Power and Equality, "One" Meets "Two"
On Burns Lake Indian Reserve No. 18

by

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ABSTRACT

This study is about the Burns Lake Indian Band's Indian Reserve No. 18 located in northwestern British Columbia. It is a case study that spans the 20th century. Through an analysis of archival documents pertaining to land loss I investigate the long term process that facilitated the alienation of land from this Indian reserve.

This thesis is about borders, spatial marginality and social geography and it focuses on power and inequality. Historical records reveal the genesis of growing polarization and deteriorating social relationships evident in the clearly demarcated communities which establish the Indian reserve and the Village of Burns Lake.

Theoretical perspectives informing my analysis include social construction, standpoint theory, and the sociology of storytelling. It includes postmodernist concepts of authority and power. The storytelling process sets the stage for contested history.
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### ACRONYMS

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<th>Description</th>
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<tbody>
<tr>
<td>BCR</td>
<td>Band Council Resolution</td>
</tr>
<tr>
<td>CLSR</td>
<td>Canada Land Survey Record</td>
</tr>
<tr>
<td>CNR</td>
<td>Canadian National Railway</td>
</tr>
<tr>
<td>DIA</td>
<td>Department of Indian Affairs</td>
</tr>
<tr>
<td>DIAND</td>
<td>Department of Indian Affairs and Northern Development</td>
</tr>
<tr>
<td>GTPR</td>
<td>Grand Trunk Pacific Railway</td>
</tr>
<tr>
<td>IASR</td>
<td>Indian Affairs Survey Record</td>
</tr>
<tr>
<td>IRC</td>
<td>Indian Reserve Commission</td>
</tr>
<tr>
<td>ILRS</td>
<td>Indian Land Registry System</td>
</tr>
<tr>
<td>IR</td>
<td>Indian Reserve</td>
</tr>
<tr>
<td>MoTH</td>
<td>Ministry of Transportation and Highways</td>
</tr>
<tr>
<td>RG 10</td>
<td>Record Group 10</td>
</tr>
<tr>
<td>RGR</td>
<td>Reserve General Register</td>
</tr>
<tr>
<td>TIDC</td>
<td>Turtle Island Development Corporation</td>
</tr>
<tr>
<td>VLA</td>
<td>Veteran's Land Act</td>
</tr>
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NOMENCLATURE

Throughout the thesis, I have chosen to use widely accepted terms for "Indians", even though these are often inaccurate and not what the peoples concerned now prefer to call themselves. Terms such as Indian and Native were used and received sanction by long usage in English. Other collective terms used include Aboriginals, Indigenous Peoples and Native Peoples. For consistency I will try to use First Nation. In a similar vein, white and European are perhaps equally inaccurate to describe the settler group. The Department of Indian Affairs commonly known as DIA has undergone many name changes over the course of the last 100 years, such as DIA, INAC, DIAND. For consistency I used DIA throughout the paper. Throughout the case study Tibbetts has been spelled as Tibbets as well. Burns Lake Citizens Association and Burns Lake Citizens' Committee are also interchangable. In those cases I have used the original version taken from the RG 10 files.
ACKNOWLEDGEMENTS

I would like to thank the following people for their support and assistance in writing this thesis. I begin with my wonderful grandparents, Theresa and Isaac Sam who I will never forget. During my undergrad years I received so much encouragement and positive feedback from Patricia Tomic and Ricardo Trumper. They helped me believe in sociology. At UBC I enjoyed Thomas Kemple's theory classes and he renewed my interest in sociology.

For their support I would like to thank my committee Gillian Creese, Tissa Fernando and Bruce Miller. The research Director at the Union of BC Indian Chiefs, Leigh Ogston taught me so much of what I needed to know about this type of research, I am eternally grateful for her belief in my abilities as a researcher. My daughters Michelle and Shannon Cameron who have always been my friends and who supported and encouraged me throughout my studies. Thank you for being who you are. Special thanks to the Burns Lake Band, a Band I am very proud to be a member of. Last but not least for her valuable feedback, input, editing, and sincere interest, I thank Louise Jackson. Your assistance was very greatly appreciated.
DEDICATION

This thesis is dedicated to the memories of my grandparents,
Theresa and Isaac Sam
CHAPTER ONE

INTRODUCTION

Riding a train not long ago in Ontario, I saw a family of Indians: woman, man, and three children together on a spur above the river watching the train go by. There was (for me) that moment – the train, those five people seen on the other side of the glass. I saw first that I could tell this incident as it was, but that telling as a description built in my position and my interpretations. I have called them a family; I have said they were watching the train. My understanding has already subsumed theirs. Everything may have been quite other for them. My description is privileged to stand as what actually happened, because theirs is not heard in the contexts in which I speak (Smith, 1987, p. 112).

Dorothy Smith's train story is about power relations, the silence of some voices, and the status of those who observe, interpret, describe, and record. She is interested in discovering "what actually happened" and "why" from the voice and perspective of those who are observed. Sociologists and anthropologists frequently use the categories "insider/outsider", "observer/observed" to explain diametrical relationships between the analyzer and analyzed. Smith uses "One/Two" to acknowledge the collision of different worlds. She establishes her own position within the story, and hints that at least two histories, two experiences, and two lived actualities exist at the same time. In this way she illuminates abstract concepts about power and ruling relations, and reintroduces them as events or stories that are understandable. Her use of the railway as a leitmotif is effective because the railway physically and culturally separates "Indians" from "whites" in communities where two populations co-exist.

This study is about the Burns Lake Indian Band, located in northwestern British
The Burns Lake Indian Band has four Indian reserves. Conventionally and hereafter these are referred to as IRs, namely IR Nos. 17, 17A, 18 and 19.2 Today the Band has seasonal and permanent residence on three of its four reserves. Band membership, which remains under 100, includes some who live off-reserve.

For the purpose of this study I am going to focus on IR No. 18, which is the core domain of the Band and where the majority of members live, and separated by the railway it is adjacent to the Village of Burns Lake. Eighty-nine acres are still part of IR No. 18. This total consists of isolated pockets of land left over from sales, expropriations, and leases initiated by whites. At least half of the 89 acres is presently classified as surrendered land and is controlled by the Department of Indian Affairs (hereafter referred to as DIA).3 The time frame for this study spans the 20th century. Firstly, it allows one to track the evolution of social relationships between Band members and white settlers in the Burns Lake area. Secondly, through an analysis of documents pertaining to this land loss one can fully investigate the long-term process that facilitated the alienation of land from IR No. 18.

IR No. 18 is the stage where "One" meets "Two." Major players in the colonial drama I will relate include the Federal and Provincial governments, the Village of Burns Lake, the Grand Trunk Pacific Railway (hereafter referred to as GTPR), and white businesses and settlers. Using a backward gaze in reviewing what happened to IR No. 18, I could say that this thesis is about borders, spatial marginality (Anderson, 1991), and

1 See Appendix "D" UBC Museum of Anthropology, "First Nations of British Columbia." 1994
2 See Appendix "B", DIA File E5670-619-08353
3 The Department of Indian Affairs, commonly known as DIA, Indian and Northern Affairs Canada. (INAC), and Department of Indian Affairs and Northern Development (DIAND). The DIA was the forerunner of (DIAND) and the current (INAC). For consistency DIA will be used throughout this paper
social geography. Specifically it focuses on power and inequality and how race relations become established and entrenched in a small rural community.

As a child growing up on the Burns Lake Indian Reserve No. 18, the railroad was a constant presence in my life. The railroad was a divisive marker between "us" and "them": the Indian reserve and the white village. And we on the Indian reserve were literally and figuratively located "on the wrong side of the tracks." I often wondered why the land we lived on was filled with raw sewage and swamps and why there were so many dirty industries crowding us and restricting our access to the town, which incidentally, was built on land expropriated from IR No. 18. How we came to be there and when and why parcels of land surrounding IR No. 18 came to belong to the present day Village of Burns Lake -- land that had once constituted my Band's most valuable land asset -- are among the questions that plagued me as a child and ultimately inform this thesis.

In a similar vein, I learned quickly about being "Indian." When I was a young girl growing up on this reserve in this town, one incident in particular profoundly affected my life. I was about 10 years old and I went to a non-Native friend's house after school. Her dog started barking viciously at me. Her brother came over to us and said, "don't worry about Bruno, he just hates all Indians." The fact that he did not even think twice about talking in this derogatory manner to his sister's friend angered me. It was very intriguing that even white-owned dogs could sense who were Indians and they too hated us. This little story epitomizes the race relations and redneck attitudes that were evident in Burns Lake during the 1960s and 1970s. Elizabeth Furniss (1997/98) talks about Williams

4 She notes that similar constructions of history can be found in virtually any small city and town across
Lake, and her story provides a "mirror" image for Burns Lake.

I will reconstruct the history of the land now belonging to the Burns Lake Indian Band through an examination of government documents pertaining to land transactions. By examining land transactions I hope to shed light on the historical genesis of growing polarization, deteriorating social relationships and the emergence of clearly demarcated communities between "Indians" and "whites" located respectively on the reserve and in the village in this particular northwestern British Columbia community. To tell this story I will be combining ethnography, insider knowledge, archival research, historical sociology and narrative reconstruction.

My personal connection to this reserve combined with my interests in sociology, history, and archival research inform this study. It came about because I wanted to know how and why the Burns Lake Band lost so much prime real estate and why we lived in poverty when we once owned prime real estate. Why, for example, was IR No. 18 targeted for so many development projects initiated by the Village of Burns Lake? While many lots surrounded the Village, they were never developed to the same extent as IR No. 18\(^5\). As the case study will show, the Village persistently sought to use our officially reserved lands for its own purposes.

What makes this thesis unique is that it is the first sociological examination of the two communities written by a Burns Lake Band member. As such I recognize that others may perceive inherent biases as I am writing from a clearly defined vantage point, that of an insider. But it is a vantage point rarely articulated by sociologists, because few can

claim to have experienced it themselves. In my Band I am the only member to pursue a graduate degree. It is therefore important to me that I use my energy and sociological background to focus on my own family, reserve, and community.

There are several limitations to this project. The first is personal. I grew up in this small, racist town where my existence was devalued. As a result, I came away with fears, self-doubt, and fear of failure. All of these fears stem from who I am and where I am from; and all resurfaced during this research. Likewise it is difficult for someone growing up on a British Columbia Indian reserve to be favourably inclined towards the DIA or view their actions from the "objective" perspective desired in social science academic discourse. As an Indian with a status card whose number denotes my former marriage to a non-Indian, it is hard to be anything but subjective. If I appear polemical at times, perhaps I can be excused. Other limitations concern political issues that cannot be discussed in this paper because they involve other Bands. ⁶

BURNS LAKE BAND

As "wards" the "Band" was confined to a "reserve", and it was clear that its members were not considered capable of making decisions for themselves. The construct "wards" insinuated that the Band could not manage its own land and resources. More specifically our name, "Burns Lake Indian Band" was imposed upon our community. Although Burns Lake was selected for our reserve, it was only a part of our traditional territory. The name "Indian" is a construct as is "Band." Likewise, "reserve" and its

⁶ Some female members who were originally members of Charles IR No. 1 married men from other Bands and lived on their husbands' reserves. People who were forced to move off IR No. 18 in the 1960s still harbour resentment today.
number "18" are further geopolitical impositions that date back to 1916. Additionally an electoral system imposed by the DIA forcing the Band to elect a "Chief" to manage the Band from a "Band office", is also evidence of an imposed organizational construct. All these constructs were put into place to establish a hierarchy between the Band and its "guardians."

Recorded contact in the region dates back to 1793\(^7\) when Alexander Mackenzie, looking for a route to the Pacific Ocean, met a group of Carrier Indians (Mackenzie, 1970, p.322). For the purpose of this thesis Burns Lake Band came into existence in 1905 when the Indian Agent first staked out 346 acres for the Burns Lake Band. Power and inequality conflicts between Indian and whites date back to this time.

Historically the Burns Lake Band is a border group with affiliations, through marriages, to many different First Nations such as the Babines (Nat'ooten), the Sekanis located in the northeast, Carrier groups (Stella'ten and Nadleh Whut'en) to the east, as well as the Wet'suwet'en to the west. There are also many white women married to men from the Band. Thus, the Band does not fit neatly into any particular group or border imposed by the Provincial, Federal, or other First Nation governments.

The Burns Lake Band has always been small. During 1921 the flu epidemic decimated the population of this Band leaving two principal families. Many women died. A son was left from one family and of the twelve children born to the other family; only two children are alive today. The descendants of these two families make up the present

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\(^7\) The Burns Lake Band can be classified by many different names besides the current bureaucratic designation, "Burns Lake Band." Alexander Mackenzie referred to them as Nagailler or Carrier (1970, p. 322), Simon Fraser referred to them as Takellies (1808, p. 157). Margaret Tobey's article in the *Handbook of North American Indians* included a brief summary of the Carrier peoples (1981, p.430). Elder, Peter John (2000) said that two priests invented the name Carrier and that the Band was originally referred to as "Deligath."
day membership. As noted there are two main families on the Burns Lake Band and there has been some minor friction between the two in the past. However, a widowed great-great-grandmother (Nutseni) from one family remarried a widower who was a great-grandfather (Wet'suwet'en) from the second family so there was always some degree of unity on this reserve. Having said this, there is also some degree of informal social control (Asch, 1952) over what can or cannot be said about relatives in the past or in the present. As an insider researcher I have to be careful what I write about because as a member of this community I have to live with the consequences. Community based research affects family and community (Smith, 1999, p. 137).

Despite its size the Band has remained independent for 100 years and undergone much change. Records do not reveal much about the history of the Band, except that they were independent and self-sufficient. What is important to the Band is who they are now.

Today, the Burns Lake Band maintains independence from both the Wet’suwet’en and other Carrier Bands. The Band prefers to be free from any major influence from its neighbours to either the west or the east. This is because the political implications of associating with either side would take away some of the autonomy that the Band currently enjoys. Band members are proud to be part of this small group. So far they have resisted labels associated with being part of a larger political group or First Nation.

During the 1960s and 1970s racist government policies were systematically attacking First Nation cultures, languages, family, religion and governments. As a result there were many social problems evident at the reserve level during this period. The Burns Lake Band was no different; it experienced social breakdown. I watched my parents, grandparents, and great-grandparents turn to alcohol. As children we often heard
how much land Band Lake Band once owned but we lived in extreme poverty with none of the amenities available to the white people of Burns Lake. In contrast to our decline, the white Village of Burns Lake experienced growth and development, as this study will demonstrate. This social environment likely influenced the outcome of some land transactions that occurred on Burns Lake IR No. 18 at this time.

Although this specific case study only addresses issues relating to the Burns Lake Band, it is nevertheless, representative of a similar process of land alienation that occurred on every Indian reserve within British Columbia (Ware, 1978). Through an analysis of land transactions and the role played by the DIA, I will be looking at the role that land loss played in the increasing alienation of Indians and whites over time. I intend to demonstrate that the paternalistic attitudes of government agencies fostered differential access to education, agricultural and industrial resources, as well as public utilities and works. Similarly, these attitudes fostered the development and maintenance of hostile relationships between the two communities.

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8 As will be discussed, the terminology "public" could benefit from a detailed sociological analysis in communities such as Burns Lake --where minority segments are deliberately excluded from access.
CHAPTER TWO

POWER THROUGH STORYTELLING:

SETTING THE STAGE FOR CONTESTED HISTORY

How do stories sit within the wider framework of power? The story telling process flows through social acts of domination, hierarchy, marginalisation and inequality. Some voices -- who claim to dominate, who top the hierarchy, who claim the center, who possess resources -- are not only heard much more readily than others, but are also capable of framing the questions, setting the agendas, establishing the rhetorics much more readily than others (Plummer, 1995, p. 30).

Theoretical perspectives informing my analysis include social construction (Burr, 1995), standpoint theory (Smith, 1997), postmodernist concepts of authority and power (Seidman and Wagner, 1992), the sociology of story telling (Plummer, 1995) and perspective of the "Other" (Anderson, 1991). However, the concern of much sociological analysis deals with reducing dense empirical human life into texts (Plummer, 1995, p. 16). My intention is to take apart governmental records, which are curiously devoid of the people living on the land they describe, and through reconstruction of pertinent data reintroduce the missing human and sociologically relevant element, namely the Burns Lake Band.

Key sociological topics such as power, discourse, paternalism, hierarchy, and hegemony all emphasize difference. They are central to the analysis of my case study, which shows how the archival record of land transactions reveals a history of social relations between the Burns Lake Band and the Village of Burns Lake.

Sociology scrutinizes change and conflict within society by looking at the "collective representation: meaning and ways of cognitively organizing the world that
have a continual existence over and above the individuals who are socialized into them” (Marshall, 1994, p. 502). The emphasis and focus of sociological study may change, but it always examines how power and privilege within society benefits members of the dominant group. For many, stories empower or give voice a power to transform and empower (Plummer, 1995, p. 29).

Drawing on postructuralist theory, the following approaches to analyzing power, discourse, difference, privilege, oppression, and marginalization of alternate knowledge from dominant cultures are useful. Foucault focuses on power and how it is abused. He addresses the issue of surveillance and shows how those who have power use it to confine other targeted groups. The ward/guardian paradigm established for Indians is a classic example because Indian Agents had considerable power over Band members who, as "wards" had their lives constantly monitored.

Foucault also looks at the relationship between power and knowledge, which he considers arbitrary collections of ideas that one group adopts as fact. He questions the physical and mental power exerted by dominant groups over the many smaller groups who are created and subordinated as "different" (Fillingham, 1993, p. 5). Foucault criticizes structuralists for ignoring the existence of marginalized groups by recognizing that people labelled as “different” were also excluded from political power (p. 6). As will be demonstrated the Indian Act is also evidence of such power and exclusion in action. The Burns Lake Band had to live under the power that the DIA held and the myth of guardianship.

Postmodernism questions assumptions that are taken for granted, such as patriarchy and Eurocentrism. It takes an anti-authoritarian stance to power and
challenges ideas that are harmful and exclusionary to large sectors of the population. Postmodernists reject myths of “truth” and essentialism by questioning the relationship between scientific knowledge, power, and society (Seidman and Wagner, 1992, p. 2). Ian Grant argues that postmodernists celebrate difference but carry it too far and end up with an "anything goes" attitude (1999, p. 28). Critiquing postmodernism theory, Frederic Jamieson says “it is difficult to discuss ‘postmodernism theory’ in any general way without having recourse to the matter of historical deafness” (1995, p. xi).

Social constructionists address the issue of “historical deafness.” Swandt summarizes social construction theory when he says:

particular actors, in particular places, at particular times, fashion meaning out of events and phenomena through prolonged, complex processes of social interaction involving history, language, and action (1994, p. 118).

Storytelling from a sociological viewpoint present an array of problems for analysis. Stories are usually told or heard from one perspective revealing how some have the power to render "Others" mute. If one focuses on the reader perhaps it is a case less of one group being mute or silent, but the reader prone to deafness or selective hearing. "Historical deafness" is a major concern for social constructionists. Constructionists question self-evident categories and believe that these categories are the products of discursive practices (Schwandt, 1994, p. 119). They address the production and organization of difference (Fuss, 1989, p. 2). People construct their own and each other's identities through everyday encounters and interactions (Mead as quoted in Burr, 1995).

When people tell a story it enters the social realm, where it is retold and eventually takes on a life of its own (Bergman and Luckman quoted in Burr, 1995). One
version of the story becomes construed as fact and new generations internalize the story as given in their world (Burr, 1995). Settler histories invariably exclude First Nations' perspective from their frontier versions of history.

Stories also perform political tasks. A sociology of storytelling also attempts to understand the role of stories in social life (Plummer, 1995, p. 31) as well as the social role of stories; the way they are produced and consumed. How the story fits into a wider social order and the political processes, which considers why a particular story is told at a particular time is also important.

In my case study the untold story, that which occurs between the lines in the documentary history of the Burns Lake Indian reserve, shows where racial conflicts between whites and Indians originated and how it has been maintained. Why hatred has been maintained and is now endemic is a question of a different order, an important one, but not the purview of this thesis. To understand my interest in Burns Lake land transactions, one only has to pick up any British Columbian newspaper and read the opinion pages or letters to the editor.

First Nations have had their local spaces administered by the felt but not seen extra-local dominance of the DIA and the Canadian government. A "social surveillance" of all aspects in the lives of “Indians” results in the colonization of their lifeworlds. Written text is also a form of power. According to de Certeau, “writing articulates power” (1984, p. 158). Writing takes voice, captures it, and brings it inside the frontiers of the text (p. 161). I will now turn to the empirical data, i.e., the documentary record and archival resources that provide the text for the Burns Lake Band's story.
CHAPTER THREE
ARCHIVAL SOURCES

Files relating to the Burns Lake Band are located in the DIA headquarter and regional offices located in Ottawa and Vancouver, respectively, as well as and the provincial Ministry of Transportation and Highway files (hereafter referred to as MoTH) in Victoria. Because I am a Band member the Burns Lake Band also provided complete access to its own files from DIA and MoTH. DIA censors its active files before researchers review the files. To flesh out material from DIA and MoTH files, I used other sources of evidence created by and for government agencies such as British Columbia Surveyor General files, as well as local museum sources and Band records.

I also examined the more accessible, inactive DIA files pertaining to Burns Lake that were transferred to the National Archives of Canada in Ottawa and stored in the Record Group 10 (hereafter referred to as RG 10). Originally, I intended to review all the active files stored at DIA headquarter and regional offices, but soon learned that most of the land transactions and files pertaining to my study were already transferred to RG 10, which can be accessed from many different locations. In all, I examined 21 microfiche reels of RG 10 files that contained hundreds of pages of material. I used approximately 40 pages from each reel. This is a conservative estimate, amounting to some 840 documents in RG 10 alone. Of the 25 files that I examined at the DIA office for Burns Lake, I looked at approximately 500 pages.

The RG 10 documents, which is the largest body of research material, is an

9 Because the Band gave me access to all its files, I have been able to use considerably more material in my story than would have been possible, since the Band did not impose any restrictions on my use of the material for academic purposes.
"opaque fragment" (Ahearne, 1995, p. 71) of colonial memory. RG 10 is the designation given by the National Archives of Canada to records created by the DIA and deals with many issues relating to Native people, always from the perspective of those who governed the subordinate group, whom the colonizers classified as "Indians." But these files represent only snippets of a colonial version of history. According to Jeremy Ahearne, De Certeau criticized the "writing up" of historical research and stated it is "reducible neither to the transparent presentation of an object, nor to a simple exposition of results" (Ahearne, 1995, p. 20). De Certeau saw historical discourse as "setting itself up as a knowledge of Other" (p.20). The main focus of the files I reviewed was not on the people of Burns Lake but on reserve land.

I began my research on reserve land history with the most basic source the Reserve General Register (RGR) located at the DIA regional offices in Vancouver. It contains records of all major transactions completed on reserve lands, as well as the land history for each reserve. RGRs are filed for each Band and each of the reserves allotted to a Band. The RGR includes information on who purchased parcels or blocks of reserve land, the legal instrument that authorized these purchases, such as orders-in-councils, and the section of the Indian Act under which the land transactions were required or completed. A careful examination of the RGR shows whether transactions were completed legally. If land was alienated without compensation, the RGR reveals the steps that were followed, or in some cases not followed.

A card catalogue available at the Natural Resources Legal Survey Branch in Vancouver lists all maps, surveys, resurveys, field books, photo maps, reference plans, rights-of-way, and roads for each reserve. It includes dates, a brief description of the
parcel of land, microfiche numbers, and the official plan number for maps. It is an easily accessible primary source. Maps mentioned in the card catalogue are also available from a microfiche collection located at the DIA offices in Vancouver. The card catalogue is a good source for examining the spatial layout of the land transactions recorded in the RGR. The Surveyor General Office in Victoria also has original field books and various maps relating to Indian reserves.

A DIA Indian Land Registry System (ILRS) computer database, also located in the Vancouver office, provides information dealing with the legal instruments that recorded BCRs, sales, surrenders, permits, leases, etc., for each reserve. This information is available if one knows the name and Band number of specific reserves, such as “Burns Lake Band No. 18.”

ILRS printouts show transactions that transpired, along with dates, instrument numbers, and the parties and acreage involved. Copies of the legal documents involved in land transactions are also available on microfiche cards at the DIA’s Vancouver office, though some of these cards are missing, misplaced, or misfiled. The ILRS, RGR, card catalogue and Surveyor General files are used as preliminary sources to piece together a story of what happened to the Burns Lake reserve lands. In combination, these sources detail the process and extent of land alienated on IR No. 18.
Table 1 illustrates some of the cut-offs and the acreages that were involved in this study.

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<td>38.66</td>
<td>Railway right-of-way alienated during Royal Commission, Minutes of Decision</td>
<td>1916</td>
</tr>
<tr>
<td>80.00</td>
<td>Townsite alienated during Royal Commission, Minutes of Decision</td>
<td>1916</td>
</tr>
<tr>
<td>10.00</td>
<td>Public roads and telegraph line, alienated during the Royal Commission, Minutes of Decision</td>
<td>1916</td>
</tr>
<tr>
<td>3.00</td>
<td>Townsite, white cemetery alienated during the Ditchburn-Clark Commission</td>
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<td>1.70</td>
<td>Parcel to A.B. Smith</td>
<td>1932</td>
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<td>4.44</td>
<td>Babine Lake Road right-of-way to the Province</td>
<td>1943</td>
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<tr>
<td>.77</td>
<td>Pipeline right-of-way to the Village of Burns Lake</td>
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<td>4.83</td>
<td>Block to the Department of Public Works</td>
<td>1948</td>
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<td>3.66</td>
<td>Parcel “A” to School District #55</td>
<td>1949</td>
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<td>21.28</td>
<td>Blocks 1 and 2 to the Village of Burns Lake</td>
<td>1951</td>
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<tr>
<td>4.72</td>
<td>Lot No. 1 to the Burns Lake Hospital Board</td>
<td>1957</td>
</tr>
<tr>
<td>8.02</td>
<td>Lots Nos. 2-7 to the Village of Burns Lake, for Home Owners Society</td>
<td>1957</td>
</tr>
<tr>
<td>2.05</td>
<td>Babine Lake Road widening right-of-way</td>
<td>1959</td>
</tr>
<tr>
<td>23.00</td>
<td>Parcel to the Lake Babine Indian Band for a new Indian Reserve</td>
<td>1959</td>
</tr>
<tr>
<td>.39</td>
<td>Yellowhead Highway 16 road widening right-of-way</td>
<td>1963</td>
</tr>
<tr>
<td>7.10</td>
<td>Parcel to the Lake Babine Indian Band</td>
<td>1965</td>
</tr>
<tr>
<td>.19</td>
<td>Parcel “H” to School District #55, exchange for .297 of Parcel “E”</td>
<td>1968</td>
</tr>
<tr>
<td>2.97</td>
<td>Parcel “J” to the Village of Burns Lake, exchange for Lot from Parcel “E”</td>
<td>1968</td>
</tr>
</tbody>
</table>

Of the original 346 acre reserve, the Band lost approximately 95 acres after the 1916 Royal Commission. In addition, the Band surrendered 149 acres of IR No. 18 to the Federal Crown for leasing purposes (RGR). Today, the rest of the unused land on IR No. 18 is allocated as surrendered land for leasing.
The Federal government produced a *Schedule of Indian Reserves* that recorded the total number of acres or hectares for each reserve. I examined schedules produced in 1913, 1923, 1943, and 1970 because they were applicable to the land transactions for IR No. 18. There are earlier *Reserve Schedules* but there is very little information about Burns Lake Band prior to 1916. The *Reserve Schedules* flag discrepancies in the acreage listed in earlier and later schedules. They show when and how many acres of reserve land were lost during different decades.

Whites did not permanently settle in the immediate vicinity of Burns Lake until after 1910 and the white population remained low for many decades. Even today, the white population of Burns Lake is only 1,600 people (British Columbia 1995, p. 323).

The 1916 proceedings and report of the McKenna-McBride Commission is another important primary source. The commission visited different reserves from 1913 to 1915 and took testimony from whites and First Nation community members. The issue, of course, was about the allocation of "provincial" "Crown" land to Indian Bands. This is the only source that actually documents the views and opposition from Native Bands over land allocation.

According to Skocpol, the "topic chosen for historical study and the kinds of arguments developed about it should be culturally or politically "significant" (1994, p. 368). The current backlog of land claims for Burns Lake Band and British Columbia reserves in general shows that the alienation of IR No. 18 is still significant today.

Selective survival bias is a major concern in dealing with DIA documents. Bias, selective survival, incompleteness, and the lack of availability, (Bailey, 1978) were all encountered in researching RG 10 and various government files.
The problem of "weeding" (Scott, 1990, p.25) was also encountered where departments decide what is useful to historians and what is too politically sensitive to release to the general archive (25). DIA and other government agencies practice weeding out of documents and continue to restrict access to many pertinent documents. History is supposed to be the story of lived experience (Tuchman, 1994, p. 313).

In and of themselves the documents stored within the DIA, various government agencies and repositories do not recount the lived experience of the Burns Lake Band. First, mention of the people affected by the transactions as well as the effect that transactions had on Band members is omitted. Second the story is neither contained in a coherent narrative in a single archive, nor is it given voice by descriptively naming the files. They are only numbered with the various filing systems used during different time periods. The story can only be told after all the documents have been reviewed and the pertinent information taken out or sorted chronologically (Jackson, 1991). Only then do themes emerge and only then is the story revealed. It is to that story that I now turn.
CHAPTER FOUR

THE CASE STUDY:

DECOLONIZING ARCHIVAL DOCUMENTS ON BURNS LAKE IR NO. 18

And what of my own borders? When cast as the other, how do I define my borders? Where does the gaze end and I begin (Todd, 1993, p. 28)?

INTRODUCTION

As previously noted the major players in the case study include the Burns Lake Band, the DIA and other branches of the Federal and Provincial governments, the GTPR, The Village of Burns Lake, special interest groups and white settlers and businesses. For all intents and purposes the case study is chronological though a strict chronological approach is problematic because the interests of the major players occasionally overlap. For clarity it has been divided into three phases. The case study examines the major players in each phase chronologically.

As will be shown key commissions from the turn of the century set the stage for the Burns Lake Band story. Both the reserve and the Village of Burns Lake were established during Phase I. The gap between Phase I and Phase II coincides with the Great Depression. Phase II begins shortly thereafter but activity is limited until the end of World War II following which the bulk of the transactions occurred. It was a busy period during which erosion of Band land occurred through transactions initiated by the Village or by public bodies acting on behalf of the (white) village. Their acquisitions of reserve lands was intended to improve Village services and resources to benefit the white population. Special interest groups relentlessly intensified their requests and the
transactions show that the Village received most of the benefits with the reserve being excluded. Phase III marks the beginning of active Band participation in determining the direction of the Band's welfare.

INDIAN RESERVE COMMISSIONS

Reserve establishment in British Columbia began in 1876 with the Joint Reserve Commission, and from 1876–1910 the Federal and Provincial governments initiated several Indian Reserve Commissions (hereafter referred to as IRC) that allocated land for Indian reserves. However many First Nation communities were not affected until after settlers arrived "and importuned the government for land" (Patterson, 1978, p. 5). This was the case with the Burns Lake Band.

Very little correspondence dealing with Charles IR No. 1 could be found in the files examined. After the 1912 Provincial government survey, it was designated as District Lot (DL) 5402, R5 Coast District. The Ministry of Land’s official Plan of DL 5402 shows it originally totalled 346 acres. Level land has always been limited in the Village of Burns Lake. The Burns Lake Band had already cleared the level land and used it for haying purposes prior to the influx of settlers.

In 1912, federal surveyor Swannell refused to survey IR No. 18 because there were land conflicts with whites (RG 10, V.7538, File 27163-1) who wanted to preempt land reserved for IR No. 18. In turn, the DIA warned the surveyor to be careful in any selection of such tracts of land that they be of practicably reasonable areas and in no case should just claims of whites be encroached upon or interfered with (RG 10, V.3750, File 29858-11).

Land controlled and administered by the Federal government for the use of
Indians was “officially” labelled an “Indian reserve.” The remainder of land in the province was designated as “Crown” land controlled by the Provincial government. Provincial “Crown” land was extremely difficult to purchase for the creation of new Indian reserves. Early DIA correspondence shows a pattern of bureaucratic delays at the DIA. For example, the Indian Superintendent castigated the Indian Agent working in the Burns Lake area for dereliction of duties because he failed to have the area around Burns Lake surveyed. The Indian Superintendent requested a report on the “requirements of the Indians” as early as 1905 (DIA file 154-8), which he did not receive.

A hierarchy of orders from different levels of the DIA to have the Burns Lake Band reserve lands surveyed was repeatedly disregarded in this remote area. The Indian Agent neglected the wishes of both his superintendent and Chief Tibbetts of the Burns Lake Band, while the surveyor ignored the Indian Agent (RG 10, V.3750, File 29858-11). The McKenna-McBride Commission noted that the Stuart Lake Agency was too large to be supervised by one Indian Agent (1916, p. 15) and perhaps this contributed to the delays. Paul Tennant points out that the dispute between the Provincial and Federal levels of government resulted in the province blocking the allotment of any further Indian reserves in 1908 (1991, p.86). This left many Bands including the Burns Lake Band vulnerable and their lands open to pre-emptions by whites.

PHASE I: 1905 - 1930

ESTABLISHING THE BURNS LAKE INDIAN RESERVE

In 1905, Indian Agent R. Loring placed notices on land to reserve it for the Burns

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10 Chief David Tibbetts was a hereditary chief and was the Chief during the early land transactions.
Lake Band. Initially they were labelled as IR Nos. 1 and 2, and later renamed Nos. 18 and 19 (RG 10, V.11026, File SNL-2). He stated in a memo that “the above two (2) parcels of land on Burns Lake should have been allotted in the fall of 1892 along with Stella, Fraser Lake Reserves, etc” (SNL-2).

In 1905, a power struggle existed between Indians and whites in Burns Lake, evident in Indian Agent Loring’s following statement.

The Indians of the latter [Burns Lake] have ever since these allotments were made (September 30, 1905) constantly been harassed and badgered by unscrupulous whites. By for instance, their grass being eaten off by pack trains etc., etc., (RG10, V.1587, C14857).

Loring wrongly assumed that his well-marked, posted notices and his documented plans were sufficient to protect the land reserved for the Band from white pre-emptors and land speculators. He believed his notices and plans would make it impossible to overlook or dismiss them (RG 10, V1587, C14856). Chiefs Meschelle and Tibbetts urged the Indian agent to finish surveying their lands because settlers were already trespassing (RG10, V.3750, File 29858-11).

In 1910, Loring stressed the urgency in completing the survey of IR No. 18 in order to prevent it from being staked out by whites (RG 10, V.3750, File 29858-11). He prophetically stated that if the Burns Lake reserves were not surveyed “no end of complications would be the consequence” (RG10, File 1589, C14856). A 1911 memorandum to the DIA stated that delays in obtaining land for Indians would result in the lands being placed in “such a position that it would then be impossible to obtain them for the Indians” (RG 10, V.7538, File 27163-1). An RG 10 file stated, “the small tracts of land required by them (the band members) should be assured to them” (RG 10,
The Burns Lake Band complained to the DIA about white settlers trespassing on their land. Barney Mulvaney, known as the "founder of Burns Lake," was trespassing on their lands in 1914 (RG 10, V.3761, File 32284-2; Mulvaney, 1946, Turkki, 1973, p. 29). The Band also complained that two white men were doing reckless and promiscuous staking, probably for other parties (RG 10, V.1587, C14856).

Indian Agent Loring was unsure if he could eject white trespassers like Mulvaney under the provision of Section 33 of the Indian Act. He was, however, instructed by his supervisors to treat the land applied for as though it was already an Indian reserve until it was either confirmed or disallowed (RG 10, V.11023, File 601).

GRAND TRUNK PACIFIC RAILWAY

In 1903, the GTPR the oldest railway in Canada, announced plans to extend its line to the Pacific Coast. It requested a land subsidy of 6 million acres (Ormsby, 1971, p. 345) and received millions of dollars in cash subsidies from the Dominion and Provincial governments (McDonald, 1990, p. 39). As part of Confederation, British Columbia agreed to provide land for a railway that would connect Canada from sea to sea. The province chose to provide land that went through Indian reserves.

In 1911, GTPR played a major role in the affairs of the Burns Lake Band. When the GTPR Land Commissioner inquired if there was an Indian reserve at Burns Lake, the DIA replied that the area had been temporarily staked out as a reserve (RG 10, V.7672, File 22163-1). Instead of protecting this parcel of land, it became the first cut-off, namely 40 acres from IR No. 18 (DIAND, ILRS, Instrument No. 92925), irrevocably
affecting the future of the Burns Lake Band. This led to further requests for parcels of land near or along the railway's line over the next 70 years.

GTPR laid its tracks in an area under dispute. For example, a 1913 memo showed that they simply destroyed a hayshed owned by "Indian Tibbets" because it was in the path of the proposed railway (RG 10, V.7672, File 22163-1). Chief David Tibbets refused to allow the railway to remove his hayshed because the railway did not have a legal right-of-way through his reserve (RG 10, V.7672, File 22163-1). That he owned a hayshed signified that Chief Tibbets not only farmed but also raised livestock and horses, clearly indicating that he was already using the land for agriculture.

A letter dated 1915 shows that Burns Lake settlers realized that the Burns Lake Band held the best land in the area because of the location of the GTPR station (RG 10, V.11022, File 565A. Frank Leonard, who wrote about the GTPR stated, during the first years of the twentieth century, the Hudson’s Bay Company journals for Fort George indicates that company servants, trappers, and travelling Oblate priests comprised the majority of whites in the district. Only after the announcement of the GTP route across British Columbia in 1907 did whites begin to enter the district in significant numbers (1996, p. 167).

During the McKenna-McBride Commission, Burns Lake IR No. 18 lost two large parcels of lands. Forty acres were taken from the reserve for railway rights-of-way purposes (DIAND, ILRS, Instrument No. 38281). When the province established the GTPR through IR No. 18, part of the Indian cemetery was inadvertently included in the right-of-way. It was resold to the Band in 1928 for $50. All First Nations in Burns Lake used it and the rest of the cemetery until the 1970s.

11 "Indian Tibbets" was actually the Chief. RG 10 files usually just refer to someone as "Indian So and So".
The GTPR laid its tracks close to the lake just past the area marked as a slough on a British Columbia government survey (DIA Fiche No. 9108). Today, this slough area is the only portion of IR No. 18 left for the use of Band members. During the 1970s, the Band filled in the slough areas to make room for more houses. Two other Band member houses exist on properties that were the previous sites of the Indian Agent residence and a Catholic Church.

In 1914, the Board of Railway Commissioners insisted that the DIA send the usual certificate stating that this land was required for railway purposes (RG 10, V.7672, File 22163-1). The DIA, in turn, asked the McKenna-McBride Commission to "give the Department whatever authority appears necessary to permit the railway company to acquire the necessary lands" (RG 10, V.7672, File 22163-1). This request reflects how common it was to request and acquire Indian land. The GTPR acquired the original Fort George Reserve and developed it into the city of Prince George "at a profit of over a million dollars" (McDonald, 1990, p.38). By 1915, the Burns Lake Band was already encountering problems with the railway. The GTPR refused to fence its right-of-ways as required, and its trains continued to kill horses and cattle belonging to Band members (RG10, V. 7672, File 22163-1). This disregard for the property of members of the Band ultimately forced the community to quit raising cattle because of the danger posed by the railway (McKenna-McBride Commission 1915, p. 182).

The commissioners met with the Burns Lake Band on May 21, 1915 at Burns Lake and the Chiefs complained and expressed concerns they had about their lands. In 1915 the McKenna-McBride Commission also recommended that a 66 foot right-of-way of an existing wagon road, and an additional 66 foot right-of-way for a road from the
railway station to the lake front, be deducted from Lot 5402. The road was later named the Dominion Government Road. Today it is called Highway No. 16 and is the main street of the Village.

THE CREATION OF THE VILLAGE OF BURNS LAKE FOR WHITE SETTLEMENT

White settlers sought land adjacent to or in close proximity to the station and Village over a 70-year period. Stewart Raby correctly stated, “undeveloped reserve lands lay as a constant temptation to the speculator and settler, who actively exhorted the government to open them for white occupation” (1973, p. 49). This occurred on a much larger scale with the creation of Vancouver which "was located on land alienated from the Musqueum Nation to the south and the Squamish Nation to the North of the Burrard Inlet, the city grew out of the western terminus of the Canadian Pacific Railway" (Creese and Peterson, 1996, p. 119).

White settlers from Burns Lake petitioned for the townsite property because the GTPR station, station grounds, and sidetracks were all within the boundaries of IR No. 18. The Babine, Francis, Ootsa Lake, and main road paralleling the GTPR were also already within reserve boundaries. Settlers argued that no other land within reasonable distance of the Burns Lake Station was suitable for townsite purposes. This was untrue. Pre-empted lots, probably owned by the very settlers petitioning to alienate the southeast portion of IR No. 18, were not affected or considered. A letter from Deputy Ministry of Lands R.A. Renwick stated that there was an alternative “if the Commission should consider it advisable, the acreage taken for Townsite purposes might be made up from
other vacant Crown lands in the vicinity” (RG10, V.11022, File 565A). The alienation of land from IR No. 18 was therefore unnecessary. The lots, which were pre-empted by white settlers and that surrounded IR No. 18 were never considered for alienation.

Renwick, emphasized development when he stated to the Royal Commission, as you are aware, the Grand Trunk Pacific Railway Company have a station located on this lot and the point furnishes the nearest railway communication with the Francois Lake section in which considerable settlement is now going on. The establishment of a small town at this place would be of great assistance to the settlers and the Minister would very much like to give favorable consideration to their petition for the establishment of a Townsite (RG 10, V. 11022, File 565A).

The railway dissected IR No. 18 and land located on the southeast corner of IR No. 18 became the Village of Burns Lake. However, the Village was not content with this portion and expanded into the northern portion of Lot 5402 as well.

Burns Lake farmers, businessmen, and settlers continued to expropriate portions of IR No. 18. In 1914, they petitioned the Commissioner of Lands in Victoria to set aside part of IR No. 18 for a townsite for the use of the white people. M. Manson, MLA, endorsed this petition and stated,

unless the white people are protected now, while the matter is before the Indian Commission, it will lead to endless disputes. I would strongly recommend that, the request of the petitioners be complied with and that 80 acres be set aside as a Townsite, the disposition of which to be taken up later and dealt with as would best meet conditions for the white people (RG 10, V.11022, File 565A).

The white population of Burns Lake remained small and only reached a population of 240 after 1919 (Turkki, 1973, p. 40). Government protection of white settlers was unnecessary, especially when the population of the Burns Lake Band was only 32 people, including children, as indicated in the 1915 hearings of
the McKenna-McBride Commission (1915, p. 39).

In "Choosing a Townsite" Barney Mulvaney (1946) states, "when I returned with my friend, Indian Agent Bill McAllen informed me that I might be trespassing on an Indian reserve." Mulvaney replied that one of the earliest settlers told him it was a Crown reserve ("Personal Stories and Manuscripts", p. 3). He stated, "I finally discovered that the ideal site was a Crown reserve and no one but King George could order me off" (Mulvaney, 1946, p. 9).

The petitioners received 80 acres (RG 10, V.3761, File 32284-1) during the McKenna-McBride Commission. The Village of Burns Lake was built on the first class portions, cleared and level reserve land that was expropriated from Burns Lake Band IR No. 18 (DIAND ILRS No. 32925). The townsite was cut-off without orders-in-council and without compensating the Band. Eighty acres were excluded as per the 1916 McKenna-McBride Commission (Minutes of Decision). Ministry of Lands Plan of District Lot 5402 shows the two lots contained 60.7 and 17.9 acres totaling 78.6 acres. In May 1917 the townsite was surveyed by H. Black, British Columbia Land Surveyor, and established as Lots 6308 and 6309, Range 5 Coast District. In July these two lots became the site of the Village of Burns Lake. Chief Frank Tibbetts12 reclaimed the Indian Agent property when he demanded that the DIA either pay the Band rent for the last 20 years or turn the building over to the Band (Nesika, 1973 August). The DIA chose the latter.

The GTPR complained to DIA that “the Indians” refused requests to demolish a building on their reserve because no arrangements had been made for the right-of-way

12 Chief Frank Tibbetts was also a hereditary Chief and son of David Tibbetts.
through the land (RG 10, V. 7672, File 22163-1). It was destroyed, and Indian Agent McAllan submitted a claim to the GTPR after the fact on behalf of "Indian David" of Burns Lake stating "the building was on GTPR right of way and was overlooked by me when valuing Indian improvements by railway some time ago" (RG 10, V. 7672, File 22163-1).

In an area unsettled by white people it is odd that a hayshed belonging to the "Indian" Chief was demolished. It is strange that this hayshed, probably the only one of its kind in this area, was overlooked in the Indian Agent's valuations and is another example of DIA's lack of concern over Indian lands and property.

To add insult to injury, the Canadian National Railway, (hereafter CNR), which took over GTPR, initiated action in 1926 demanding that the DIA completely refund the GTPR for the 38.66 acre right-of-way through IR Nos. 18 and 19. Legal counsel for the CNR stated:

I now find that at the time these negotiations were carried on and the money paid over to your department, Lot 5402 was the property of the Province of British Columbia, and had not been turned over to nor properly under the jurisdiction of your dept. . . . I hereby make application to your department for a refund . . . together with interest on this amount at the rate of 6 percent per annum from the 4th day of January, 1915 to the date of payment (RG 10, V. 7672, File 22163-1)

The DIA agreed to this request on January 11, 1927. They also asked the CNR if it had any more requests for refunds involving other reserves with similar rights-of-ways through Indian reserves (RG 10, V. 7672, File 22151-16).

Land located to the left of the railway also decreased as right-of-ways, roads, bulk oil and gas facilities, a hydro station, sawmill, cattle pens, and other businesses intruded

13 "Indian David" was also Chief Tibbets but RG 10 files usually omit that fact.
on IR No. 18. Oil companies leased the expropriated railway right-of-way to store oil and gas towers (DIAND, ILRS Instrument No. L3032). Band members, including elders, crawled under trains and walked around areas fenced in by businesses on or near the reserve to get to town. Land located on the Village side, or north of the railway tracks, was quickly alienated during the many different land transactions that occurred during the period studied (DIAND, ILRS Instrument No. 1505-19).

DITCHBURN CLARK COMMISSION

In 1923 the provincial and Federal governments formed the Ditchburn-Clark Commission to review and revise the recommendations made by the McKenna-McBride Commission in 1916. The Provincial and Federal governments had already reviewed the final report for four years and still could not agree on how to implement the recommendations. They each agreed to provide a representative to negotiate a solution. The Dominion appointed Chief Inspector of Indian Agencies W.E. Ditchburn and the province appointed Major J.W. Clark from the Ministry of Lands. The Ditchburn-Clark Commission did not complete its findings until 1923. The delay cost Burns Lake Band IR No. 18 three acres (RG 10, V.7545, File, 29163-24).

On February 22, 1922 the Burns Lake Citizen Association (also known as the Burns Lake Citizens' Committee) applied to Indian Agent McAllan for a 1.5 acre parcel on the reserve for a public cemetery serving the white settlers of Burns Lake. The Ditchburn-Clark Commission approved this cut-off, which was noted in the Schedule of New Reserves for the Stuart Lake Agency.

At first, Indian Agent McAllan had stated that the cemetery location was
meadow land upon which they cut hay and had been cleared of trees ..., and I do not consider that it would be a fair deal to have this amount of land simply eliminated from their holdings without compensation of some kind (British Columbia Lands, File 038977).

Later he revised his description of the land in question from "cultivated and cleared land" to land that was "fenced and otherwise in its natural condition", thus reducing its value (British Columbia Ministry of Lands, File 038977). He then agreed that the $100 offered by the Citizens' Association was fair compensation to the Band for the loss of their land.

The Burns Lake Citizens' Association originally petitioned Indian Agent McAllan to act on their behalf (RG 10, V.7545, File, 29163-24). A few months later they bypassed both the Burns Lake Band and the DIA and took the matter up directly with the more sympathetic land office in Victoria (File 29163-24). Chief Inspector of Indian Agencies Ditchburn, a representative of the Federal government, informed H. Cathcart, Superintendent of Lands for British Columbia, that the report of the McKenna-McBride Commission was not yet approved, so it would be easy for the province to simply eliminate the three acres from IR No. 18 if it felt so disposed (British Columbia Lands, File 038977). Once again, white settlers and businesses asked for 1.5 acres and were given 3 acres from IR No. 18.

Indian Agent McAllen, sent a memo to the DIA outlining plans he received from the Burns Lake Citizens Association. He stated:

I have no communication with the Indians in this matter but the Association advises me that they are willing to sell and that being the case I would strongly recommend that the request of the Association be agreed to as it is very important that they have a cemetery in that location (RG 10, V.7545, File 29163-24).

A year later the Band was still waiting for payment for the parcel, while the white
people in Burns Lake were already using the land for a cemetery (RG 10, V.7545, File, 29163-24). A nominal compensation of $50 was received from the Citizens’ Association for the land. The Burns Lake Indian Band was already using the cemetery listed in the 1912 Provincial Survey. The parcel of land requested by the Citizens’ Association was located beside the Indian graveyard between the railway tracks and the “government road,” and later became Lot 2138 (DIAND, Fiche No. 9526). Both the railway and the “government road” were also taken from IR No. 18. The Citizens’ Association stated that the site used by the Indians for a cemetery was undesirable and unsatisfactory, and no other desirable tract was available. This of course, was incorrect. The “Indian” cemetery was used until the 1970s, when it no longer had space for burials. The undesirability and unsatisfactory nature of this cemetery was due to the fact that no white settlers were buried there (except for Mulvaney’s wife). Burying First Nations and white settlers in the same graveyard was not an option. A new segregated cemetery for Native people is still in use today.

PHASE II: 1931 - 1970

LAND TRANSACTIONS FROM 1931-1970

In August 1931, A.B. Smith, an American applied for a two acre parcel located in the southeastern corner of IR No. 18. The parcel was cut-off from IR No. 18 by the Francois Lake Highway (RG 10, V. 7534, File 29163-24). The parcel he sought was adjacent to his chicken ranch (RG 10, V. 7549, File 33163-24, MOTH File, No. 4767-38) and located close to the residential district of Burns Lake. Smith offered $100 for what he described as half an acre. The parcel was closer to two acres and the DIA accepted
$150 because the "Indians were badly in need of money, and they did not have trust monies in Ottawa" (RG10, Vol. 7549, File 33163-24)

On February 14, 1935, Chief Engineer A. Dixon applied for a right-of-way on IR No. 18 on behalf of the provincial Minister of Public Works. He stated that he expected an order-in-council to be passed regarding this right-of-way. Ottawa replied that since this proposed right-of-way was not a benefit to the Band, Public Works would have to compensate the Band before a transfer was completed. Federal order-in-council 7613, dated September 20, 1943, approved the transfer to the province of British Columbia of a road right-of-way comprising 4.436 acres. Application for the transfer was made according to Provincial order-in-council 1036, which allowed the province to resume up to one-twentieth of a reserve for public works purposes. In 1943, a check of titles to various Indian reserves showed that the province built the road without permission from either the Band or DIA. The road right-of-way only became an issue when the highways department wanted to widen it. There were no land transactions during World War II.

IMPROVEMENTS TO THE VILLAGE OF BURNS LAKE

In 1946, the Village applied to the DIA to purchase 5 acres of IR No. 18 for the installation of a pipeline for domestic water purposes (RG 10, V. 7483, File 21163-24, Pt. 1). Indian Agent Howe advised the Town Clerk that the Band was reluctant to surrender 5 acres. Indian Commissioner McKay told Howe that a surrender would be required for alienation of the proposed right-of-way. The Band stated that a 20 foot right-of-way assessment was ample for the requirements of the Village. This pipeline supplied the Village of Burns Lake with water from the 1940s onward, although the residents of IR
No. 18 did not receive running water until the 1960s.

The DIA had the option to allow the Village water access through the reserve for as long as the Village required it, while retaining the land as part of IR No. 18. Instead, in 1948 the DIA sold the reserve land outright to the Village, further dissecting IR No. 18. The DIA agreed to sell a 66-foot, right-of-way for $115.50. Ten years later, the Indian Commissioner for British Columbia inquired if the purchased water right-of-way included a stipulation that the Village was to supply water or a standpipe to the reserve (DIA file, 161/8-2-2-18). Superintendent Demarais was negotiating the supply of water to IR NO. 18 with the Village of Burns Lake. The response was that the DIA failed to include such a stipulation, even though it previously stated that the pipeline would benefit the Band. Later, the Band had access to "a" water faucet located outside a British Columbia Hydro power station, which was built on the expropriated railway right-of-way.

In 1947, the Chief Engineer of the provincial Ministry of Public Works approached Indian Commissioner Mackay about purchasing another 5 acres located in the southeastern corner of IR No. 18. The property was adjacent to the lot bought by the American Smith during the depression. This property was needed for a provincial Public Works yard (MoTH file 4767-38). Although the Federal government was at odds with the Provincial government over the question and status of Indian reserves, the Indian Commissioner stated that "priority should be given to departments of the province" (DIA File 14-3-3) for this kind of request. The Indian Agent stated that this Band had much more land than it could use for agricultural purposes and it was extremely unlikely that it would ever utilize the acreage (DIA File 2-2-3). As discussed earlier, this is erroneous.
To own a hayshed signified that Chief Tibbets not only farmed but also raised livestock and horses, suggesting that he was already using the land for agriculture. The DIA informed the province that it did not think a surrender was necessary and said it could expropriate the land by using Section 48 of the *Indian Act*. The DIA suggested the province follow this route to reduce the waiting time for the province by two months (DIA File 27163-24).

In 1949, School District No. 55 applied to Indian Superintendent R. Howe to purchase 3 acres of meadow land from the Band to build a high school. The 3.66 acre parcel was identified as Parcel "A" on Plan BC 1093. Located on the south boundary of Burns Lake, it was sold for approximately $1,200. Until the late 1970s, no Burns Lake Band high school students attended this school. In later years, no students from the Band have ever graduated from it. Instead, students attended a school in Prince George located 2.5 hours away. As noted earlier I am the first Band member to pursue and complete a M.A. My sister and sister-in-law received their B.Ed's from the NITEP program at UBC. Other than my two daughters, who grew up off-reserve no other Band members have completed university degrees. Because of the intolerable race relations in the high school at Burns Lake students drop out very quickly and there is very little incentive to complete their education in that environment.

In 1951, the Village applied to Superintendent Howe for a 21 acre parcel (DIAND, Fiche No. 523) of land located east of the white cemetery between the railway right-of-way and the highway. Indian Commissioner Arneil recommended the sale

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14 Section 48 deals with reserve land taken for public works purposes.

15 NITEP is the Native Indian Education Program at UBC, Vancouver.
because the Band was not using the land and he believed it was essential for the good and welfare of the white community and would allow the Village of Burns Lake to expand (DIA File 163/34-2). The only stipulation that Arneil expressed about the sale of the parcel was that a portion should be kept for an Indian Agent house. Once a suitable lot was found outside the area, but still within IR No. 18, the 21 acre parcel was sold (DIA File No. 163/34-2-2-18). This parcel was ultimately subdivided into Blocks 1 and 2, parcels B and C, and a park (IASR Plan F3904).

The Band accepted $7,000 as compensation. Although Chief David Tibbetts owned 10 acres from this parcel, he wanted the land classed as common land and the proceeds for the entire parcel accredited to Band funds. Pre-emptions surrounding Lot 5402 included Lots 5341 located on the west, 5343 located on the east, 5344 located to the southeast, and 5342 located to the north (McKenna-McBride Commission, 1916, p. 39). Throughout the course of this study, the Village continued to request parcels from the reserve adjacent to previously alienated parcels to advance its own developments.

In 1954, School District No. 55 applied for another 15 acres, this time for a new elementary school and playground. The request was downgraded to 10 acres of level and cleared land, which were expropriated from IR No. 18 for school purposes (Block “E” on Plan BC 1159; DIA File No. 163/34-2-18, DIAND, ILRS No. 12765; McKenna-McBride Commission, 1915: 182; VLA File 26-17-Van). The parcel was adjacent to the cemetery and high school. None of the Burns Lake Band children ever attended this elementary school. Lusser and Getty state that in 1949-50 only seven percent of Indian children were attending any provincial schools (1983, p. 177). The Veteran Lands Act (VLA) appraisal for the school property (VLA Appraisal, File V 26-17-Van, 1956) stated that the parcel
was the choicest acreage in the area for building sites.

In 1956, the Village resold lots measuring 55 feet by 120 feet for $350 (DIA File No. 163/34-2-4). The Band received $700 an acre for the 10 acre plot. A one-acre parcel subdivided into six lots of similar size would bring $2,100 to the Band funds. In 1956 the Village of Burns Lake resold a lot previously purchased from IR No. 18 for $1,000 an acre (VLA Appraisal, File 26-17-Van, 1956 p. 2). Level land was scarce in Burns Lake due to rough topography, swamp, drainage problems, and difficult road access. In light of this, reserve land was not sold for fair market value.

Furthermore, in 1956 W.C. Bethune of DIA's Reserves and Trusts informed Indian Commissioner Arneil that the province had the statutory power to acquire land without the consent of an owner. Bethune suggested that the DIA complete the land transaction under Section 35 of the Indian Act to eliminate the need of a surrender for the Band (DIA File No. 163/34-2-18 R9). The Indian Commissioner for British Columbia wrote to H.L. Campbell, Deputy Minister of the provincial Department of Education, asking if school districts had the power to expropriate lands for school purposes and, if so, to provide the applicable provincial legislation (DIA File 163/34-2-18). Two days later, he received a reply stating that Sections 141 to 146 of the Public Schools Act allowed property to be expropriated for school purposes. When a new elementary school was built in Burns Lake, the province donated this property to the College of New Caledonia in Prince George instead of returning the land to the Band. Today a satellite campus is operating on the old elementary school site.

On May 11, 1965 Burns Lake School district No. 55 proposed an exchange of

16 Section 35 deals with land taken for public purposes. See Union of BC Indian Chiefs 1988.
land on IR No. 18. A Band Council Resolution dated May 14, 1965 signed by Chief Frank Tibbetts and members of the Band agreeing to exchange two narrow strips of land bordering on Parcel "E" at the northeastern and eastern boundaries (DIA File 161/30-1-2). The exchange allowed more storage space for the Indian Agent's house and the School Board received access to the rear of Parcel "E" which they previously acquired under Section 35 of the Indian Act.

The Band received in return a narrow strip of land, listed as parcel "H," which was a few feet wide and adjacent to the Indian Agent's house. The school district also gained access from the Babine Road to Parcel "E" for development (School District No. 55 to Agency Superintendent). The Band received a 0.297 acre strip of land for which they gave up a 0.193 acre lot. Although this exchange looks generous on paper, it was in fact very self-serving for the School District and the Indian Agent residing on the property. The Indian Agent received more land and the school received access.

In 1957, the hospital board applied to W.S. Arneil for a 5 acre parcel from IR No. 18 (DIA File 163/34-2-2-5). This request was originally initiated in 1923 (RG 10, V. 7549, File 33163-24), dropped, and then reactivated in 1957. There was some confusion over this parcel because the Village also was interested in acquiring the same property. The hospital board received the property when the Village abandoned its request for the land (DIA File 161/34-2-18). The hospital board, as in the other transactions, argued there was no other "suitable" site for a hospital.

Native people from other communities seasonally visited Burns Lake to coincide with hunting and trapping seasons. Most lived as on various portions of IR No. 18, especially the site used as a "dump pile" by the Village. The Indian Superintendent
favoured selling the property to the Village as a way to evict transient Indians who he claimed lived in deplorable conditions. A VLA appraisal dated 1956 shows that the Village wanted this parcel for a syndicate of local citizens interested in building quality homes (VLA appraisal, File V-26-17). They chose an area adjacent to the property acquired earlier by the school district. The acreage was later subdivided into 1 acre lots. It is unclear why the DIA did not sell the 1 acre lots for their true market value and Band, rather than white speculators would have benefited from the land sale. The Village inquired if they could simply expropriate the land they needed (DIA File 161/34-2-18-1). DIA told them that they could not.

The Village requested a very odd shape from IR No. 18 because they only wanted to pay for the prime real estate portions. For instance, they did not want areas with rough topography, such as steep ravines (DIA File 163/34-2-2-1). Therefore, their original request for 14 acres was reduced to 10 acres. The final parcel was 8.017 acres once unusable portions were deducted.

To gain access to this newest residential property, the Provincial government needed to widen the Babine road, the same road that was never transferred to the province by a legal instrument. Furthermore, the DIA was unaware that this road existed until the province made a request to widen it (DIA File 161/31-4-2-18 (R)). The entire road, as well as the section needed for widening, was surveyed and transferred to the province under provincial order-in-council 1036. The DIA arranged to sell an additional 2 acres of IR No. 18 to widen the road, accepting $200 in payment even though the VLA appraisal on other parcels of Band land valued the area at $700 to $2,100 an acre (DIA

17 There are still ill feelings between members of the different Bands who were evicted or had their houses burned down in this move.
The total right-of-way was surveyed and defined at 6.5 acres (IASR Plan 4604). A 0.2 acre road allowance was returned to the Band in 1966 (MoTH File 4767-38/30630) because it was no longer needed for road purposes. At this time, the Burns Lake Band informed the Indian Agent that they would no longer sell portions of their reserve.

To rectify the problem caused by the sale of “dump pile” property in the 1950s, more land was taken from IR No. 18 to create a new reserve for the dislocated people squatting in the area. Many of the people were Babine Indian veterans returning from World War II and they refused to move back to their remote reserves (Conference 1955). The Provincial government, however, refused to sell any more land to the Federal government for reserve creation. W.J. Desmarais, noted that upper IR No. 18 was decimated by land transactions anyway, so he recommended that the DIA purchase land from Burns Lake Band IR No. 18 to create a new reserve for the Babine Indians.

The DIA decided in 1965 that selling another portion of IR No. 18 to the Babine Indian Band would alleviate the problem (DIA File 161/30). Originally, the DIA tried to buy a parcel from a white woman who owned Lot 5343, but she refused to sell for less than $1000 per acre. Ultimately, 29 acres from IR No. 18 were sold to the Nat’oo’ten to establish a new reserve (22 acres in 1958 and 7 acres in 1965). The DIA considered locating a reserve for the Babines at Pendleton Bay, but that involved buying provincial lands at $750 for 12 acres (DIA File 161/30, 1958). The Federal government could have bought land more cheaply from the province than from IR No. 18. A memo dated 1958 stated “privately owned ground immediately to the north of the parcel in question can be purchased for less than $100 per acre” (DIA File 161/1-1 (RT)). Later, a 7 acre parcel
was sold for $1,500. By this time, the Provincial government refused to sell any
“Crown” land for the creation of new reserves for Indians.

Rolf Knight suggests

Provincial legislation, legislative orders in council, and administrative decisions
affecting Indian peoples served mainly to expropriate lands and resources claimed
by native groups. In addition, provincial legislation progressively restricted
Indian use of Crown lands. Crown lands in BC, surprisingly, continued to
comprise more than four fifths of the land area (Knight, 1996, p. 105).

Burns Lake Band members lived in crowded conditions because too many people
from other areas were living on the small remaining section of reserve located along the
lakeshore. Many Babine Lake Band members lived on the Burns Lake reserve because it
was closer to town than their own more remote Indian reserves (Nesika, 1973, August).
The DIA informed the Band that if they sold a 22-acre parcel to the Babine Indians, all
members who were not from the Burns Lake Band would be removed from the remaining
portion of their reserve. The Burns Lake Band sold the 22 acre parcel for $227 an acre
because the DIA claimed that this was all the money the Babine Indians had in their trust
account (DIA File 161/30, 1959). This parcel became Woyenne IR No. 27.

On August 17, 1967, the Village of Burns Lake proposed an exchange of
subdivision Lot 15, Mulvaney Crescent for 1 acre of leased land on IR No. 18. Lot 15
was a 0.2 acre parcel that was part of a previous transaction sold to the Village (DIA File
No. 973/30-1-11-18, DIAND Fiche No. 526). The Village leased a 200 by 200 ft
lakeshore lot for $75 a year. It is listed as Parcel “J” ( CLSR BC Plan 56688, DIAND,
Fiche No. 527). The Village built a house for the pump house maintenance worker on
this lot. In 1948, the Provincial government had already expropriated a 5 acre lot at the
opposite end of the reserve for the provincial Public Works department. The pump house
could easily have been located on this portion, leaving the last parcel of IR No. 18 intact. The parcel was located near the Indian cemetery on the portion of IR No. 18 where present Burns Lake Band members live. The DIA advised the Village that its current policy was not to sell Indian land, but to exchange it instead. The remaining small portion of land south of the railway tracks, near the lake, was later encroached upon by white businesses that leased land and then built a heliport and a weather station amid the reserve houses (ILRS DIAND Instrument No. 65063; Nesika, 1973, August). Today the alderman of Burns Lake lives on the 1 acre lakeshore lot. Ironically, the Band could not get the DIA to install a water and sewer system, and had to fund the system itself in the 1970s (Nesika, August 1973).

From the 1950s to the 1970s, the small remaining section of IR No. 18 was surrounded by businesses, a public works yard, and a hydro power station with transformers, storage for hydro poles, a cattle yard, a heliport, a weather station, sawmills, beehive burners, oil and gas facilities, roads, and the railway. Some of the properties were leased, but most were located on the railway right-of-way expropriated in 1916. All businesses and industries were located on the same side of the railway tracks as IR No 18. At one time even the white foreman for the sawmill lived in a double-wide trailer a few meters from the reserve houses because the “mill was only a stone’s throw from the Band’s houses” (Nesika, 1973, August). The trailer was located between the hydro power station and the Indian houses.

BC Hydro also had a stationary generator plant that used diesel fuel to power its plant. The *Lakes District News* (1966) reported that one of the lines from the hydro station broke and 10,000 gallons of diesel fuel seeped into the ground. This spill flowed
towards the houses of Burns Lake Band and seeped into the Lake. The diesel that seeped
into the lake had to be burned off. The spill was detected in January 1966 and not
reported in the paper until April 1966.

**PHASE III: 1970 to 2000**

1970 - 2000

On a macro level in 1969 the Federal government introduced the "White Paper",
which suggested ways to dismantle the DIA and complete the assimilation process of
"Indians." Bands throughout Canada reacted swiftly to this plan and it paved the way for
more organized political action. Hence the 1970s were a pivotal turning point for the
Burns Lake Band. At this time, younger members of the Band assumed the positions of
Chief and Council. There was also more flexibility in who was eligible to run for the
position of Chief. Also during the 1970s tribal councils were formed that organized
Bands to focus on settlement of land claims or lobby for changes to the DIA (Kew, 1990,
p.167).

Although the Burns Lake Indian Band IR No. 18 was originally assigned 346
acres, today it uses only a fraction of that, perhaps 20 or 30 acres. There are 14 houses,
a Band owned and operated motel, and a heli-pad located on IR No. 18. The Village
boundaries divide the reserve into two sections: one part is on the lakeshore and is
surrounded by commercial and industrial operations; the other section is on the north
side of Highway 16 at the west end of the Village (Burns Lake Band, 1998). Sheraton
IR No. 19 has 179 acres, which is leased in its entirety to the Babine Forest Company,
the largest operation in the area, employing 300 mill workers and 300 contract loggers
when economic conditions permit (Burns Lake Band, 1998). Former Chief Ruth Tibbetts currently owns a portion of IR No. 19 and receives a percentage of rent from the rent collected from the sawmill.

In 1978, the DIA contributed $320,000 to the Village for upgrading sewer and water systems (DIA File E4300-14-619), which was to benefit both the Native and non-Native residents of Burns Lake. The Village of Burns Lake has shut off the water supply to the Band on more than one occasion. The hostility stems from the Band's request that the Village of Burns Lake share the taxes it collected for two decades from the sawmill on IR No. 19. When the Village refused this request, Chief Robert Charlie enacted a by-law in 1988 resulting in 100 percent of the taxes going to the Band coffers instead of the Village of Burns Lake. Today, the Village and the Band are at odds over water and sewer fees (DIA file 4300-14-619). In July 2000 the Burns Lake Band won a long battle with the Village of Burns Lake, which claimed that Burns Lake Band owed it almost $800,000. The Supreme Court of British Columbia disagreed and stated that the Band owed the Village $9,000. The Village is now threatening to cut-off water and sewer to the Band in December.

Chief Charlie is moving the Band toward economic self-sufficiency and created Turtle Island Development Corporation Limited (TIDC) in February 1999 to manage the Band's remaining land base. It is responsible for future development such as plans to accommodate property development on parcels that front Highway 16 for retail and service companies. Chief Charlie has done much to ensure that the Burns Lake Band is moving forward in the new millennium and taking charge of its own affairs and is

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18 Ruth Tibbetts is the widow of Chief Frank Tibbetts.
currently very successful in its business endeavors. The Band will no longer live on the wrong side of the tracks. It has taken control over its land and resources and ensures that the Band benefits from any new transactions.
CHAPTER FIVE  
RETURNING THE GAZE — "ONE" TALKS BACK 

IR No. 18 was created at the beginning of this case study and most of its land was alienated by the end. The Burns Lake Band is currently conducting an environmental impact assessment study to test ground water and soil contamination levels on what remains of IR No. 18 because of the diesel oil spill. Chief Robert Charlie recently informed me that he is considering moving the Band members out of the remainder of IR No. 18 and relocate on the other side of the lake isolated from the Village of Burns Lake.19 One hundred years of conflict and tension with the white community of Burns Lake has forced the Band to consider this move. The new site would include a parcel between IRs 17 and 17A that was originally pre-empted by a white settler. The Band purchased the property in the middle of IR Nos. 17 and 17A in 1999 and now has road access to these reserves on the other side of Burns Lake. The extent of contamination on the only remaining section of IR No. 18 was the catalyst for Chief Charlie to propose this move to the new location. To date the DIA is reluctant to endorse this move. 

Documentary analysis also shows that the social construction of the Burns Lake Band as a non agricultural, non productive population in the early decades of the 20th century was false. Before whites settled in the area, the Band were farming and raising livestock. The 1912 surveyor's field book specifically indicates that the Band was already using the arable portions of their reserve to grow hay for their farm animals (Field Book BC 406). These lands were among the parcels alienated to accommodate the Village of Burns Lake and, later, to build an elementary and high school for the growing 

19 See Appendix "C", BC 4110-75 Aerial Photo map, UBC Geography Department
white population of the Burns Lake area. The railway refused to fence its property forcing the Band to abandon animal husbandry because too many of their animals were being killed by the railway. Curiously none of the prime real estate land taken from the reserve by white settlers was ever used for agricultural purposes. Rather it was used to develop the Village of Burns Lake.

Reconstructing the story of land transactions in the Burns Lake area shows how land issues entrenched prejudice and racism and polarized the social relations between the Burns Lake Band and the white settler community. Various commissions involved in land transactions fostered inequality and economic conflict between Aboriginal and non-Aboriginal members of this area. The DIA also created inter-Band conflict by evicting other First Nations who were using Burns Lake Band land to camp seasonally.

Today First Nations can access files created about their reserves. First Nations participate democratically in their affairs, so government agencies can no longer silence these communities or threaten the family or community with racist policies. The wrongs inflicted against First Nation communities are uncovered in files initially created to record the legitimized version of land history on Indian reserves. Nonetheless, although the legal arena is now open to First Nation communities, many lack the funds, and expertise and personnel to redress past injustices. Even when research shows that there are grounds for a specific land claim, the system is slow in processing them, resulting in an immense backlog of claims in British Columbia and throughout Canada.

Many Bands are challenging the past decisions made by the DIA on their behalf. Specific land claims are a result of a breach of federal obligation in protecting Indian reserve lands. Burns Lake Band is no exception. It currently has three active specific
claims that were initiated by Chief John Charlie. The Band initiated these claims to receive compensation for the 80 acres expropriated from IR No. 18 during the McKenna-McBride Commission. They also have active claims for the 3 acre cemetery parcel and the railway right-of-way expropriated from the reserve. There are three other cases in various phases of the specific claims process. The DIA failed to secure the land reserved for IR No. 18. The delay in getting it surveyed and set aside as reserve land, left the Burns Lake Band in a vulnerable position with the Provincial government.

I visited Burns Lake in July 2000 for the Band’s opening of a new friendship center that will be called "The House That Has Many Eyes." The Burns Lake Band donated a parcel of IR No. 18 for this center. It is the first British Columbia Band to build a community-based center and the Band plans to raise a further 5.5 million dollars for a permanent building. Today they are using trailers to get the project off the ground. The friendship center will benefit aboriginal as well as non-aboriginal members of the Village of Burns Lake. This donation of a portion of IR No. 18 shows that this Band is still giving to the Village despite all that has happened between the two parties.
CONCLUSION

My voice retells the story of the Burns Lake Band and show how prevalent and systematic the alienation of reserve land was for this small Band. It is a story that can be repeated for every Band in the province. Furthermore, the land history of this Band as represented in the DIA files only presents a fragmented story. This historical sociological reconstruction of the land transaction shows how historical research by members of First Nations can benefit First Nations in general. Research such as this also reveals hegemony and patriarchy in action.

A powerful government apparatus combined with a hegemonic system of representation was created to espouse negative constructions about First Nations. A white settler government perpetrated ideologies about Native land to justify and enforce inequalities that were based on an imagined and subordinate group called “Indians.”

Through a critical study of archival sources my research reveals a pattern of mismanagement of reserve land by the DIA. A detailed analysis of some of the land transactions for Burns Lake IR No. 18 illuminates a power relationship that was detrimental to the interests of the Burns Lake Band. Mismanagement of reserve lands cannot be blamed on isolated bureaucratic blunders by one or two DIA civil servants. Subordinate members of the department needed approval or authority from senior officials in Ottawa. Sources also show that the DIA collaborated with the Provincial government, white settlers, and businessmen who repeatedly requested or expropriated parcels of IR No. 18.

From my perspective, reading these documents strongly suggests that
the paternalistic attitude of the DIA contributed to the loss of prime real estate and emphasizes how prevalent these losses were. The DIA was invested with power to protect Indian rights when British Columbia joined confederation but instead during the debate on union in British Columbia, there was only minor discussion of Indian Affairs (Fisher, 1992, p. 176).

Other First Nation members who experienced the racist environment of the 1960s and 1970s will recognize this process of alienation, as it was a familiar pattern during this period. The Burns Lake Band owned the most valuable land in Burns Lake yet Band members grew up living in poverty and experienced social problems associated with "living on the wrong side of the railway tracks."

I returned home in July 2000 and was walking to town with an elder from the Band. As usual the railway cars were parked in our path along the whole length of IR No. 18, as they have since the railway was put in. I asked her "how do we get past the railway cars" and her answer was "we crawl under it." This elder has had so many hernia operations that her doctor has told her she cannot have another. I replied, "there is no way we are crawling under that train, we will walk all the way around."

To return to Dorothy Smith's train story-- the Indians were probably not only watching her but more likely waiting for her and the intrusive train to get out of their way. The colonial ward/guardian paradigm was never a participatory or democratic process, and negotiation between the parties was minimal. One can read between the lines of archival records. For instance, the government had power to inflict retribution on the Band if it did not accommodate all the land transactions. The "60s Scoop\textsuperscript{20}

\textsuperscript{20} This refers to the excessive and extensive fostering out of First Nation children to whites
(Littlechild, 1996) was a constant threat which my grandmother frequently teased me with.

Power, and politics were used for racist ends. My generation has benefited from the global human rights movement during the 1960s and 1970s. This study is a micro version of a macro global phenomenon. The Burns Lake Band lost most of IR No. 18 but not one child was apprehended. Those children, my generation, have carried the memory of what happened and we have taken control over Band affairs as well as initiate changes. On August 13, 2000 I asked Chief Charlie what the Burns Lake Band was called before "Burns Lake Band." He said it was called "Abenglat Whut'en" which means where the water flows. The Band is considering renaming the Band in the near future. We are talking back. As "Ones" we are no longer mute or perhaps we just speak loudly enough now for "Twos" to hear us more emphatically.
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APPENDIX

MAPS

APPENDIX "A"
  DIA Regional File 5670-619-07439
  BC Plan TBC 285, Map of Charles IR No. 1 (Lot 5402, IR No. 18)
  showing lots surrounding IR No. 18.

APPENDIX "B"
  DIA Regional File E5670-619-08353
  Burns Lake Reserves surrounding Lake

APPENDIX "C"
  Aerial Photo of Burns Lake
  UBC Geography Department

APPENDIX "D"
APPENDIX "B"

CHARLES I. R. NO. 1.
RANGE 5 COAST DISTRICT

Scale: 20 Chains - One Inch

Traced by L.T.
Checked by C.W.
Received by J.D.L.

Indian Affairs
Survey Records
First Nations of British Columbia

APPENDIX "D"

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The intent is to provide a more accurate representation of First Nations in British Columbia. Boundaries shown are language areas and not an authoritative depiction of tribal territories. The names listed are the ones First peoples prefer to call themselves. Terms and spellings do not reflect all dialects or names used by First Nations living within the illustrated regions.

Georgia Straits Region:
1) Homalco
2) Klahoose
3) Sliammon
4) Comox
5) Qualicum
6) Se'eshtal
7) Sne-Nay-Muxw
8) Squamish
9) Quwutsun'
10) Sto:lo
11) Semiahmoo
12) Tsleil-Waututh
13) Musqueam
14) Tsawwassen
15) T'Sou-ke
16) Esquimalt
17) Songhees
18) Saanich
19) Coquitlam