

132982

Memorandum of Agreement made in duplicate at Windermere, District
of Kootenay, Province of British Columbia, This
27th Day of September, 1895.

Between:-

Abel, Chief of Columbia Lakes, Kootenay Indians,
Pielle, Headman, of the Kootenay Indians, St Mary's,
Charles Kinbasket, 2nd Chief of Shuswap Indians at
Columbia Lakes.

Pierre Kinbasket, Shuswap Chief.

On the One Part,

John Cheneka, Chief of the Stonies, residing at Morley,
in the N.W. Territories, and

George Crawler, Councillor of said Stony Indians,

On the Other Part.

The said Chief and Headmen, Abel, Pielle, Pierre Kinbasket,
John Cheneka, George Crawler, acting for themselves, and on
behalf of the several Bands to which they respectively belong,
because of the friendly relations hitherto existing between
their several Bands,

Do hereby agree as follows:-

That the Stonies shall have the privilege of hunting as far
West as the Columbia and Kootenay Rivers, and that in return
the Kootenay Indians, and the Shuswap Indians shall have the
privilege of hunting as far East as the base of the Rocky
Mountains, on the Eastern Slope thereof.

And that this mutual concession is made with the distinct
understanding that the Game Laws of British Columbia
and the North West Territories, as the case may be,

your reply refer to
No. 1186

also to the date of this letter.

Address your reply to
"The Indian Commissioner,
Regina, N.W.T."

Office of the

Commissioner of Indian Affairs,

North-West Territories,

70543
132952



Regina, October 10th. 1895

Sir:-

Examine this & approve to this & refer to prior correspondence vide Department's file No. 132952, attached to 80143
see Stamp on side of letter in this file.

Referring to your interview with Chief
Cheneka, and other Stony Indians at Regina the latter end of
July last, and the authority given for the holding of a confer-
ence between delegates from the Stony Indians, and the Kootenay
and Shuswap Indians, regarding their respective hunting grounds,
I have the honour to report as follows:-

On the 27th August last, at a meeting held
in my presence, on the Stony Reserve, the Rev John McDougall
acting as interpreter, it was arranged that said conference
should take place at Windermere, Upper Columbia River, on the
26th September then proximo, and that I would personally be
present with Rev Mr McDougall as interpreter. With your author-
ity, communication was had with Mr R. L. T. Galbraith, Indian
Agent at Fort Steele, giving him notice of date and place of
said proposed conference, and requesting him to be present with
delegates

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

be strictly observed, and that any infraction of the said
by the Stoney of British Columbia, or by the
Kootenays or Shuswaps, in the North West Territories, shall
be considered sufficient reason for withdrawing the concession
above made, from the Band or Bands to which the Party,
Parties Transgressing belong.

witness whereof the Parties to this Agreement have
set their hands hereto, this Day and Year above written:-

to the presence

St. Mary's Res.

St. Mary's Res.
Kootenay.

George Golding, J.P.

John McDougall,
Missionary on Stoney Res.

his
Abel. x Chief Columbia Lake,
mark Kootenay Indians.

his
Pielle. x Headman, St Mary's Res.
mark

his
Charlie x Kinbasket. Second Chief,
mark of Shuswap Indians.

his
John x Cheneka. Chief Stoney
mark Indians.

his
George x Crawler. A Stoney Indian.
mark

his
Pierre x Kinbasket. Shuswap Chief.
mark

I hereby certify that this Agreement, previous to its being
signed, was carefully translated and explained to the
Kootenays and Shuswaps Indians, by Lewis Stowekin, Official
Interpreter at the Kootenay Agency, and by the Rev John
McDougall, to the Stoney Indians.

sgd A.E. Forget.

3

Adrian, St Mary's, Kootenay.
Old Patrick Do Do.

The Shuswap Indians by :-

Pierre Kinbasket, Chief
Charles Kinbasket Do
Alexander Kinbasket
Louis Paul.
Moise.

The Stoney delegates present were:-

John Cheneka Chief.
George Crawler Counsellor
Hector.
George Hunter.
Paul Crawler.

In addition to the above named delegates, there were present other Kootenay and Shuswap Indians, numbering in all about 25.

In opening the conference, I said it had been called at the request of the Stoney Indians, who, not having been represented by delegates chosen by themselves, at the meeting held at Golden on 9th September 1893, they did not feel bound by anything that may have been said or done at said meeting. That in any case, the Stonies present while verbally agreeing

delegates from the Kootenay, and Shuswap Indians.

On Sunday the 22nd September, I left Regina for the purpose of proceeding to the place of appointment, the Rev John McDougall joining me at Morley, the following morning arriving at Windermere by steamer on the Upper Columbia River at 2 p. m. on the day fixed for the conference.

Mr Galbraith, who had arrived the morning before with his Indian delegates, kindly met us on our arrival. The Stonies being also present, we all at once proceeded to the Public School House, where the conference was held, commencing at 3 p. m. and terminating at 7 p. m.

There were present:-

The undersigned chairman.

→ R. L. T. Galbraith, Indian Agent.

Rev John McDougall, Interpreter for the Stonies.

Lewis Stewakin, Interpreter for the Kootenays and Shuswaps.

The Kootenays were represented by the following delegates:-

Abel, Chief, Columbia Lake Kootenay.

Tatla, or Terry,	Do.	Do.
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Aistanosma	Do.	Do.
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Kie,	Do.	Do.
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Piello, Headman, St Mary's, Kootenay.

Adrian

If a boundary however was thought more advisable, I expressed the hope that they would deal generously in the matter, and suggest one that would be acceptable by the Stonies.

Chief Cheneka followed, and said that as long as he could remember, and he was now an old man, the best friendly relations had ever existed between the three tribes of Indians represented at the conference; and his only wish was that nothing would occur to prevent their continuation in the future. His hopes in this regard were great, as there now existed a bond of sympathy between them in that they were now all Christians. He had nothing further to add as to the Stonies claim, Mr Forget having fully covered the ground. Only he would say he believed from his heart that anything the representatives of the Government may advise is for the good of them all, and hoped that the other delegates will see things in the same light and that this meeting will bring forth good results.

The Stonies he added, understood that if no objection was raised to their hunting in any part of British Columbia, they will of course have to obey the game laws of that Province.

Abel, Chief of the Columbia Lake Kootenays spoke next, and said:-

" Two years ago they, the Kootenays and Shuswaps, had met the Stonies at Golden. Mr Phillips, their Agent

4

agreeing to consider the boundary between the Territories, and British Columbia as the Western limit of the Stenays hunting ground, they had nevertheless declined to sign any formal agreement to that effect, as they felt they had no authority to do so. This time, Chief Cheneka and four other properly appointed delegates from the Stenays were present, and there was no reason why some final arrangement, satisfactory to all concerned, should not be arrived at. What the Stenays claim was the privilege of extending their hunting operations irrespective of all lines. They say that in the past when game was plentiful on the Eastern slope of the Rocky Mountains, they never offered any objection to the Kootenay and Shuswap Indians coming, and hunting in what they might then have considered their own hunting grounds. On the other hand, they had never met with any opposition in their own hunt West of the Summit of the Rocky Mountains; and year after year they had established what they consider a right to hunt in the Upper Columbia, and East Kootenay districts. During recent years, game had receded West, little being now met with East of the Summit of the Rocky Mountains. It would therefore be hard for them should they be compelled to confine their hunts in the Territories. It would be for the Kootenays, and Shuswaps present to decide whether the Stenays claim was a just one.

If

seasons. We again disbelieved this, but that also has come to pass. Now the Whiteman tells us that the other fur-bearing animals will in turn soon disappear, unless well protected. Twice the Whiteman's word has proved true, although we disbelieved it at the time. We believe his word now, and in the fear that the rest of the game will soon be no more, we are devoting our attention to farming, and cattle raising. The game must be protected and for seven months, from Spring to Fall, we keep to our fields. What do the Stonies do, during that time? they come and hunt and kill everything before them. The Stonies say formerly you hunted on our side of the Mountains, why do you object now if we come on your side? Our reason is that we were told by Whitemen, to stop the Stonies coming this side, in order to preserve our game. What I say now I think in my heart, but I am like Abel, I am willing to do anything the big Chief will advise.

Adrian, Kootenay, from St Mary, agrees with what Pielle has just said, his heart is good. The advice of the Whiteman to farm is good, and we purpose following it more and more every year. The Stonies, he fears, are not doing the same but continue to hunt as of old. If they would farm more, and raise cattle, they would soon have food and not be in need of hunting for their living.

Tatla, Kootenay, Columbia Lake Reserve, said was a friend of Father Cocolat, goes to his Church every Sunday, remembers his teaching respecting the creation of the World. It took

2

"Agent there was with them. From him he ever since understood that the water shed of the Rocky Mountains was to be the division line. Mr Phillips said, that this was necessary, as if the Stonies were allowed to come further West, they would sweep all the game before them, and leave nothing to the Kootenays and Shu-waps ". Continuing, he said:- " We told them then, that they " would always be welcome if they came on friendly visits, and " that in such cases no fault would be found with them for carry- ing a couple of rifles. Since this is not satisfactory, we " are willing to make a new arrangement, was glad to hear that " two Chiefs were coming for the purpose, as they will hear what " they have to say. We are willing to submit to anything the " great Chief may decide, in the same manner as I want my little " boy to obey me when I command him ".

Piello, Headman, Kootenay, St Mary's Re-
serve said:-

Long ago there were plenty of buffaloes, and the whiteman told us a time would come when they would all disappear. That seemed incredible, they were so numerous. We therefore could not believe it, nor would the Stonies. The Whiteman, however, had said the truth, the buffaloes are all gone. Then the Whiteman told us that deers which were but a few years ago, as numerous as flies in the foot hills of the Rocky Mountains, would also go, because they were being hunted at all seasons

not hunt this side of the Rockies. They have come here to make a new arrangement and when they return home, they will feel good for we will not object to their hunting in these parts, provided they do so only in the open season.

No other rising to speak, I thanked the Indians for the general tone of their speeches, and asked the Kootenays and Shuswaps if they would be willing to sign an agreement permitting the Stonies to come and hunt as far ~~and~~ Westward as the Columbia and Kootenay Rivers, in return to being allowed ~~the same~~ privilege as far Eastward as the Eastern slope of the Rocky Mountains, on the special and express understanding that the Stonies would strictly observe the game laws of British Columbia when hunting within the limits of that Province, and that they would do likewise with regard to the laws of the North West Territories, should they, at any time come across to the said Territories. All having acquiesced to this proposition, and it having been in turn been submitted to the Stonies, and assented to by them, the meeting was adjourned until the next morning for the execution of the formal agreement by such of the delegates who were then and there selected for the purpose.

According to appointment, a formal agreement, embodying the above resolution, was executed in duplicate the

took seven days, after relating each days' work, now if the Stonies will imitate this example, and work in their fields the seven months during which the game is protected, everything will be well. The seven months over, let them come and hunt wherever we hunt ourselves. We will raise no objection, but the game must not be killed during the close season, by the Stonies, as they have done in the past.

Patrick, Headman, St Mary's Reserve said he was at one time nick-named the "Black-stone" Remembers the time when the international boundary was surveyed, was giving the option of going South or North. of the line. Chose to come North. Look upon the Whitemen and the Stonies as friends. The Stonies may come and hunt in these parts, but do not want them to cross the Columbia River, and they must also attend to their fields and cattle during the seven months close season.

Pierre Kin-bas-ket, Chief Shuswap:-

Thought the arrangement made two years ago was good, as the game is getting scarce this side of the Rocky Mountains. However do not object to anybody, Whitemen or Stonies, hunting in these parts during the open season.

Charlie Kin-bas-ket, also Chief, brother of preceding:-

What my brother said is true. I knew that the Stonies heart must have been sore when they heard they could not

the next morning by the delegates specially designated for the purpose, and after a few short complimentary speeches, the conference was declared closed.

I have the honor to enclose herewith copy of the agreement executed as above stated.

In conclusion I think it ^{my duty} ~~necessary~~ to mention that the presence of the Rev John McDougall, owing to his long acquaintance with the Stonies, the interest he takes in their general welfare, and the great influence he exercises over them, proved of the greatest assistance to me; and the Kootenay and Shuswap Indians, who knew him by reputation, appeared greatly pleased to make his personal acquaintance.

Mr Galbraith deserves a similar testimony, for the valuable assistance given by him throughout the conference; and both Rev Mr McDougall, and myself had every reason to be pleased with the very cordial reception he gave us at our arrival, and other kindly attentions during our short stay at Windermere.

In his company, after the conference was over, we drove through the Shuswap Reserve, and over parts of the Columbia Kootenay Reserves. On both we were agreeable surprised at the various signs of the progress in the art of civilization.

civilization made by these Indians. All their Farms are under irrigation, and their crops, some of which were still standing, looked very fine.

Mr Galbraith made a strong effort to induce us to go and visit the Indian Industrial School on St. Mary's Reserve under the patronage of the Roman Catholic Church, and I very much regret that time did not permit of our making this visit.

We left Windermere on Saturday, the 23th Sept, at 7 o'clock in the morning, and reached Golden the next day at Twelve.

I have the honour to be

Sir

Your obedient Servant

W. J. G. G.

Asst Commissioner.