

DEFINING THE WHONNOCK RESERVE

Between 1860 and 1870 First Nations in British Columbia still largely outnumbered the European and other immigrants but a steadily growing number of newcomers, claiming large sections of land, increasingly put pressure on the original Native users of its resources. In some parts of the province open hostilities grew between First Nations and the settlers. Setting aside “Indian lands” or reserves was a way to avoid disputes. To satisfy the white settlers, members of the Columbia Detachment of the Royal Engineers under direction of Colonel Richard Moody started to define and mark out reserves in the Lower Mainland, including one of about 90 acres for the Whonnock Tribe.

In 1864, the year of his retirement, Governor Douglas, having the interest of the Native population foremost in mind, instructed the former Royal Engineer William McColl to mark out Indian reserves on the Fraser River between New Westminster and the Harrison River leaving “...the extent and selection entirely optional with the Indians who were immediately interested in the reserve [and] to include every piece of ground to which to which they had acquired an equitable title through continued occupation.”¹ Accordingly McColl defined large areas of land for the Native villages in areas where there were only a few or no pre-emptions by white settlers. The largest such area was for the Matsquee (Matsqui) Tribe with 9,600 acres. In comparison the 2,000 acres set aside for the Whonnock Tribe and the 500 acres for the Saan-oquâ village across the Fraser in what is now known as Glen Valley seemed small, but it was enormous when compared with the original 90-acre reserve laid out by the Royal Engineers.

The thought that the Natives would be left with so much land brought Governor Douglas on a collision course with the white settlers. In the eyes of the settlers it was ludicrous to see good land locked up “unused...under the color of an imaginary right.”² The Chiefs of the Native villages between Yale and Musqueam, afraid of losing the land they had identified as theirs, tried to stem the tide by petitioning Governor Seymour in 1866 pleading the Crown to protect their lands. “The white men tell many things about taking our lands” are words from that petition. The “Honok,” represented by Chief Kolasten,³ were signatories to that agreement.

The chiefs had reason to worry. Joseph Trutch, chief commissioner of lands and work sympathised with the white settlers and he detested “Indians.” In 1862, soon after his appointment, he sent out District Magistrate H.M. Ball and Assistant Surveyor General B.W. Pearse to visit the Native villages with the purpose of even reducing the size of their present reserves to a minimum. In November 1867, Trutch himself paid a visit to the Native villages including Whonnock and the Saan-oquâ, present Glen Valley, across the Fraser. His report shows 36 inhabitants living at Whonnock and 14

¹ James Douglas to J.W. Powell, Indian Commissioner 14 October 1874. RG10. Volume 3611. File 3755-1

² *British Columbian*, December 1865 quoted in *You are Here to Witness*.

³ Great Britain, Colonial Office. C.O. 60/27. Seymour to Cardwell, February 19, 1867.

at the Glen Valley village. Whonnock's population included 13 men, 14 women, and 9 children. In the Saan-oquâ village across the river lived 9 men and 5 women, but no children. The Saan-oquâ had six heads of cattle, three horses, and five pigs. At the Whonnock village Trutch found three heads of cattle and 12 pigs.⁴

In December 1868 the government's *B.C. Gazette* published "the reserves for Indians...defined and staked out." No land had been put aside for the Saan-oquâ at all and the "Wha-nock Reserve" was reduced to 92 acres based on that earlier survey by the Royal Engineers. Already before the official publication in the *B.C. Gazette* the Whonnock Tribe had voiced concern of the land they would be allotted but when asked, Surveyor Edward Mohun responded: "At Whannock [I] laid off about 100 acres, with which the Indians appear perfectly satisfied."⁵

The unhappy Whonnock Tribe petitioned Douglas's successor, Governor Frederick Seymour "humbly praying your Excellency to listen to their request and give to them the same patch of land marked before by orders of Governor Douglas, of which grant we send a copy." The Whonnock Tribe declared that the land they owed to Governor Douglas was only "a small patch of land in comparison to what they allowed to a white man our neighbour" ⁶ but that they were resigned with what they had been given. They complained that Trutch's men had been "shortening our land...[and taking] our best lands, some of our gardens and gave us in place some hilly and sandy land where it is next to impossible to raise any potatoes."⁷ The land they referred to was neither McColl's two thousand acres nor the 90 acre reserve defined by the Royal Engineers and staked out by Trutch's delegates.

Messrs. Ball and Pearse responded that they had "... marked off for their [the Whonnock Tribe's] use all the ground they were cultivating and [had] extended the lines so as to include some patches which were shown us" and that "...the report of the Indians of the Honok village is utterly incorrect.... They have exactly the quantity promised them by Col. Moody as the written paper was shown us and instructions given accordingly." However, the land the Whonnock Tribe claimed to have lost was not in the reserve staked. It was on adjacent land marked by Col. Moody by orders of Governor Douglas "for use of the Indians."

The comments of Ball and Pearce are written in their own hand on a transcript of the petition and the text of the "grant"—a note written by Col. Moody on 30th June 1862—mentioned in the Whonnock petition. Obviously the two gentlemen were aware of the

⁴ Chief Commissioner of Lands and Works to Colonial Secretary 19 November, 1867, ILQ45-47.

⁵ Mr. Mohun to Chief Commissioner of Lands and Works, 3 December 1868. *British Columbia Papers connected with the Indian Land Question 1850-1875*, 1877, p. 54

⁶ A reference to Robert Robertson's land, west of the reserve measuring 153 acres. His son Andrew received a grant for an additional 138 acres.

⁷ British Columbia. Colonial Correspondence P. Durieu, F503/2. Durieu to Seymour, 6 December 1858. BC Archives. This includes the response by Ball and Pearse in their own hand and a transcript of the letter by R.C. Moody's note of 30 June 1862 regarding the land marked for "for use of the Indians" by order of Governor Douglas. Father Durieu of the brothers of the Order of Mary Immaculate (OMI) gave assisted the Chiefs (mostly illiterate) to present their grievances.

content of the note but they (and Joseph Trutch) choose to ignore it, defrauding the Whonnock Tribe of what had been theirs. The Colonial Secretary signed off on Ball and Pearce's comments without any questions. The evidence of the legitimacy of the claim of the Whonnock Tribe was then buried and forgotten but the text of the note survived and it reads:

Lands and Works Department, New Westminster, 30th June 1862
This is to certify that the portion of Land—one hundred & sixty (160) acres in extent and forty (40) chains [ca. 800 metres]—on the right bank of Fraser River below to the westward and immediately adjoining the pre-emption claim of William Cromarty is reserved by Government for the use of the Indians.
By order of his Excellency, the Governor,
R. Moody, Colonel R.E and Chief Commissioner.

Col. Moody wrote this note in response to message from the Governor informing him that Chiefs "Kholasten" and "Scakhalan" of the Reserve on McMillan Island were "desirous of their abandoning their present abode...and with their families and some other Indians" to settle on "another piece of land on the right bank of the river adjoining the claim of William Cromarty."⁸ The Governor wondered if Moody would be "good enough" to declare as an Indian Reserve "a tract of land of 160 acres immediately joining William Cromarty's."⁹ The fact that Chief Kholasten (or Kolasten) was Whonnock's chief suggests that the residents of McMillan Island and the Whonnock Tribe would use the land jointly.

In February 1860 William Cromarty had pre-empted 160 acres (Lot 438) at the confluence of the Stave and Fraser rivers. Tract of land between the Cromarty and the Whonnock reserve claimed by the Whonnock Tribe as theirs are known today as Lots 439 and 441 . In 1869 another attempt was made to keep this land east of the Whonnock Reserve "for use of the Indians" as intended by Douglas and Col. Moody. In 1863 "an Indian" living at the entrance of Shelik Creek [Stave River] had complained to Judge Brew, that William Cromarty had taken away his "potatoe ground." At that time Judge Brew, sent a note of caution to Cromarty "or any person" not to interfere with "any land cultivated by Indians" without special authority.¹⁰

In 1869 "a small party of Indians...in great alarm" came to see Judge Arthur Thomas Bushby. They carried with them the original of Judge Brew's note of 1863. Cromarty had transferred his interest to Lot 438 a few years earlier and the present occupant had denied the Natives the rights to farm on it. The party presented a petition to Judge

⁸ Crown Grant register shows that in Cromarty transferred his interest to the lumber company S.P. Moody & Co. of Burrard Inlet. F.W. Laing, "Colonial Farm Settlers," 1939.

⁹ The Colonial Secretary to the Chief Commissioner of Lands and Work 26 June 1862. ILQ p. 25 and The Chief Commissioner of Lands and Works to Mr. Spaulding 28 June 1862, ILQ p. 26. A note to this last letter reads: "No reply to this letter can be found." That "missing" response is R.C. Moody's note of 30 June 1862 reserving 160 acres for "the Indians."

¹⁰ ILQ p. 79 Copy of Judge Brew's note. Enclosure to Mr. Bushby's letter to Chief Commissioner of Lands and Works, 20 August 1869.

Bushby¹¹ stating that having been driven away from the former Cromarty claim, they had started cultivating part of the adjacent land downriver that was not occupied by any white man. Fearing that in due course they would also be evicted from that land petitioners asked for it to be put aside for their use. They defined the land as the area between the corner post of the former Cromarty land and the corner post of “the reserve already surveyed for Whonnock Indians.”¹² This obviously was that same land put aside for them at Governor Douglas’s order and denied by Joseph Trutch. That is also clear from Judge Bushby’s letter of 20th August 1869 to the Chief Commissioner of Lands and Works.

... The Whonnock Reserve, I am informed, extended to [the former Cromarty] claim but at the time of the actual survey was reduced to its present dimensions. I am also informed that the space the Indians apply for is uncultivated and unoccupied by any others than themselves, and I am not able to trace any record of the land in the Pre-emption Records of this office. If such should be proved to be the case I would respectfully recommend that the land in question be reserved for the Indian applicants.¹³

John Bushby was a son-in-law of James Douglas and the retired governor may have had a hand in this appeal. It took Joseph Trutch two months to turn down the request.¹⁴

... as the limits of the reserve for the use of the Whonnock Indians, to which tribe I understood the petitioners to belong, as well as of reserves between Langley and Harrison River, were defined last year [?] after careful consideration of each case and consultation with the various tribes on the ground, it is not deemed advisable to alter the arrangements then made and which have been duly advertised in the Government Gazette.

That decision brought all efforts to reclaim the land to the east of the reserve for the Whonnock Tribe to a halt. The first survey of the “Who-nock Indian Reserve” was not done until 1874—after British Columbia joined confederation. George Turner resurveyed the reserve in June 1878 and Edward Mohun made what is recorded as the “original” survey in May 1881. In 1879, Gilbert Malcolm Sproat, Indian Reserve Commissioner, confirmed the old Whonnock reserve of 92 acres as did the McKenna-McBride Royal Commission (1914-1916) with the notation, however, “less CPR and road right of way”

¹¹ ILQ pp. 79 The petition was signed by Charles Sal-tem-ten, Jules Skou-kiaten, Adolph Kou-Keaten, Alick _____, [and] “two others who have their garden there.”

¹² ILQ p 79 Petition. Enclosure to Mr. Bushby’s letter to Chief Commissioner of Lands and Works 20 August 1869

¹³ ILQ p. 78 Mr. Bushby to Chief Commissioner of Lands and Works.

¹⁴ ILQ p. 79-80 The Chief Commissioner of Lands and Works to Mr. Bushby.