt Tribe. The Chief has instructed me to write to you requesting that you use your efforts to have this transfer effected under Section 17 of the "Indian Act".

The Chief has also asked that the interest funds of the Esquimalt Band which at the present time amounts to a substantial sum, be distributed among the members.

I shall be pleased if you will kindly use your good offices to see what can be accomplished in the above direction.

Yours very truly,

HWD:HG

(Sgd.) H.W.Davey.

#62-152

15th November, 1929.

Dear Mr. Neill,

s.19(1)

In further reference to your letter of the 4th ultimo, I beg to enclose a copy of a report which has just been received from Commissioner Ditchburn with respect to the [REDACTED] family. In view of the situation as set forth in this report it does not appear that this family can be recognized as members of the Qualicum Indian Band.

enc.

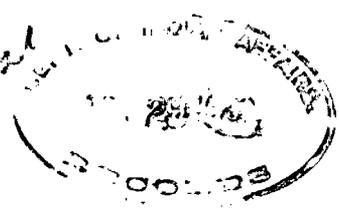
Yours very truly,



A.W. Neill, Esq., M.P.,
Alberni,
B.C.



DEPARTMENT OF INDIAN AFFAIRS
CANADA



IN YOUR REPLY REFER TO

1/15779.

No.

ALSO TO DATE OF THIS LETTER

Your file 62-152.

COMMISSIONER'S OFFICE,
P. O. BOX 666

VICTORIA, B.C., October 23, 1929.

Handwritten notes:
After
Guthrie
for a time
[Signature]

Dear Sir:-

I beg to acknowledge receipt of your letters of the 16th May and the 14th instant relative to [redacted], of the Qualicum Indian Reserve, Cowichan Agency, and the off-springs of her daughter [redacted] and one [redacted], whom you appear to think should be considered members of the Qualicum Band.

In reply I beg to say that I have given this matter considerable attention and have obtained from the Indian Office at Duncan a letter written by Mr. Indian Agent Lomas on 25th May, 1926, and one from the Department answering the same, dated June 2nd, 1926. In Agent Lomas' letter of 25th May he asked the Department for a decision on the status of three families who were claiming membership to the Qualicum Band. There were [redacted], [redacted] and four children. The Department's ruling was that the only persons entitled to be considered as members were [redacted] ([redacted]) and [redacted] and that the Department did not propose admitting to the Qualicum Band the other persons referred to who are illegitimate. This ruling will be found on your file 62-152.

s.19(1)

With regard to the [redacted] family, I beg to say that [redacted], daughter of [redacted], many years ago took up with an Italian named [redacted] and left the reserve so far as I can learn. There were five children born: [redacted], who is now 26 years of age and living at Courtenay; [redacted], who died in 1918; [redacted], aged 22, but earns her own livelihood; [redacted], aged 20, who is also working and [redacted], aged 18 who is a cripple from rheumatism. Some time after the birth of [redacted], who is now 18 years of age, [redacted] was killed in a logging camp and [redacted] and her children were allowed to return to the reserve on sufferance by Indian Agent Robertson.

Practically all these [redacted] children were educated at the Alberni Indian School, but this act of grace on the part of the Department did not establish them as Indians, as it has been the policy of the Department to afford education facilities to illegitimate half-breeds in such cases when it is impossible for them to be educated at the public schools.

The mother ([redacted]) in 1915 married [redacted], of the Comox Band, and, therefore, she has no claim to an interest in the Qualicum reserve.

In conclusion I beg to say I fully approve of the

Duncan C. Scott, Esq.,
Deputy Superintendent General
of Indian Affairs,
Ottawa.

ruling

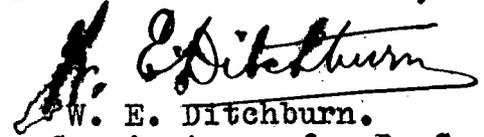
- 2 -

ruling of the Department of the 2nd June, 1926, that these [redacted] children should not be admitted to the Qualicum Band. They are now all earning their own livelihood with the exception of [redacted], who, as pointed out by Agent Lomas is a cripple and if taken into the Band would be a burden of expense. Furthermore, I beg to say that so far as the son, Alfred, is concerned, he is not a desirable subject as it is only a month ago he was arrested and heavily fined in connection with liquor matters, but not as an Indian.

s.19(1)

WED/KD.

Your obedient servant,



W. E. Ditchburn.
Indian Commissioner for B. C.

Act 10/14/29

October 14, 1929.

Dear Mr. Neill,-

I beg to acknowledge the receipt of your letter of the 4th instant, and to say in reply that we have not heard anything from the Indian Commissioner at Victoria regarding the matter dealt with in my letter of June 12, last, but we are writing him again for ^{his} report.

Yours very truly,

Duncan Campbell

HSD

A. W. Neill, Esq., M.P.,
Alberni, B. C.

62-152

October 14, 1929.

Dear Mr. Ditchburn,-

I beg to call your attention to my letter of May 17, last, regarding an old woman by the name of [REDACTED], represented to be the only surviving member of the Qualicum band, and the question as to whether her ^{Grand} children are to be considered members of this band. I should appreciate your letting me have a report in this matter as soon as possible.

s.19(1)

Yours very truly

Duncan Scott

W. E. Ditchburn, Esq.,
Indian Commissioner,
Victoria, B.C.

HS



House of Commons
Canada

Alberni, B. C.,
Oct. 4, 1929.

Dr. Duncan C. Scott,
Deputy Superintendent General,
Indian Affairs,
Ottawa.

Dear Dr. Scott:

Have you any further information regarding
the matter referred to in your letter to me dated June 12th
last?

Yours faithfully,

A. W. Neill.

AW Neill

AWK/S

1
2
Pentton
Deck to keep

June 12th. 1929.

Dear Mr. Neill,

I intended that your letter of May 12th. should be acknowledged and that you should be told what action I had taken, but I regret to say we omitted to do so. I am now sending you a copy of the letter I wrote to the Indian Commissioner on May 17th. 1929 which deals somewhat fully with the points at issue.

Yours very truly



A. W. Neill, Esq., M.P.,
House of Commons,
Ottawa.

17th May, 1929.

Dear Mr. Ditchburn,

The Department has received some correspondence with respect to an old woman by the name of [redacted] who is represented to be the only member of the Qualicum Band. It is stated that all her sons are dead without leaving issue and all her daughters are now married out of the band. It appears, however, that one daughter, [redacted], first lived unmarried with a South American half breed by the name of [redacted], by whom she had five children. She has subsequently married [redacted], an Indian of the Comox band. [redacted] is anxious that these [redacted] children should be recognized as members of the Qualicum Band. You will recollect that in 1923 we considered the status of various people connected with the Squamish band and after a report on each case decided who were entitled to have their names entered on the list of the membership of the band and who were not entitled to be enrolled as members. We should like to have you enquire into the history of these [redacted] children and ascertain whether they have been living the Indian mode of life among other Indians; whether they have been living on any reserve and reputed to be Indians; where they are now living; how they are getting their living and any other information that would be of assistance in determining whether they should be regarded as members of the Qualicum band. I may say that I am rather sympathetic to their being regarded as members of this band, if the facts warrant such a decision, as [redacted] desires to leave her property to them and if they are members it will enable them to take full benefit of this Reserve property. If they are not members and [redacted] is the last survivor of the band, some complications may arise as to the disposal of her property.

Yours truly,

W.E. Ditchburn, Esq.,
Indian Commissioner,
Victoria, B.C.

Deputy Superintendent General. 000099

s.19(1)

Del
SW



House of Commons
Canada

May 13, 1929.

Dr. Duncan C. Scott,
Deputy Superintendent General,
Department of Indian Affairs,
Ottawa, Ontario.

Dear Dr. Scott:-

I am in receipt of your letter of the 8th instant regarding the matter of [redacted] and the Qualicum Reserve.

The question seems to turn on this: are the grandchildren of [redacted] members of the Qualicum Band, and therefore eligible to inherit the land from their grandmother? That is the question which your Department will have to decide eventually, and may as well consider now. The mother seems to have lost her rights in it by becoming a member of another band by marriage, although I am not sure if she does lose her rights in the band of her origin by this. In any case, her children, although half-breeds, if they live on the Reserve and follow the Indian mode of life, are always recognized as Indians, and the question of legitimacy, according to our laws, does not enter into the matter. It seems to me it all turns on whether you would consider these grandchildren Qualicum Indians, and I submit that they are such.

Yours faithfully,
A. W. Neill.

awNeill

000100

s.19(1)

sent to Keir

8th May, 1929

Dear Mr. Neill,

I beg to acknowledge the receipt of your letter of the 4th instant, in further reference to the illegitimate children and note your view that if [redacted] should make a will in their favour and this will were approved by the Department the matter would be satisfactorily disposed of.

s.19(1)

In reply I have to say that if [redacted] makes such a will the Department will endeavour to carry out her wishes, if possible. I may point out, however, that if [redacted] is the sole survivor of the Band, as alleged, the land held by such survivor on the extinction of such band, would apparently go to the Province in pursuance of the McKenna-McBride Agreement.

Yours truly,

asw.

sel

[Signature]

Deputy Superintendent General.

A.W.Neill, Esq., M.P.,
House of Commons,
Ottawa.



House of Commons
Canada

May 4, 1929.

J. D. McLean, Esq.,
Acting Deputy Superintendent General,
Department of Indian Affairs,
Ottawa, Ontario.

Dear Mr. McLean:-

I have your letter of the 3rd instant. If, as you seem to state, the Qualicum Band is a band by itself, then I should think that the [REDACTED] illegitimate children should inherit their grandmother's property through their mother.

s.19(1) There is not much use in discussing their legitimacy, because very few Indians are legally married. I would suggest that if the old woman will make a will, leaving her interest in the reserve to her grandchildren, the Department should recognize that. If the Department recognizes it, that is all that is needed.

There would not appear to be any other claims to the Qualicum Reserve in any case, as [REDACTED] is said to be the last surviving member.

Yours faithfully,

A. W. Neill.

A handwritten signature in cursive script, appearing to read 'A. W. Neill'.

[Handwritten scribbles and a signature]

May 3, 1929.

Dear Mr. Neill:-

In reply to your letter of the 30th ultime, I beg to state that it is thought that the illegitimate children have no claims whatever; on the other hand, the children would have claims to their grandmother's property, providing the various reserves, Comox, Qualicum, etc., are considered different branches of the same band.

As to this I beg to say that the report of the Royal Commission on Indian Affairs for British Columbia states that the Qualicum Reserve belongs to the Qualicum band and that the Pentledge and Comox Reserves belong to the Comox band. It also speaks of the Chemainus band and Chemainus tribe of the Halalt, Lyacksun, Penelakut and Sicameen bands. From the information in this report, it is thought that they are not considered different branches of the same band.

s.19(1)

Yours very truly,

[Handwritten signature of A.W. Neill]

A.W. Neill, Esq., M.P.,
House of Commons,
Ottawa.

[Handwritten signature of J.D. McLean]

J.D. McLean.
Acting Deputy Superintendent General.

ACCOUNTANTS
MAY 6 1929



62-152

DEPARTMENT OF INDIAN AFFAIRS
CANADA

Ottawa, 3rd May 1929

Memorandum

Acting Deputy Minister,-

I beg to report that the Report of the Royal Commission on Indian Affairs for British Columbia states that the Qualicum reserve belongs to the Qualicum band and that the Pentledge and Comox reserves belong to the Comox band. It also speaks of the Chemainus band and Chemainus tribe of the Halalt band, Lyackson band, Penelakut band and Sicameen bands. From the information in that report, I would take it that these are not considered different branches of the same band.

W. R. White
for
Chief Surveyor.



DEPARTMENT OF INDIAN AFFAIRS
CANADA

DEPT. OF INDIAN AFFAIRS
Mr. Z
SURVEYS

Handwritten notes:
 Immediate
 Surveys as to
 the
 form

Memorandum:

Mr. McLean:-

Under any circumstances I do not think the [redacted] illegitimate children have any claims whatever. On the other hand, the [redacted] children would have claims to their grandmother's property providing the various reserves, Comox, Qualicum, etc., are considered different branches of the same band, but I do not think that this is a question to be decided by me.

s.19(1)

[Signature]
 Chief Accountant.

ma

Ottawa, May 2nd, 1929.

Ottawa, May 2 1979

Mr.

Paget

Please report on attached letter
and return it to the office of the
Deputy Superintendent General. 000106



Records
to
Ryalski

House of Commons
Canada

April 30, 1929.

Dr. Duncan C. Scott,
Deputy Superintendent General
of Indian Affairs,
Ottawa, Ontario.

Dear Dr. Scott:-

The Rev. Father Beaton of Comox, B. C., writes
me as follows:-

"There is another matter in which I was asked
to interest you some time ago. Of the Qualicum
Indians there is only one left - [redacted]
[redacted]. All her sons are dead without living issue.
Her daughters are married out of Qualicum. One of
her daughters, [redacted], first lived with a South American
halfbreed by the name of [redacted], and they had five
children. While working for a logging Company, [redacted]
was killed through negligence, and [redacted], in the interest
of herself and family, sued for damages. She lost the
case because it was proved she was not married to
[redacted]. The Court records show this. [redacted]
then married [redacted], an Indian of the Comox band,
with issue five children. Now [redacted], the
last of the Qualicums, asked me to try and get the
[redacted] - her grand-children - to succeed her on the
Qualicum Reserve. As illegitimate children they go with
the mother, who was then a Qualicum Indian, and were
educated in an Indian Industrial School. One of the boys
died while attending the Indian School in Alberni. [redacted]
[redacted] wants the Recalma family to succeed her on
the Qualicum Reserve. The Department of Indian Affairs
can approve, and the question is settled. If objections
are raised to the [redacted], can the children of [redacted]
[redacted], by [redacted] of the Comox Reserve, succeed
their grandmother, [redacted], in Qualicum, as
the various little Reserves, Comox, Puntledge, Qualicum,
etc., are really all one band of different branches.
If one branch dies out, the others are there to succeed.

s.19(1)

- 2 -

Will you please interview the Department of Indian Affairs and see what can be done for the [REDACTED] or the [REDACTED] in this case."

s.19(1) It is not clear to me whether there is a separate band of Qualicum Indians, or whether the Qualicum Reserve is part of the Comox band. If the former, I suppose the [REDACTED] grand-children are automatically Qualicum band Indians, but if it is only one of the various Reserves of the Comox band, they would only inherit [REDACTED] personal land, which still might cover the Qualicum reserve.

Your records will show whether the Qualicum Band is a separate one.

Yours faithfully,

A. W. Neill.



62-152.

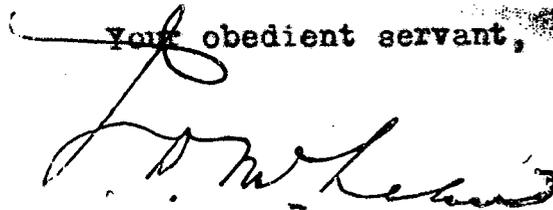
Ottawa, May 13th, 1927.

Sir:-

s.19(1)

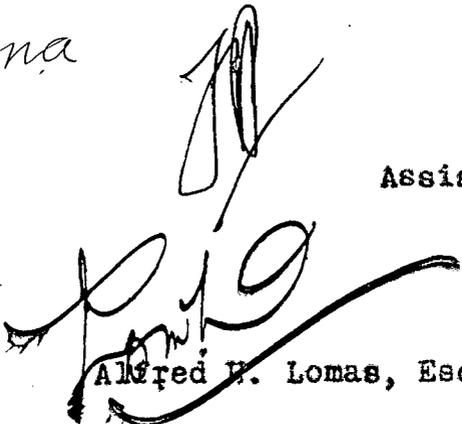
In reply to your letter of the 6th instant, file 509 B-3, I beg to advise you that the Department approves of the transfer of [REDACTED] who has been adopted by Chief Joe Nimnim, from Chemainus Bay Band to Comox Band. This file and letter should be quoted in the payroll as authority for the transfer.

Your obedient servant,

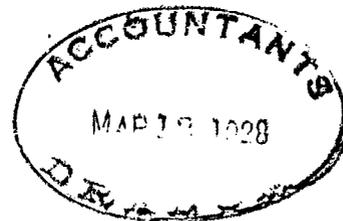


J. D. McLean,
Assistant Deputy and Secretary.

Wna



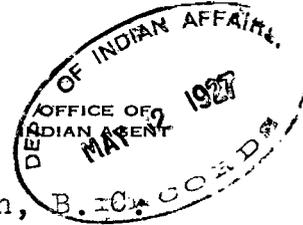
Alfred N. Lomas, Esq.,
Indian Agent,
Duncan, B. C.



62



DEPARTMENT OF INDIAN AFFAIRS
CANADA



Duncan, B.C.

May 6th, 1927.

5090B-3

Sir:-

I beg to enclose you herewith application of Comox Band of Indians asking that Indian, [redacted] of the Chemainus Bay Bay, a lad about 12 years of age, be admitted as a member of the Comox Band. [redacted] has been adopted by [redacted] and his wife, they are most anxious to have the boy as they have no children of their own, and the lad can assist them greatly in gathering fuel, etc, and cheer their lives in their declining years.

I enclose also a letter from his mother, consenting to the arrangement. The mother is [redacted], widow of late [redacted] of Chemainus Bay Bay. And the boy is a grand-son of [redacted]. I would respectfully ask that the request be granted.

s.19(1)

Your obedient servant,

(Alfred H. Lomas)
Indian Agent.

The Secretary,
Department of Indian Affairs,
Ottawa.

(Copy)

Ladysmith, B. C.

April 13, 1927.

Mr. Alfred Lomas,
Duncan, B. C.

Dear Sir:-

Just a few lines to let you know that
youngest boy [REDACTED] joined the Comox band of Indians,
his grand-father is taking him, [REDACTED].

It was my husband's will to give his
boy away to his Uncle, when he knew that he was going
to die.

Well I tried the boy how he was going to
get along and he says he likes to stay with his
grand-father, he does not want to come back to me.

Well dear Sir, if he is all right with his
grand-pa I can't do any thing to him, because he wants
to stay there for good.

This is all I have to say, I am keeping the
three others, [REDACTED] and [REDACTED].

I remain, From

Yours truly,

(Signed) [REDACTED]

s.19(1)

Comox B. C.

April 25th 1927

We the undersigned members of the Comox Band of Indians
humbly request that [redacted] Indian boy of the
Chemainus Bay band be allowed to become a member of our Band
he having been adopted by our [redacted]

J. Copins

s.19(1)

[redacted]
[redacted] his x mark
[redacted] +
[redacted] his mark
[redacted] x
[redacted] his x mark
[redacted] +
[redacted]

62-152

Ottawa, June 2, 1926.

102-A-3

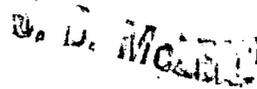
Sir,-

Referring to your letter of the 25th ultimo, with inclosure, I beg to say that the only persons therein referred to who have the status of Indians are [redacted], the aged woman whom you have mentioned, and [redacted], the widow of an Indian named [redacted], of the Qualicum Reserve, who is at present living with a White man named [redacted] and apparently is known by his name.

The Department does not propose to consider admitting to the Qualicum Band the other persons referred to by you, and who are illegitimates. Seemingly these persons are half-breeds.

s.19(1)

Your obedient servant,



J.D. McLean
Asst. Deputy and Secretary.


A.H. Lowe, Esq.,
Indian Agent,
Duncan, B.C.

INDIAN AGENT'S OFFICE

Duncan, B. C.

DEPT OF INDIAN AFFAIRS
MAY 31 1926
RECORDED

May 25th, 1926

IN YOUR REPLY REFER TO
No. 2-A-3
ALSO REFER
TO DATE OF THIS LETTER

Alma

Sir,—

I beg to enclose you herewith for decision of the Department a list of three families who are claiming membership in the Qualicum Band, and history of each, all of which are half-breed and illegitimate children, with the exception of [redacted] ([redacted]) who was originally wife of a Qualicum Indian, but outside of a small building, I do not consider she should have any rights.

I have taken the matter up with Commissioner W. E. Ditchburn, who has referred me to headquarters.

In my opinion none of them should have any rights, they have not lived on the Reservation, or taken any interest in same whatever.

[redacted] is really the only boni fide member and she has asked me to strongly recommend the Department to allow her to adopt two of the family, who she has cared for from infancy. I am not sure that this could be done, but I would point out that one of the [redacted] boys who she wishes to adopt has been practically crippled with rheumatism for years, and unable to work, he has been brought up on the Reservation and cared for by old [redacted], who must be now over 80 years old.

I should be glad of the Department's decision, personally I feel that too many half-breeds have found their way into Bands of this Agency in the past.

Your obedient servant,

Alfred H. Lomas

(Alfred H. Lomas),
Indian Agent.

ACCOUNTANT

The Secretary,
Department of Indian Affairs,
Ottawa.

s.19(1)

██████████, or ██████████ as he is some times called, reported to be illegitimate son of ██████████, a daughter of late ██████████. father of ██████████ is a Whiteman supposed to living in Vancouver by name of Reid. ██████████ claims membership in Qualicum Band as he was a son of ██████████ and lived on the Resefvation during his infancy. ██████████ his mother is now married to a Whiteman, living at Chilliwack. ██████████ has a wife and children, he is fair in complexion, and it would be thought that there was any Indian blood in him. *not*

██████████ or ██████████ as she is now called, was the widow of late ██████████, Indian of the Qualicum Reserve. ██████████ has been dead for over 35 years, his wife ██████████ took up with a Whiteman named ██████████ and raised a family of four boys and one girl, the eldest is now 33 years of age. ██████████ is still living with ██████████ and her sons on their property off the Reservation, and she claims membership to Band for herself and children; as she claims she was told some 30 years ago not to marry ██████████ or she would loose her rights in Reservation. ██████████ with her husband- ██████████ - and children were allowed to live on Qualicum Reserve for years- ; when I came into office as Indian Agent, I had them removed from the Reservation, telling ██████████ that her only rights on the Reserve was a house she had built. I consider this claim should not be considered. *no*

s.19(1)

FOUR ██████████ CHILDREN- illegitimate children of ██████████, who was a daughter of late Indian Qualicum Tom. ██████████ lived with an Italian named ██████████ off the Reservation for years, ██████████ was accidentally killed by logging train years ago, and ██████████ and children drifted back on the Reservation; she was not married to ██████████. She is now married to ██████████, Indian of the Comox Band, but claims membership to Qualicum Band for her children. Two of these children were brought up by old ██████████, wife of late ██████████, from infancy, and old ██████████ who is the only member of the Band who has continiously lived and cared for the improvements on the Reservation, has requested me to ask the Department to allow her to adopt these two children. *no*

62-152

July 4th, 1925.

Sir,-

Referring to your letter of the 27th ultimo, I beg to say that [redacted] and his family, of the Chemanus Reserve have been transferred to the Nanaimo Band and transfer of this family's share of the Capital Funds of the first mentioned Band has been made to the Nanaimo Band. The amount transferred is \$145.81.

Kindly make a note in regard to this matter in the interest paylists, and give [redacted] a new number on the Nanaimo Band Paylist.

s.19(1)

His name and number should be dropped from the Chemanus Paylist.

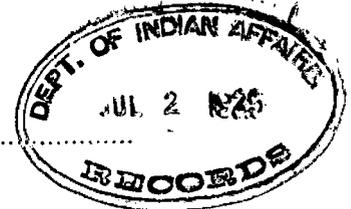
Your obedient servant,

[Handwritten signature]
(A.F. MacKenzie)
Acting Asst. Deputy and Secretary.

[Handwritten initials]
A.H. Lomas, Esq.,
Indian Agent,
Duncan, B.C.

62-152

INDIAN OFFICE



At... Duncan, B. C.

June 27th, 19 25

IR

Alford

807-X-2

Your file No. 62-152

Sir:-

I am in receipt of yours of the 17th, instant in regard to admission of [redacted] and family as members of the Nanaimo Band, and in reply would say,-

[redacted] has resided on the Nanaimo Reservation since childhood, his father was a Chemainus Bay Indian and mother a Nanaimo. The father dying when [redacted] was a child and the mother re-marrying [redacted] a member of the Nanaimo Band.

s.19(1)

[redacted] is a fine type of Indian, and is desirous of having his children educated in Nanaimo Indian Day School. It was at the unanimous request of the Band that his admission was applied for. [redacted] has never resided at Chemainus Reservation, and has spent his life on the Nanaimo Reservation, and fishing etc, in the Gulf Islands.

I would respectfully request that his application be favorably considered.

Your obedient servant,

Alfred H. Lomas
(Alfred H. Lomas)
Indian Agent.

The Secretary,
Department of Indian Affairs,
Ottawa.

*His name
approved and transferred
a/c 5-7 & 176
transfer 7x20.83-
shores of*

*145.81
7/17
PAT*

62-152

755-X-2

Ottawa June 17th 1925.

Sir,-

I am in receipt of your letter of the 9th instant, with which you forwarded copy of a resolution passed by the Nanaimo Band of Indians agreeing to receive into membership with them [redacted] and his wife and family who belong to the Chemainus Band; and in reply I have to request that you will report the ground upon which transfer is applied for. You should have given full information in the matter when submitting it for consideration by the Department.

s.19(1)

Your obedient servant.

J.D. McLean.
Asst. Deputy and Secretary.

Alfred H. Lomas Esqr.,
Indian Agent,
Duncan, B.C.

62-152



INDIAN OFFICE

RD
IND

At.....Duncan, B. C.....

.....June 9th, 19 25.....

Okta

755-X-2

Sir:-

I beg to enclose you herewith copy of resolution of Nanaimo Band of Indians taken on the 7th, day of May, 1925, asking for the admission of Indian, [redacted] together with his wife and five children as members of their Band; together with letter from [redacted] in connection with the same.

I would most respectfully request that their wish be granted.

Your obedient servant,

s.19(1)

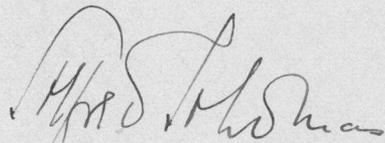


Alfred H. Lomas
(Alfred H. Lomas)
Indian Agent.

The Secretary,
Department of Indian Affairs,
Ottawa.

Nanaimo, B. C.
May 7th, 1925.

At a full meeting of the Nanaimo Band of Indians, held in the old school House on No.1, Reservation, it was unanimously resolved that Indian, [REDACTED] of the Chemainus Band be admitted as a member of the Nanaimo Band, together with his wife and five children, consisting of three boys and two girls.


(Alfred H. Lomas)
Indian Agent.

s.19(1)

Alfred H. Lomas, Esq.,
Indian Agent,
Duncan, B. C.

Dear Sir:-

I, [REDACTED], Indian of the
Chemainus Bay Band hereby make application
for admission into the Nanaimo Band, to-gether
with my wife and five children, consisting of
three boys and two girls, and at the same
time, surrender all my rights and interests in
the Chemainus Bay Band, of which I am now a
member.

[REDACTED]

[REDACTED]

s.19(1)

File
—

June 13, 1925.

Dear Doctor King, -

I have your note of June 10th, inclosing a copy of a letter from Mr. Alfred Carmichael with reference to the proposal to locate a lumber mill on the Esquimalt Indian Reserve. I note that the letter is dated May 22nd.

The Indian Commissioner for British Columbia submitted this question to me under date of the 21st ultimo, and I replied by wire on the 27th, disposing of the points raised in Mr. Carmichael's letter.

It appears that the Indians did not wish to have the funds arising from this lease distributed per capita, but by families. You will observe from the copy of my telegram, which I am sending herewith, that I removed that difficulty and also some doubt which existed as to the status of an Indian called Tom in the Esquimalt Band.

After reading my letter, if you would like to see me, I should be very pleased to call upon you.

Yours very truly,

J.H.K.

Hon. J. H. King, M.D., LL.D.,
Minister of Public Works,
Ottawa.

Duncan Campbell

Deputy Superintendent General.



OFFICE OF THE MINISTER OF PUBLIC WORKS

Ottawa

June 10th, 1925.

Dear Mr. Scott,-

Enclosed herewith please find copy of a letter from Mr. Alfred Carmichael of Alfred Carmichael & Co., Ltd., which is self-explanatory. I would be glad if you would have details of this matter gone into and if you would make an appointment with my Secretary in order that we may confer on same.

Yours sincerely,

D. C. Scott, Esq.,
Deputy Minister,
Department of Indian Affairs,
Ottawa, Ontario.

st

COPY

ALFRED CARMICHAEL

624 FORT STREET
Victoria, B.C.
May 22nd, 1925.

Hon. J.H.King,
Minister of Public Works,
Ottawa.

Dear Sir,-

At the suggestion of Mr. Nicholas, Editor of the Victoria Daily Times, we are writing you to advise you that we are acting for some strong lumber and Shingle Manufacturers at present operating in the State of Washington who wish to erect a plant at Esquimalt Harbor.

The only site that is suitable with railway trackage and adequate booming facilities is on the Esquimalt Indian Reserve. About four acres of land are required out of the whole Reserve which is over forty acres in area.

We have taken the matter up with Mr. Ditchburn the Indian Commissioner, and also with the Esquimalt Indians, and find it almost impossible to arrange for the necessary lease because of the unsatisfactory manner in which the proceeds from the lease will be distributed among the Indians.

Mr. Ditchburn wrote yesterday to Dr. Scott as to the situation, with a proposal as to how it could be remedied, and as the matter is of first importance to the City of Victoria as every industry is of vital interest to the welfare of the Community, we would be much obliged if you would see Dr. Scott and use your best influence to get the Department to adopt the suggestion made by Mr. Ditchburn. We would like to have a wire through to Mr. Ditchburn at the earliest possible day next week.

Our clients are big people and if they establish a plant at Esquimalt they are in a position to develop the industry in a big way and we want every assistance to get them here.

Thanking you in advance for anything you can do in the matter, we remain,

Yours faithfully,

ALFRED CARMICHAEL & CO LIMITED per Alfred Carmichael 000124

NIGHT LETTER

CANADIAN NATIONAL



TELEGRAPHS

Exclusive service
with
WESTERN UNION
TELEGRAPH CO.

Cable Service
to all the World
Money Transferred
by Telegraph

HEAD OFFICE, TORONTO, ONT.

W G BARBER, GENERAL MANAGER

RECEIVER'S NO.

TIME FILED

CHECK

All

Send the following Night Letter, subject to the terms on back hereof, which are hereby agreed to

*ack
to keep*

Ottawa, May 27, 1925.

W.E.Ditchburn,
Indian Commissioner,
Victoria, B.C.

See no objection to the proposed rent money Esquimalt
reserve being divided equally between families if Indians
so desire Stop If the family were properly admitted
by the Esquimalt band the consent of Songhees Indians to
transfer not necessary.

s.19(1)

Duncan C.Scott

ds
(Chge.Dept. of Indian Affairs)

ALL MESSAGES ARE SUBJECT TO THE FOLLOWING CONDITIONS, WHICH HAVE BEEN APPROVED BY THE BOARD OF RAILWAY COMMISSIONERS FOR CANADA, UNDER ORDER 162, DATED MARCH 30, 1916.

It is agreed between the sender of the message on the face of this form and the Company with which the message is filed that said Company shall not be liable for damages arising from failure to transmit or deliver, or for any error in the transmission or delivery of, any unrepeated telegram, whether happening from negligence of its servants or otherwise, or for delays from interruptions in the working of its lines, for errors in cipher, or obscure messages, or for errors from illegible writing, beyond the amount received for sending the same.

To guard against errors, the said Company will repeat back any telegram for an extra payment of one-half the regular rate; and, in that case, the said Company shall be liable for damages suffered by the sender to an extent not exceeding \$200.00, due to the negligence of the said Company in the transmission or delivery of the telegram.

Correctness in the transmission and delivery of messages can be insured by contract in writing, stating agreed amount of risk, and payment of premium thereon at the following rates, in addition to the usual charge for repeated messages, viz.: one per cent. for any distance not exceeding 1000 miles, and two per cent. for any greater distance.

The said Company shall not be liable for the act or omission of any other Company, but will endeavor to forward the telegram by any other Telegraph Company necessary to reaching its destination, but only as the agent of the sender and without liability therefor. The said Company shall not be responsible for messages until the same are presented and accepted at one of its transmitting offices; if a message is sent to such office by one of the said Company's messengers, he acts for that purpose as the sender's agent; if by telephone, the person receiving the message acts therein as agent of the sender, being authorized to assent to these conditions for the sender. The said Company shall not be liable in any case for damages, unless the same be claimed, in writing, within sixty days after receipt of the telegram for transmission.

No employee of the said Company shall vary the foregoing.

CLASSES OF SERVICE

TELEGRAMS

A full-rate expedited service

NIGHT MESSAGES

Accepted up to midnight at reduced rates, to be sent during the night and delivered on the morning of the next day after their date at places where the Company's offices are open on Sundays, and on the morning of the next ensuing business day at places where the Company's offices are not open on Sundays.

DAY LETTERS

A deferred day service at rates lower than the standard telegram rates as follows: One and one-half times the ten-word day message rate for the transmission of 50 words or less, and one-fifth of the initial rate for such 50 words for each additional 10 words or less. The minimum charge for transmission over the Company's lines of any Day Letter will be 45 cents.

Day Letters shall be written in plain English, or may be written in French between offices in Canada. Code language is not permitted.

Day Letters may be forwarded by the Company as a deferred service, and the transmission and delivery of such Day Letters are, in all respects, subordinate to the priority of transmission and delivery of full-rate messages.

Day Letters may be delivered by the Company by telephoning the same to the addresses and such deliveries shall be a complete discharge of the obligation of the Company to deliver.

Day Letters are received subject to the express understanding and agreement that the Company does not undertake that a Day Letter shall be delivered on the day of its date absolutely and at all events; but that the Company's obligation in this respect is subject to the condition that there shall remain sufficient time for the transmission and delivery of such Day Letter on the day of its date during regular office hours, subject to the priority of the transmission of full-rate messages under the conditions named above.

NIGHT LETTERS

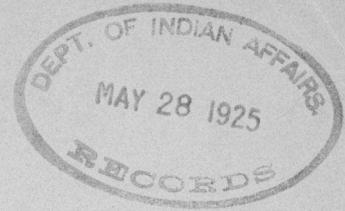
Accepted up to midnight for delivery on the morning of the next day after their date at places where the Company's offices are open on Sundays, and on the morning of the next ensuing business day at places where the Company's offices are not open on Sundays, at rates still lower than its standard night message rates as follows: The standard day rate for 10 words for the transmission of 50 words or less and one-fifth of the initial rate for such 50 words for each additional 10 words or less. The minimum charge for transmission over the Company's lines of any Night Letter will be 30 cents.

Night Letters shall be written in plain English, or may be written in French between offices in Canada. Code language is not permitted.

Night Letters may, at the option of the Company, be mailed at destination to the addressees, and the Company shall be deemed to have discharged its obligation in such cases with respect to delivery by mailing such Night Letters at destination, postage prepaid.



R



DEPARTMENT OF INDIAN AFFAIRS
CANADA

COMMISSIONER'S OFFICE,
P.O. BOX 666

VICTORIA, B.C., May 21st, 1925.

IN YOUR REPLY REFER TO
NO. 126/5154.

ALSO TO DATE OF THIS LETTER

Dear Doctor:-

There is every probability of my being able to recommend to the Department the leasing of an area of the Esquimalt Indian Reservation for industrial purposes, but the only drawback so far as getting the consent of the Indians is concerned is the manner in which rentals are distributed, viz., on the pro rata basis. The membership of this band is constituted of [redacted] and his wife, [redacted] a crippled single Indian, [redacted] an aged widow, and the [redacted] family comprising Mrs. [redacted] and eight children who naturally would receive a great deal more in the way of distribution than would the other members of the band.

s.19(1)

When the Songhee tribe were moved from their old reserve at Victoria to the new one at Esquimalt, Joe Sonopian, then Chief of the Esquimalt Band invited [redacted] and his family to take up residence on the Esquimalt reserve and negotiations took place between Mr. Indian Agent Robertson and the members of the Songhee Band for a legal transfer. I understand that the Department looked favorably on this matter but stated that the transfer would be made providing the Songhee Band were agreeable to allow [redacted]'s share of the Songhee Band funds to be transferred to the funds of the Esquimalt Band. I understand that while the Songhee Band were perfectly agreeable that [redacted] should live on the Esquimalt land they were not agreeable to having their funds reduced by [redacted]'s share. This information has only been ascertained by me of late. However, the [redacted] family have been living on the Esquimalt reserve since 1911 and the question arises in my mind as to whether they can be legally classified as members of the Esquimalt reserve in view of the fact that the Songhees refused to agree to the financial arrangement.

I have recently been talking to the Chief of the Esquimalt Band with regard to the possibility of the lease above referred to and I am inclined to the opinion that he would agree to it providing, at least, that the rental monies should be divided equally between the four families and I would like to have a word from you by telegram, if possible, as to whether the Department would agree to such an arrangement. Possibly the Department might consider that although the [redacted] family are residing on the Esquimalt reserve that they are still members of the Songhee Band and should not participate in the distribution of the funds of the Esquimalt Band.

WED/KD.

Yours very truly,

W. B. Ditchburn.
Indian Commissioner for B. C.

Dr. Duncan C. Scott,
Deputy Superintendent General
of Indian Affairs,
Ottawa, Ontario.

13000

62-152

62-152

March 27th, 1925.

Sir,-

Referring to your letter of the 20th instant, with inclosure I may say that the Department approves of the admission of [redacted] of the Lyackson Band to the Penelakut Band, with his wife and children.

s.19(1)

A note with regard to the matter should be placed in the payroll of the last mentioned Band, and the date of this letter and file number should be quoted as authority for action taken.

Your obedient servant,

ma

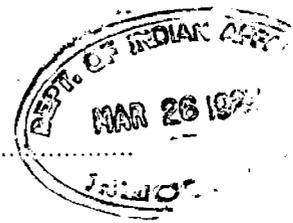

J. D. McLEAN

(J.D. McLean),
Asst. Deputy and Secretary.

A.H. Lomas, Esq.,
Indian Agent,
Duncan, B.C.

62-152

INDIAN OFFICE



At.....Duncan, B. C.....

.....March 20th,.....19 25

*over-
Ottawa*

393-X-2

*IP
LG*

Sir:-

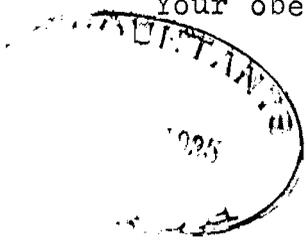
I beg to enclose you herewith Resolution of the Penelakut Band of Indians asking that [redacted] and his family be admitted as members of their Band, together with copy of statement of [redacted] surrendering his rights in the Lyackson Band of which he is now a member.

s.19(1)

I would respectfully request that the wish of the Band be complied with.

*Miss Macmillan
Alfred H. Lomas
1925*

Your obedient servant,



(Alfred H. Lomas)
Indian Agent.

The Secretary,
Department of Indian Affairs,
Ottawa.

(Copy)

Kuper Island, B. C.
Penelakut Indian Reserve,
March 9th, 1925.

At a meeting of the Penelakut Band of
Indians held in Moses Johnny's house, it was
unanimously resolved that Indian, [REDACTED]
of the Lyackson Band to-gether with his wife
and children, be admitted to the membership of
the Penelakut Band.

Present at the meeting, Chief Edward,
August James, Jack, Mr. Thomas O'Connell and
23 others.

s.19(1)

(Sgd) Alfred H. Lomas,
Indian Agent.

(Copy)

Kuper Island, B. C.
March 9th, 1925.

I, [REDACTED] Indian of the Lyackson Band
hereby surrender all my rights as a member of
the Lyackson Band, on being admitted as a member
of the Penelakut Band.

[REDACTED] His
X
Mark.

Witness;

s.19(1)

(Sgd) Alfred H. Lomas

62-152

159 W 2

Ottawa 16th May, 1924.

Sir,-

In view of the report contained in your letter of the 9th May, regarding the resolution which you submitted from the Tsartlip Band, in the case of [REDACTED] of the Quamichan Band, I beg to say that the Department approves of his transfer from the latter band to the Tsartlip Band. Careful note with regard to the matter should be made by you, and the date and file number of this letter quoted as authority.

s.19(1)

Your obedient servant.

J.D. McLean.
Asst. Deputy and Secretary.

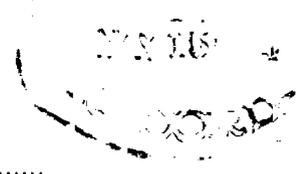
ma

[Signature]

H. Lomas Esqr.,
Indian Agent,
Duncan, B.C.

62-152

INDIAN AGENT'S OFFICE



.....Duncan, B. C.

.....May 9th,1924

IN YOUR REPLY REFER TO
No. 159-W-2
ALSO
TO DATE OF THIS LETTER

Alfred H. Lomas

Sir,—

s.19(1)

I beg to enclose you herewith copy of Resolution of the Tsartlip Band passed on the 8th, instant at Saanich asking that Indian, [redacted] of the Quamichan Band be admitted as a member of their Band. I would respectfully request that their application be granted.

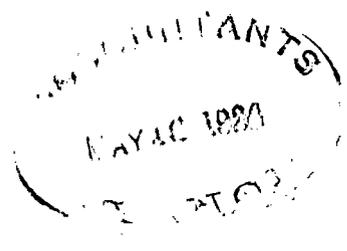
At the bottom of the Resolution you will find certificate of [redacted], surrendering his rights in the membership of the Quamichan Band.

*Miss Maxwell
Alfred H. Lomas
1924*

Your obedient servant,

Alfred H. Lomas
(Alfred H. Lomas)
Indian Agent.

The Secretary,
Department of Indian Affairs,
Ottawa.



Copy

Tsartlip Indian Reserve,
Saanich, B. C.
May 8th, 1924.

At a meeting of the Tsartlip Band of Indians held on the above Reserve, on the 8th, instant, there being a good majority of the male members of the Band over the age of twenty one years present.

It was unanimously resolved that Indian, [REDACTED] of the Quamichan Band, Cowichan Indian Reserve No. 1 be admitted as a member of the Tsartlip Band of Indians.

Witnesses,
[REDACTED]

s.19(1)

I, [REDACTED] of the Quamichan Band of Indians, hereby forfeit all my rights as a member of that Band, and consent to become a members of the Tsartlip Band, Saanich.

Witness, -
(Sgd)

A. H. Lomas, Indian Agent,
Chief, David Latess

(Sgd) [REDACTED]

His x Mark.

62-152

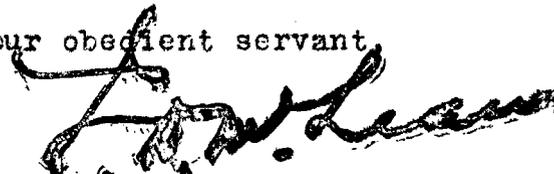
Ottawa, April 24, 1924.

Sir,-

In reply to your letter of the 11th instant, I beg to say that the Department has no record of any application having been made by or on behalf of an Indian, [REDACTED], wife and family or of ^{his} son [REDACTED], ~~his~~ wife and family, for permission to reside in the United States as required by Section 13 of the Indian Act.

s.19(1)

Your obedient servant,



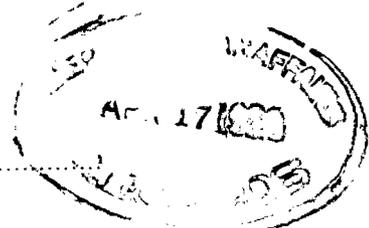
J. D. McLean
Asst. Deputy and Secretary.



Alfred H. Lomas, Esq.,
Indian Agent,
Duncan, B.C.

62-152

INDIAN AGENT'S OFFICE



Duncan, B. C.

April 11th, 1924

IN YOUR REPLY REFER TO
No. 60-V-2
ALSO
TO DATE OF THIS LETTER

Secretary
Rec'd
Plum
W. M. M.
R

Sir,
I have been requested by the Malahat Band of Indians of this Agency to strike the name of Indian [redacted], wife and family and also his son [redacted], his wife and family of one from the Roll of their Band. These two Indians with their families for a great many years have resided in the United States, where they have carried on farming and I understand own property there.

Secretary
No record.
G. M. M.

Before removing their names from the Roll of the Band, I should be glad if you would inform me if at any time application was made by them for permission to reside in a foreign country, as required by section 13 of the Indian Act.

Your obedient servant,

Alfred H. Lomas
(Alfred H. Lomas)
Indian Agent.

s.19(1)

The Secretary,
Department of Indian Affairs,
Ottawa.



62-152

Ottawa, January 25, 1923.

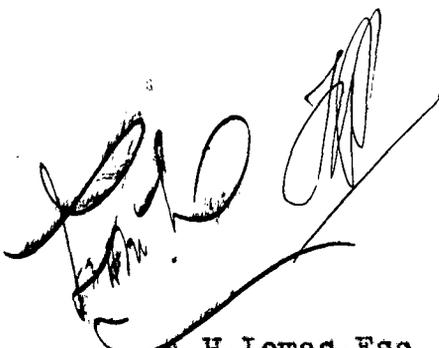
Sir,-

Referring to your letter of the 15th instant with inclosure, I beg to say the Department approves of [REDACTED], a member of the Lyackson Band, being transferred to the Hallalt Band. You should make a careful note with regard to the transfer and quote the date of this letter and file number as authority.

s.19(1)

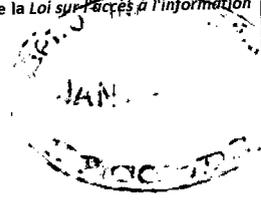
Your obedient servant,

J. D. McLean
Asst. Deputy and Secretary.



A.H. Lomas, Esq.,
Indian Agent,
Duncan, B.C.

62-152



INDIAN AGENT'S OFFICE

.....Duncan, B. C.

.....January 15th, 19 23

578052

Handwritten initials/signature

IN YOUR REPLY REFER TO
No. 317-U-2
ALSO
TO DATE OF THIS LETTER

Your No. 62-152

Sir,—

Referring to yours of December 5th, last re. [redacted] application for admission to Hallalt Band, I now beg to enclose you his application for admission, and I would respectfully request that the Department grant this request.

s.19(1)

*Miss Maxwell
approves
[Signature]*

Your obedient servant,

[Signature]
 (Alfred H. Lomas)
 Indian Agent.

The Secretary,
 Department of Indian Affairs,
 Ottawa.

A. H. Lomas, Esq.,
Indian Agent,
DUNCAN, B. C.

Dear Sir:-

I hereby apply to become a member of the Halalt Band, No.2, Cowichan Agency. My reasons for this application are, that I was born on the Halalt Reserve and have lived there most of my life and have resided there with my wife and family continuously for past five years; I am registered as a member of the Lyackson Band, Reserves Nos, 3 & 4, and wish to surrender all my rights to that Band.

s.19(1)

Jan.15, 1923.

*Witness to mark.
Kate Robertson*

[Redacted signature area]

*His
X
marks.*

62-152

Ottawa, January 13, 1923.

266-U-2

Sir,-

Referring to your letter of the 5th instant, with inclosure, I beg to say that the Department approves of the transfer of [REDACTED] of Lyackson Band, to the Quamichan Band in the Cowichan Agency.

s.19(1)

Your obedient servant,

J.D. McLean
J.D. McLean
Asst. Deputy and Secretary.

ma
A.H. Lomas, Esq.,
Indian Agent,
Duncan, B.C.

L.H.

02 - 152



INDIAN AGENT'S OFFICE

Duncan, B. C.

January 5th, 1923

Alma

IN YOUR REPLY REFER TO
No. 266-U-2
ALSO
TO DATE OF THIS LETTER

Sir,—

577467

I beg to enclose herewith copy of resolution passed at meeting of Quamichan Indians asking for admission of [redacted] of Lyackson Band as a member of Quamichan Band, together with request of [redacted] for such action.

s.19(1)

In connection with above I would most respectfully request that the same be granted, [redacted] has now resided at Quamichan for nearly six years on his aunt's property, and looked after the old woman during the latter years of her life; he is a good, industrious and hard working boy.

I trust the Department will grant their request.

Yours obediently,

Alfred H. Lomas

(Alfred H. Lomas)
Indian Agent.

*Miss Macmillan
Alfred H. Lomas
Xma*

The Secretary,
Department of Indian Affairs,
Ottawa.

(Copy)

Indian Office
Duncan, B. C.
January 5th, 1923

Meeting of members of the Quamichan Band of Indians held at the Indian Office, Duncan, on the above date.

It was moved and unanimously resolved the Agent Lomas communicate with the Department at Ottawa asking that Indian, [REDACTED] of Lyackson Band be admitted as a member of the Quamichan Band.

(Sgd) [REDACTED]

and others.

s.19(1)

Witness,
(Sgd) Alfred H. Lomas,
Indian Agent.

Indian Office

Duncan, B. C.

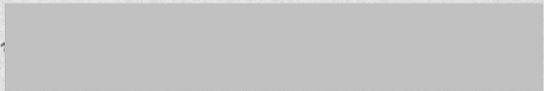
January 5, 1923

A. H. Lomas, Esq.,
Indian Agent,
Duncan, B. C.

Dear Sir:-

I hereby make application to you to become a member of the Quamichan Band, in doing so I wish to surrender all my rights in the Lyackson Band of which I am now a member.

Yours truly,



s.19(1)

62-152

Ottawa, December 5, 1922.

Sir,-

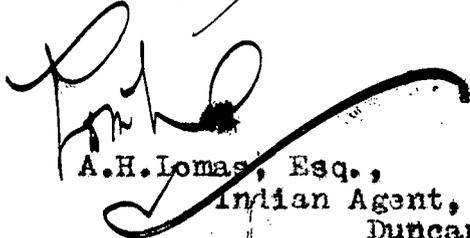
I am in receipt of your letter of the 28th ultimo with which you forwarded copy of a resolution passed by the members of the Halalt Band asking for the admission to that Band of [REDACTED], a member of the Lyackson Band, who was born at Halalt, and in reply I beg to say that, before giving consideration to this matter, the Department desires an assurance that [REDACTED] is desirous of being received into the Halalt Band. If he wishes to be admitted thereto he should make application in writing to the Department in the matter setting forth his reasons for requesting transfer. The case will then be given consideration.

s.19(1)

ma

Your obedient servant,

J. D. McLean
Asst. Deputy and Secretary.


A.H. Lomas, Esq.,
Indian Agent,
Duncan, B.C.

62-152

*Recd
11/11/22*

INDIAN AGENT'S OFFICE



.....Duncan, B. C.

.....November 28th, 19 22

IN YOUR REPLY REFER TO
No. 105-U-2
ALSO
TO DATE OF THIS LETTER

575524

Sir,—

I beg to enclose you herewith copy of resolution of the members of the Halalt Band asking for the admission of [redacted] as a member of that Band.

[redacted] was born at Halalt and has lived there for years. Although a member of the Lyackson Band he has hardly ever resided there permanently.

s.19(1)

Your obedient servant,

(Alfred H. Lomas)
Indian Agent.

The Secretary,
Department of Indian Affairs,
Ottawa.

(Copy)

Westholme, B. C.

August 21st, 1922

Minutes of meeting of the Halalt Band of Indians, held at Peter Louis' house on the Reserve, on August 21st, 1922, the majority of the male members of the band of the full age of twenty one years being present,-

"It was resolved that [redacted] and his family should become members of the Halalt Band- they having resided on the Reserve almost continuously for years"

List of members over twenty one years- showing Poll.

	For	Against
	x	
s.19(1) Jimmy Albert	x	
Peter Louis	x	
Edward Norris	x	
Louis Norris	x	
Misheal Louie		x
Sherman Lewis (Absent)		

Witness,

(Sgd) Alfred H. Lomas,
Indian Agent.

62-152

796-T-2

Ottawa, September 20th., 1922.

Sir,-

In reply to your letter of the 7th instant, I have to inform you that the reasons therein set forth are not sufficient to warrant the Department in authorizing you to strike [redacted] name from the pay-list of the Halalt Band of Indians, and you should advise the members of the band to that effect.

s.19(1)

Your obedient servant,

J. D. McLean
Asst. Deputy and Secretary.

7/na

[Handwritten signature]

A. E. Lomas Esq.,
Indian Agent,
Duncan, B. C.

62-752

INDIAN AGENT'S OFFICE



.....Duncan, B. C.

Sept. 7th, 19 22

IN YOUR REPLY REFER TO
No. 796-T-2
ALSO
TO DATE OF THIS LETTER

511863

Sir,—

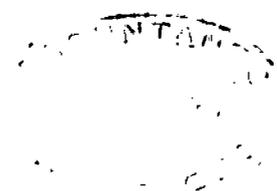
I beg to enclose you herewith copy of resolution of Halalt Band of Indians passed at a meeting of majority of male members of the Band on the 21st, August last requesting [redacted] name he marked off the list of members of that Band.

I would recommend that the resolution be assented to by the Department.

[redacted] is a half caste and at one time caused considerable trouble among the Indians with liquor, etc. He has now been living in Vancouver for over five years and he has not at any time visited the Reserve, and at time of leaving expressed his intention of following the white mode of living and not returning to the Reserve; he has no improvements on the Reserve.

s.19(1)

Your obedient servant,



Alfred H. Lomas,
Indian Agent.

J. D. McLean, Esq.,
Asst. Deputy & Secretary, Dept. Indian Affairs
Ottawa.

Westholme

August 21st, 1922

At a meeting of the Halalt Band of Indians held at [REDACTED] house on the Reserve on August 21st, 1922, the following male members of the Band of the full age of 21 years being present, - [REDACTED], and [REDACTED] the same being a majority of the voting members of the Band.

It was unanimously resolved that the name of [REDACTED] be marked off the list of members of the Band, he being a half caste and has no rights in the Band although for a number of years he has been recognised as a member.


Indian Agent.

s.19(1)

62-152

Relu: H. K. H.

Ottawa, May 16, 1922.

Sir,-

Referring to your letter of the 6th instant, with inclosure, I beg to say that, in view of the resolutions mentioned by you having been passed by the different bands interested, the Department approves of the admission to the Kulleets Band of [redacted] who is a member of the Quamichan Band. Careful note should be made in your office copy of the payroll of the transfer in question, and the date of this letter and file number should be quoted as authority.

s.19(1)

With reference to the proposal to have [redacted] transferred from the Capilano to the Kulleets Band, I have to inform you that an examination of the Capilano Band shows therein the name of [redacted], his wife and their children, in view of which the Department will not consider the transfer of [redacted] to the Kulleets Band without full explanations in the matter, as it would seem that if she is the wife of the man mentioned she should remain in the Capilano Band with her family.

Your obedient servant,

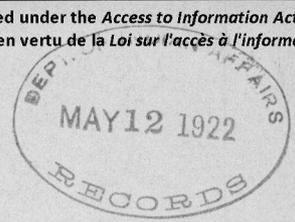
A. F. MacKenzie
A.F. MacKenzie

Acting Asst. Deputy and Secretary.

ma
ABW
[Signature]

A.H. Lomas, Esq.,
Indian Agent,
Duncan's Station, B.C.

62-10-



INDIAN AGENT'S OFFICE

Duncan, B. C.

May 6th, 19 22

*Asst
Ma*

IN YOUR REPLY REFER TO
No. 269-T-2
ALSO
TO DATE OF THIS LETTER

566888

Sir,—

I beg to enclose herewith resolutions of the Kulleets, Kumalockason and Siccameen Bands of Chemainus Bay, passed at a meeting of nearly all members of the Band, asking the Department to assent to the entry of Indian, [redacted] of Quamichan Band to the Kulleets Band and also a resolution asking for re-entry of Mrs [redacted] - formerly a member of the Band.

s.19(1)

I respectfully ask that these two Indians become members of the Kulleets Band.

Your obedient servant,

Alfred H. Lomas

Alfred H. Lomas,
Indian Agent.



J. D. McLean, Esq.,
Asst. Deputy & Secretary, Dept. Indian Affairs
Ottawa.

*Miss Maxwell
approve. ma*

At a meeting of the Chemainus Bay Indians, consisting of Kulleets, Kumalockason, and Siccameen Bands, a majority of the male members of the band of the full age of twenty one years being present, held in [REDACTED]'s house at Chemainus Bay on January 19th, 1922,-

It was resolved that the Department of Indian Affairs be asked to assent to the entry of [REDACTED], of the Quamichan Band as a member of the Kulleets Band.
- Carried unanimously.

It was also resolved that the Department of Indian Affairs be asked to assent to the re-enty of [REDACTED] of Capilano Band, and formerly of the Kulleets Band, to again become a member of the Kulleets Band.
Carried unanimously .

s.19(1)

(Sgd)

[REDACTED] His x Mark

[REDACTED] His x Mark.

Witness,

Alfred H. Lomas,
Indian Agent.

395652

Ottawa, 27th September, 1911

Sir:-

I beg to acknowledge receipt of your letter of the 16th instant with which you forwarded a document signed by Chief Joe Seeopin and Edward Seeopin of the Esquimalt Band consenting to the admission into membership in their Band of [REDACTED] of the Songhees Band, also document signed by the latter whereby he states he relinquishes his right and interests in the land and trust funds of the Songhees Band on condition he be paid his per capita share of the trust funds of the Band; and in reply I have to inform you that ^{Tom's} ~~the~~ shares of the capital of the latter Band cannot be paid as proposed, but ~~they~~ ^{it} might be transferred to the Esquimalt Band account provided the Songhees Band gave formal consent in the matter. Upon receipt by the Department of a resolution passed by the members of the Songhees Band agreeing to the transfer of Tom's share in the capital funds of the latter Band, the matter will be further considered by the Department.

s.19(1)

Your obedient servant,

Asst. Deputy and Secretary.

W.R. Robertson Esq.,
Indian Agent,
Duncan's Station, B.C.

21



Dowichan Agency
Indian Office

395652

Acct



Station, B. C. Sept, 16, 1911

-Z

Sir:-

I have the honor to enclose herewith a document dated 8th, inst, signed by Chief Joe Seenopin and Edward Seenopin, Indians of the Esquimalt Band consenting and agreeing to admit to their Band [redacted] of the Songhees Band. I also enclose a document dated the 7th, inst and signed by [redacted] whereby he relinquishes and abandons his rights and interest to the lands and trust funds of the Songhees Band, on condition that he be paid his per capita share of the trust funds of that Band.

s.19(1) [redacted] is Group No. 20 of the Census prepared Nov ~~1910~~, 1910 by Mr. Ditchburn, Inspector of Indian Agencies. His family now consists of (7) seven members, that is himself age 27 years, his wife [redacted] age 31 years, his son [redacted] age 8 years, [redacted] age 6 years, [redacted] age 4, Alexander age 2 years and a baby girl born [redacted], not yet named.

s.19(1) [redacted] has always been recognised by Chief Joe Seenopin as the owner of a house and certain improvements on land on Esquimalt Reserve, through [redacted]'s father paying the burial expenses and supporting for some time before his death an old Esquimalt Indian. Some years ago Andrew slashed and cleared the land located to this old Indian and has lived a part of each year on this Reserve.

I will recommend that the Superintendent General grant his assent for this transfer.

Your obedient servant

J. R. Robertson

J. D. McLean, Esq.,
Asst. Deputy & Secretary
Ottawa

Indian Agent.

000155

Cowichan Agency

Indian Office

Duncans Station, B. C. Sept, 7th, 1911

This is to certify that, I, [REDACTED], Indian of the Songhees Band do wish to become a member of the Esquimalt Band of Indians, and do hereby relinquish and abandon all my rights and interest in the lands and trust funds of the Songhees Indians, on the following conditions,- that is that my per capita share of the trust funds of the said band of Indians be transferred to the funds of the Esquimalt Band of Indians, according to the regulations of the Department. And that I be paid for my improvements on Lot No 22 as shown on subdivision on the Songhees new reserve, near Esquimalt, and surveyed by Mr. J. H. McGregor, B. C. L. S. dated April 29th, 1911 and located to me. And that I am to have the full use of the land and improvements on the said lot until I am paid in full for the same.

All the above subject to the consent of the Superintendent General of Indian Affairs.

s.19(1)

Signed, Sealed and
delivered in the presence of
W. R. Robertson,
Indian Agent



Office of Inspector of Indian Agencies

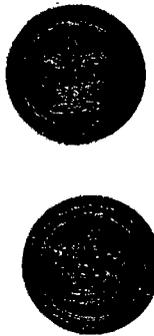
Victoria, B. C.

Sept, 8th, 1911.

This is to certify that we, Chief Joe Seenopin and Edward Seenopin, the only living male members of the Esquimalt Indian Reserve, of the full age of twenty-one years, resident on our reserve, in the District of Esquimalt in the Province of British Columbia. Do hereby consent, and agree to admit [redacted], Indian of the Songhees Band, as a member of our Band, and to participate in the lands and trust funds according to the regulations of the Department.

Signed, Sealed and Delivered ^{his} X Chief Joe Seenopin
in the presence of ^{mark}

^{his} X Edward Seenopin
w/ S. D. [redacted] Inspector Indian Agencies



s.19(1)

Witness to marks & signatures
G. H. Robertson

431,320.

[Handwritten signature]

[Handwritten mark]

ACCOUNTANT
MAR 20 1913
FRANCO

Ottawa, March 18, 1913.

Sir,-

I beg to acknowledge the receipt of your letter of the 20th ultimo, No. 378-C-2, in regard to disposition by Charlie Gunion of his interest in lands on the Songhees reserve to another member of the band, and in connection therewith to say that under the provisions of the Indian Act an Indian may dispose of his interest in land on a reserve to a member of the same band. There would be no objection to carrying out the arrangement proposed in regard to disposition of land and improvements, but you should see that a fair value is paid for the land and improvements in question.

Your obedient Servant,

J. D. McLEAN

Asst. Deputy and Secretary.

[Handwritten signature]
[Handwritten initials]

W. R. Robertson, Esq.,
Indian Agent,
Duncans Station, B. C.



Cowichan Agency

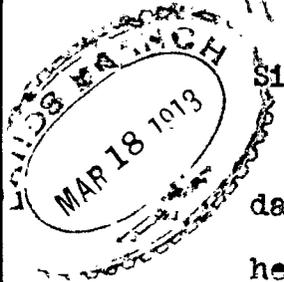
Indian Office

Duncans Station, B. C. Feb. 20, 1913.

378-c-2



431520



Sir:-

I have the honor to enclose herewith an application dated Dec. 6th, 1912 from Charley Gunion, Indian of the Songhees Band asking permission to sell his buildings and improvements on the Songhees new reserve for the sum of four thousand dollars or over and agrees to pay one half the amount received to his daughter Clara Gunion, his only living unmarried daughter, there is another daughter married to a white man, Mr. Elder, At the time Gunion received the ten thousand dollars from the Provincial Government, he gave Mrs Elder, one thousand dollars, cash in her own right.

Indian Gunion is under the impression that if he could get away from his associates in the vicinity of Victoria, and go and live with his sister in Bellingham, Wash, U. S. A. he would lead a better life. As it is here, he is very often in trouble through drink. His wife died on the 15th, of November last and on the 28th, of the same month, he was sentenced to three months in jail by the City Police Magistrate.

The application was signed while in jail, I have waited until his release to see if he would still want to relinquish his rights and interests in the Songhees Reserve and trust funds, I now learn he does. He proposes to sell to another member of the Songhees Band. It is thought that the buildings and improvements will sell for four thousand dollars or over.

I am under the impression that there is some regulation.

J. D. McLean, Esq.,

Asst. Deputy & Secretary of Indian Affairs

Ottawa

(2)

ation of the Department to prevent an Indian selling out all his improvements without first obtaining the consent of the Superintendent General, but I cannot recall where it occurs.

I will be glad to know if the enclosed document will be approved of by the Department, and if I have the authority to prevent him from selling to another member of the Band, provided that he gets value for his property.

Your obedient servant

H. A. Robinson
Indian Agent.

431520

Victoria, B.C.,

December 6, 1912

THIS IS TO CERTIFY that I, CHARLIE GUNION, Indian of the Songhees Band, wish to cease to be a member of the Songhees Band, and do hereby relinquish and abandon all my rights and interests in the lands and trust funds of the Songhees Indians, on the following conditions, (that is to say), that I

N.R.P. ~~be allowed to~~ sell my buildings and improvements on Lot No ~~1~~. *(one)* as shown on Subdivision of the Songhees new reserve, near Esquimalt as surveyed by Mr. J. H. McGregor, B.C.L.S., dated April 29, 1911, and located to me, to any other member of the Songhees Band, for the sum of four thousand Dollars, ~~\$2000.00~~ *or over one half of the purchase price to* ~~(two thousand Dollars)~~ of which sum shall be paid to my daughter Clara Gunion for her own use and benefit, the remaining ~~\$2000.00 (two thousand Dollars)~~ *one-half* to be retained for my own use and benefit.

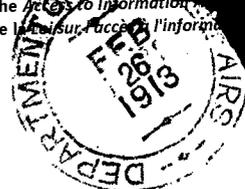
All the above subject to the consent of the Superintendent General of Indian Affairs.

Signed, Sealed and Delivered by the said)
Charlie Gunion, in the presence of:)

Charley Gunion

*N.R.P. Robertson
Indian Agent*

431520



Cowichan Agency

Indian Office

Duncans Station, B. C. Feb. 21, 1913.

-C-2

acct

21520

Sir:-

I beg to advise the Department that at a meeting of the Songhees Indians held on the 21st, June, 1912. That on recommendation of Chief Michael Cooper and Councillors William Robert and Tommy George, it was unanimously agreed to admit Indian, Johnny George as a member of the Songhees Band.

I will recommend that the Department approve of this.

Johnny George is married to Osheana, a Songhees woman (See group No. 31 census of the Songhees Indians made Nov. 21st, - 25th, 1910) He has lived on the Reserve for the past twenty years, is of good character and industrious. They have no children. Johnny's mother was a Songhees woman, his father lived on Discovery Island and some time on San Juan Island, he worked for many years for the Hon. Senator McDonald at Victoria.

Your obedient servant

H. R. Robertson
Indian Agent.

J. D. McLean, Esq.,

Asst. Deputy & Secretary of Indian Affairs

Ottawa

62-152

~~431320~~

No.

Department of Indian Affairs.

Feb.

191*3*

62-152

Cowichan

Admission & into Songhees Band

PUBLIC ARCHIVES
RECORDS CENTRE

ACCOUNTANTS
JUN 19 1912
BRANCH

ACCOUNTANTS
JUN 19 1912
BRANCH

381352

131020

LIBRARY OF PARLIAMENT
OTTAWA, CANADA